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THE HISTORY OF ENGLAND.

CHAPTER I.

The Britons—The Romans—The Saxons—The Heptarchy—The Kingdom of Kent—of Northumberland—of East-Anglia—of Mercia—of Essex—of Sussex—of Wessex.

THE BRITONS.

THE curiosity entertained by all civilized nations, of inquiring into the exploits and adventures of their ancestors, commonly excites a regret, that the history of remote ages should always be so much involved in obscurity, uncertainty, and contradiction. Ingenious men, possessed of leisure, are apt to push their researches beyond the period in which literary monuments are framed or preserved; — without reflecting, that the history of past events is immediately lost, or disfigured, when entrusted to memory and oral tradition; and that the adventures of barbarous nations, even if they were recorded, could afford little or no entertainment to men born in a more cultivated age. The convulsions of a civilized state usually compose the most instructive and most interesting part of its history: but the sudden, violent, and unprepared revolutions incident to barbarians, are so much guided by caprice, and terminate so often in cruelty, that they disgust us by the uniformity of their appearance; and it is rather fortunate for letters that they are buried in silence and oblivion. The only certain means by which nations can indulge their curiosity in researches concerning their remote origin, is to consider the language, manners, and customs of their ancestors, and to compare them with those of the neighbouring nations. The fables which are commonly employed to supply the place of true history ought entirely to be disregarded; or if any exception be admitted to this general rule, it can only be in favour of the ancient Grecian fictions, which are so celebrated, and so agreeable, that they will ever be the objects of the attention of mankind. Neglecting, therefore, all traditions, or rather tales, concerning the more early history of Britain, we shall only consider the state of the inhabitants as it appeared to the Romans on their invasion of this country: we shall briefly run over the events which attended the conquest made by that empire, as belonging more to Roman than British story: we shall hasten through the obscure and uninteresting period of Saxon annals; and shall reserve a more full narration for those times when the truth is both so well ascertained and so complete as to promise entertainment and instruction to the reader.

All ancient writers agree in representing the first inhabitants of Britain as a tribe of the Gauls or Celtæ, who peopled that island from the neighbouring continent. Their language was the same,—their manners, their government, their superstition;—varied only by those small differences which time, or a communication with the bordering nations, must necessarily introduce. The inhabitants of Gaul, especially in those parts which lie contiguous to Italy, had acquired, from a commerce with their southern neighbours, some refinement in the arts, which gradually diffused themselves northwards, and spread but a very faint light over this island. The Greek and Roman navigators or merchants, (for there were scarcely any other travellers in those ages,) brought back the most shocking accounts of the ferocity of the people, which they magnified, as usual, in order to excite the admiration of their countrymen. The south-east parts, however, of Britain, had already, before the age of Cæsar, made the first and most requisite step towards a civil settlement; and the Britons, by tillage and agriculture, had there increased to a great multitude. The other inhabitants of the island still maintained themselves by pasture: they were clothed with skins of beasts: they dwelt in huts, which they reared in the forests and marshes, with which the country was covered: they shifted easily their habitation, when actuated either by the hopes of plunder, or the fear of an enemy: the convenience of feeding their cattle was even a sufficient motive for removing their seats; and, as they were ignorant of all the refinements of life, their wants and their possessions were equally scanty and limited.

The Britons were divided into many small nations or tribes; and, being a military people, whose sole property was their arms and their cattle, it was impossible, after they had acquired a relish of liberty, for their princes or chieftains to establish any despotic authority over them. Their governments, though monarchical, were free, as well as those of all the Celtic nations; and the common people seem even to have enjoyed more liberty among them, than among the nations of Gaul, from whom they were descended. Each state was divided into factions within itself: it was agitated with jealousy or animosity against the neighbouring states; and while the arts of peace were yet unknown, wars were the chief occupation, and formed the chief object of ambition among the people.

The religion of the Britons was one of the most considerable parts of their government; and the Druids, who were their priests, possessed great authority among them. Besides ministering at the altar, and directing all religious duties, they presided over the education of youth: they enjoyed an immunity from wars and taxes: they possessed both the civil and criminal jurisdiction: they decided all controversies among states, as well as among private persons: and whoever refused to submit to their decree, was exposed to the most severe penalties; the sentence of excommunication was pronounced against him; he was forbidden access to the sacrifices or public worship; he was debarred all intercourse with his fellow-citizens, even in the common affairs of life; his company was universally shunned, as profane and dangerous; he was refused the protection of law; and death itself became an acceptable relief from the misery and infamy to which he was exposed. Thus, the bands of government, which were naturally loose among that rude and turbulent people, were happily corroborated by the terrors of their superstition.

No species of superstition was ever more terrible than that of the Druids. Besides the severe penalties which it was in the power of the ecclesiastics to inflict in this world, they inculcated the eternal transmigration of souls, and thereby extended their authority as far as the fears of their timorous votaries. They practised their rites in dark groves, or other secret recesses;

and, in order to throw a greater mystery over their religion, they communicated their doctrines only to the initiated, and strictly forbade the committing of them to writing, lest they should at any time be exposed to the examination of the profane vulgar. Human sacrifices were practised among them: the spoils of war were often devoted to their divinities; and they punished with the severest tortures whoever dared to secrete any part of the consecrated offering: these treasures they kept in woods and forests, secured by no other guard than the terrors of their religion; and this steady conquest over human avidity may be regarded as more signal than their prompting men to the most extraordinary and most violent efforts. No idolatrous worship ever attained such an ascendant over mankind as that of the ancient Gauls and Britons: and the Romans, after their conquest, finding it impossible to reconcile those nations to the laws and institutions of their masters, while it maintained its authority, were at last obliged to abolish it by penal statutes; a violence which had never, in any other instance, been practised by those tolerating conquerors.

THE ROMANS.

The Britons had long remained in this rude but independent state, when Cæsar, having overrun all Gaul by his victories, first cast his eye on their island. He was not allured either by its riches or its renown; but being ambitious of carrying the Roman arms into a new world, then mostly unknown, he took advantage of a short interval in his Gallic wars, and made an invasion on Britain. The natives, informed of his intention, were sensible of the unequal contest, and endeavoured to appease him by submissions; which, however, retarded not the execution of his design. After some resistance, he landed, as is supposed, at Deal [A.C. 55.]; and having obtained several advantages over the Britons, and obliged them to promise hostages for their future obedience, he was constrained, by the necessity of his affairs, and the approach of winter, to withdraw his forces into Gaul. The Britons, relieved from the terror of his arms, neglected the performance of their stipulations: and that haughty conqueror resolved next summer to chastise them for this breach of treaty. He landed with a greater force; and though he found a more regular resistance from the Britons, who had united under Cassivelaunus, one of their petty princes, he discomfited them in every action. He advanced into the country; passed the Thames in the face of the enemy; took and burned the capital of Cassivelaunus; established his ally, Mandubratius, in the sovereignty of the Trinobantes; and having obliged the inhabitants to make him new submissions, he again returned with his army into Gaul, and left the authority of the Romans more nominal than real in this island.

The civil wars which ensued, and which prepared the way for the establishment of monarchy in Rome, saved the Britons from that yoke which was ready to be imposed upon them. Augustus, the successor of Cæsar, content with the victory obtained over the liberties of his own country, was little ambitious of acquiring fame by foreign wars; and being apprehensive lest the same unlimited extent of dominion which had subverted the republic, might also overwhelm the empire, he recommended it to his successors never to enlarge the territories of the Romans. Tiberius, jealous of the fame which might be acquired by his generals, made this advice of Augustus a pretence for his inactivity. The mad sallies of Caligula, in which he menaced Britain with an invasion, served only to expose himself and the empire to ridicule: and the Britons had now, during almost a century, enjoyed their liberty unmolested; when the Romans, in the reign of Claudius, began to think seriously of reducing them under their dominion. Without seeking for more justifiable reasons of hostility than were employed by the late Europeans in subjecting the Africans and Americans, they sent over an army [A.D. 43] under the command of Plautius, an able general, who gained some victories, and made a considerable progress in subduing the inhabitants. Claudius himself, finding matters sufficiently prepared for his reception, made a journey into Britain, and received the submission of several British states, the Cantii, Atrebates, Regni, and Trinobantes, who inhabited the south-east parts of the island, and whom their possessions and more cultivated manner of life rendered willing to purchase peace at the expense of their liberty. The other Britons, under the command of Caractacus, still maintained an obstinate resistance; and the Romans made little progress against them, till Ostorius Scapula was sent over to command their armies. This general [A.D. 50] advanced the Roman conquests over the Britons; pierced into the country of the Silures, a warlike nation, who inhabited the banks of the Severn; defeated Caractacus in a great battle; took him prisoner, and sent him to Rome, where his magnanimous behaviour procured him better treatment than those conquerors usually bestowed on captive princes.

Notwithstanding these misfortunes, the Britons were not subdued; and this island was regarded by the ambitious Romans as a field in which military honour might still be acquired. Under the reign of Nero, [A.D. 59,] Suetonius Paulinus was invested with the command, and prepared to signalize his name by victories over those barbarians. Finding that the island of Mona, now Anglesey, was the chief seat of the Druids, he resolved to attack it, and to subject a place which was the centre of their superstition, and which afforded protection to all their baffled forces. The Britons endeavoured to obstruct his landing on this sacred island, both by the force of their arms, and the terrors of their religion. The women and priests were intermingled with the soldiers upon the shore; and, running about with flaming torches in their hands, and tossing their dishevelled hair, they struck greater terror into the astonished Romans by their howlings, cries, and execrations, than the real danger from the armed forces was able to inspire. But Suetonius, exhorting his troops to despise the menaces of a superstition which they despised, impelled them to the attack, drove the Britons off the field, burned the Druids in the same fires which those priests had prepared for their captive enemies, destroyed all the consecrated groves and altars; and, having thus triumphed over the religion of the Britons, he thought his future progress would be easy, in reducing the people to subjection. But he was disappointed in his expectations. The Britons, taking advantage of his absence, were all in arms; and, headed by Boadicea, queen of the Iceni, who had been treated in the most ignominious manner by the Roman tribunes, had already attacked with success several settlements of their insulting conquerors. Suetonius hastened to the protection of London, which was already a flourishing Roman colony; but he found, on his arrival, that it would be requisite for the general safety to abandon that place to the merciless fury of the enemy. London was reduced to ashes: such of the inhabitants as remained in it were cruelly massacred; the Romans, and all strangers, to the number of 70,000, were everywhere put to the sword without distinction; and the Britons, by rendering the war thus bloody, seemed determined to cut off all hopes of peace or composition with the enemy. But this cruelty was revenged by Suetonius, in a great and decisive battle, where 80,000 of the Britons are said to have perished; and Boadicea herself, rather than fall into the hands of the enraged victor, put an end to her own life by poison. Nero soon after recalled Suetonius from a government, where, by suffering and inflicting so many severities, he was judged improper for composing the angry and alarmed



minds of the inhabitants. After some interval, Cerealis received the command from Vespasian, and by his bravery propagated the terror of the Roman arms. Julius Frontinus succeeded Cerealis, both in authority and in reputation: but the general who finally established the dominion of the Romans in this island, was Julius Agricola, who governed it in the reigns of Vespasian, Titus, and Domitian, and distinguished himself in that scene of action.

This great commander formed a regular plan for subduing Britain, and rendering the acquisition useful to the conquerors. He carried his victorious arms northwards, defeated the Britons in every encounter, pierced into the inaccessible forests and mountains of Caledonia, reduced every state to subjection in the southern parts of the island, and chased before him all the men of fiercer and more intractable spirits, who deemed war and death itself less intolerable than servitude under the victors. He even defeated them in a decisive action, which they fought under Galgacus, their leader; and having fixed a chain of garrisons between the friths of Clyde and Forth, he thereby cut off the ruder and more barren parts of the island, and secured the Roman province from the incursions of the barbarous inhabitants.

During these military enterprises, he neglected not the arts of peace. He introduced laws and civility among the Britons, taught them to desire and raise all the conveniencies of life, reconciled them to the Roman language and manners, instructed them in letters and science, and employed every expedient to render those chains which he had forged both easy and agreeable to them. The inhabitants, having experienced how unequal their own force was to resist that of the Romans, acquiesced in the dominion of their masters, and were gradually incorporated as a part of that mighty empire.

This was the last durable conquest made by the Romans; and Britain, once subdued, gave no further inquietude to the victor. Caledonia alone, defended by its barren mountains, and by the contempt which the Romans entertained for it, sometimes infested the more cultivated parts of the island by the incursions of its inhabitants. The better to secure the frontiers of the empire, Adrian, who visited this island, built a rampart between the river Tyne and the frith of Solway: Lollius Urbicus, under Antoninus Pius, erected one in the place where Agricola had formerly established his garrisons: Severus, who made an expedition into Britain, and carried his arms to the most northern extremity of it, added new fortifications to the wall of Adrian; and during the reigns of all the Roman emperors, such a profound tranquillity prevailed in Britain, that little mention is made of the affairs of that island by any historian. The only incidents which occur are some seditions or rebellions of the Roman legions quartered there, and some usurpations of the imperial dignity by the Roman governors. The natives, disarmed, dispirited, and submissive, had lost all desire, and even idea, of their former liberty and independence.

But the period was now come, when that enormous fabric of the Roman empire, which had diffused slavery and oppression, together with peace and civility, over so considerable a part of the globe, was approaching towards its final dissolution. Italy, and the centre of the empire, removed, during so many ages, from all concern in the wars, had entirely lost the military spirit, and were peopled by an enervated race, equally disposed to submit to a foreign yoke, or to the tyranny of their own rulers. The emperors found themselves obliged to recruit their legions from the frontier provinces, where the genius of war, though languishing, was not totally extinct; and these mercenary forces, careless of laws and civil institutions, established a military government, no less dangerous to the sovereign than to the people. The further progress of the same disorders introduced the bordering barbarians into the service of the Romans; and those fierce nations, having now added discipline to their native bravery, could no longer be restrained by the impotent policy of the emperors, who were accustomed to employ one in the destruction of the others. Sensible of their own force, and allured by the prospect of so rich a prize, the northern barbarians, in the reign of Arcadius and Honorius, assailed at once all the frontiers of the Roman empire; and, having first satiated their avidity by plunder, began to think of fixing a settlement in the wasted provinces. The more distant barbarians, who occupied the deserted habitations of the former, advanced in their acquisitions, and pressed with their incumbent weight the Roman state, already unequal to the load which it sustained. Instead of arming the people in their own defence, the emperors recalled all the distant legions, in whom alone they could repose confidence; and collected the whole military force, for the defence of the capital and centre of the empire. The necessity of self-preservation had superseded the ambition of power; and the ancient point of honour, never to contract the limits of the empire, could no longer be attended to in this desperate extremity.

Britain, by its situation, was removed from the fury of these barbarous incursions; and, being also a remote province, not much valued by the Romans, the legions which defended it were carried over to the protection of Italy and Gaul. But that province, though secured by the sea against the inroads of the greater tribes of barbarians, found enemies on its frontiers, who took advantage of its present defenceless situation. The Picts and Scots, who dwelt in the northern parts, beyond the wall of Antoninus, made incursions upon their peaceable and effeminate neighbours; and, besides the temporary depredations which they committed, these combined nations threatened the whole province with subjection, or, what the inhabitants more dreaded, with plunder and devastation. The Picts seem to have been a tribe of the native British race, who, having been chased into the northern parts by the conquests of Agricola, had there intermingled with the ancient inhabitants: the Scots were derived from the same Celtic origin, had first been established in Ireland, had migrated to the north-west coasts of this island, and had long been accustomed, as well from their old as their new seats, to infest the Roman province by piracy and rapine. [*See note* A, *at the end of this volume.*] These tribes, finding their more opulent neighbours exposed to invasion, soon broke over the Roman wall, no longer defended by the Roman arms; and, though a contemptible enemy in themselves, met with no resistance from the unwarlike inhabitants. The Britons, accustomed to have recourse to the emperors for defence as well as government, made supplications to Rome; and one legion was sent over for their protection. This force was an overmatch for the barbarians, repelled their invasion, routed them in every engagement, and, having chased them into their ancient limits, returned in triumph to the defence of the southern provinces of the empire. Their retreat brought on a new invasion of the enemy. The Britons made again an application to Rome, and again obtained the assistance of a legion, which proved effectual for their relief. But the Romans, reduced to extremities at home, and fatigued with those distant expeditions, informed the Britons that they must no longer look to them for succour; exhorted them to arm in their own defence; and urged, that as they were now their own masters, it became them to protect by their valour that independence which their ancient lords had conferred upon them. That they might leave the island with the better grace, the Romans assisted them in erecting anew the wall of Severus, which was built entirely of stone, and which the Britons had not at that time artificers skilful enough to repair. And, having done this last good office to the inhabitants, they bid a final adieu to Britain about the year 448, after being masters of the more considerable part of it during the course of near four centuries.

THE BRITONS.

The abject Britons regarded this present of liberty as fatal to them; and were in no condition to put in practice the prudent counsel given them by the Romans, to arm in their own defence. Unaccustomed both to the perils of war and to the cares of civil government, they found themselves incapable of forming or executing any measures for resisting the incursions of the barbarians. Gratian, also, and Constantine, two Romans who had a little before assumed the purple in Britain, had carried over to the continent the flower of the British youth; and, having perished in their unsuccessful attempts on the imperial throne, had despoiled the island of those who, in this desperate extremity, were best able to defend it. The Picts and Scots, finding that the Romans had finally relinquished Britain, now regarded the whole as their prey, and attacked the northern wall with redoubled forces. The Britons, already subdued by their own fears, found the ramparts but a weak defence for them; and, deserting their station, left the country entirely open to the inroads of the barbarous enemy. The invaders carried devastation and ruin along with them; and exerted to the utmost their native ferocity, which was not mitigated by the helpless condition and submissive behaviour of the inhabitants. The unhappy Britons had a third time recourse to Rome, which had declared its resolution for ever to abandon them. Ætius, the patrician, sustained, at that time, by his valour and magnanimity, the tottering ruins of the empire, and revived for a moment, among the degenerate Romans, the spirit, as well as discipline, of their ancestors. The British ambassadors carried to him the letter of their countrymen, which was inscribed, "The Groans of the Britons." The tenor of the epistle was suitable to its superscription: "The barbarians," say they, "on the one hand, chase us into the sea; the sea, on the other, throws us back upon the barbarians; and we have only the hard choice left us, of perishing by the sword or by the waves." But Ætius, pressed by the arms of Attila, the most terrible enemy that ever assailed the empire, had no leisure to attend to the complaints of allies, whom generosity alone could induce him to assist. The Britons, thus rejected, were reduced to despair, deserted their habitations, abandoned tillage; and, flying for protection to the forests and mountains, suffered equally from hunger and from the enemy. The barbarians themselves began to feel the pressures of famine in a country which they had ravaged; and being harassed by the dispersed Britons, who had not dared to resist them in a body, they retreated with their spoils into their own country.

The Britons, taking advantage of this interval, returned to their usual occupations; and the favourable seasons which succeeded, seconded their industry, made them soon forget their past miseries, and restored to them great plenty of all the necessaries of life. No more can be imagined to have been possessed by a people so rude, who had not, without the assistance of the Romans, art of masonry sufficient to raise a stone rampart for their own defence: yet the monkish historians, who treat of those events, complain of the luxury of the Britons during this period; and ascribe to that vice, not to their cowardice or improvident counsels, all their subsequent calamities.

The Britons, entirely occupied in the enjoyment of the present interval of peace, made no provision for resisting the enemy, who, invited by their former timid behaviour, soon threatened them with a new invasion. We are not exactly informed what species of civil government the Romans, on their departure, had left among the Britons: but it appears probable that the great men in the different districts assumed a kind of regal, though precarious authority; and lived, in a great measure, independent of each other. To this disunion of counsels were also added the disputes of theology; and the disciples of Pelagius, who was himself a native of Britain, having increased to a great multitude, gave alarm to the clergy, who seem to have been more intent on suppressing them, than on opposing the public enemy. Labouring under these domestic evils, and menaced with a foreign invasion, the Britons attended only to the suggestions of their present fears; and, following the counsels of Vortigern, prince of Dumnonium, who though stained with every vice, possessed the chief authority among them, they sent into Germany a deputation to invite over the Saxons for their protection and assistance.

THE SAXONS.

Of all the barbarous nations known either in ancient or modern times, the Germans seem to have been the most distinguished, both by their manners and political institutions; and to have carried to the highest pitch the virtues of valour and love of liberty; the only virtues which can have place among an uncivilized people, where justice and humanity are commonly neglected. Kingly government, even when established among the Germans, (for it was not universal,) possessed a very limited authority; and though the sovereign was usually chosen from among the royal family, he was directed in every measure by the common consent of the nation over whom he presided. When any important affairs were transacted, all the warriors met in arms; the men of greatest authority employed persuasion to engage their consent; the people expressed their approbation by rattling their armour, or their dissent by murmurs: there was no necessity for a nice scrutiny of votes among a multitude, who were usually carried with a strong current to one side or the other; and the measure, thus suddenly chosen by general agreement, was executed with alacrity, and prosecuted with vigour. Even in war, the princes governed more by example than by authority: but in peace, the civil union was in a great measure dissolved, and the inferior leaders administered justice after an independent manner, each in his particular district. These were elected by the votes of the people in their great councils; and though regard was paid to nobility in the choice, their personal qualities, chiefly their valour, procured them, from the suffrages of their fellow-citizens, that honourable but dangerous distinction. The warriors of each tribe attached themselves to their leader with the most devoted affection and most unshaken constancy: they attended him as his ornament in peace, as his defence in war, as his council in the administration of justice. Their constant emulation in military renown dissolved not that inviolable friendship which they professed to their chieftain and to each other. To die for the honour of their band, was their chief ambition: to survive its disgrace, or the death of their leader, was infamous. They even carried into the field their women and children, who adopted all the martial sentiments of the men: and, being thus impelled by every human motive, they were invincible, where they were not opposed either by the similar manners and institutions of the neighbouring Germans, or by the superior discipline, arms, and numbers of the Romans.

The leaders, and their military companions, were maintained by the labour of their slaves, or by that of the weaker and less warlike part of the community whom they defended. The contributions which they levied went not beyond a bare subsistence; and the honours acquired by a superior rank, were the only reward of their superior dangers and fatigues. All the refined arts of life were unknown among the Germans: tillage itself was almost wholly neglected; they even seem to have been anxious to prevent any improvements of that nature: and the leaders, by annually distributing anew all the land among the inhabitants of each village, kept them from attaching themselves to particular possessions, or making such progress in agriculture as might divert their attention from military expeditions, the chief occupation of the community.

The Saxons had been for some time regarded as one of the most warlike tribes of this fierce people, and had become the terror of the neighbouring nations. They had diffused themselves from the northern parts of Germany and the Cimbrian Chersonesus, and had taken possession of all the sea-coast from the mouth of the Rhine to Jutland, whence they had long infested, by their piracies, all the eastern and southern parts of Britain, and the northern of Gaul. In order to oppose their inroads, the Romans had established an officer, whom they called *Count of the Saxon shore*; and as the naval arts can flourish among a civilized people alone, they seem to have been more successful in repelling the Saxons, than any of the other barbarians by whom they were invaded. The dissolution of the Roman power invited them to renew their inroads; and it was an acceptable circumstance, that the deputies of the Britons appeared among them, and prompted them to undertake an enterprise, to which they were of themselves sufficiently inclined.

Hengist and Horsa, two brothers, possessed great credit among the Saxons, and were much celebrated, both for their valour and nobility. They were reputed, as most of the Saxon princes, to be sprung from Woden, who was worshipped as a god among those nations; and they are said to be his great grandsons; a circumstance which added much to their authority. We shall not attempt to trace any higher the origin of those princes and nations. It is evident what fruitless labour it must be to search, in those barbarous and illiterate ages, for the annals of a people, when their first leaders, known in any true history, were believed by them to be the fourth in descent from a fabulous deity, or from a man exalted by ignorance into that character. The dark industry of antiquaries, led by imaginary analogies of names, or by uncertain traditions, would in vain attempt to pierce into that deep obscurity which covers the remote history of those nations.

These two brothers, observing the other provinces of Germany to be occupied by a warlike and necessitous people, and the rich provinces of Gaul already conquered or overrun by other German tribes, found it easy to persuade their countrymen to embrace the sole enterprise which promised a favourable opportunity of displaying their valour and gratifying their avidity. They embarked their troops in three vessels; and, about the year 449 or 450, carried over 1600 men, who landed in the isle of Thanet, and immediately marched to the defence of the Britons against the northern invaders. The Scots and Picts were unable to resist the valour of these auxiliaries; and the Britons, applauding their own wisdom in calling over the Saxons, hoped thenceforth to enjoy peace and security, under the powerful protection of that warlike people.

But Hengist and Horsa, perceiving, from their easy victory over the Scots and Picts, with what facility they might subdue the Britons themselves, who had not been able to resist those feeble invaders, were determined to conquer and fight for their own grandeur, not for the defence of their degenerate allies. They sent intelligence to Saxony of the fertility and riches of Britain; and represented as certain the subjection of a people so long disused to arms, who, being now cut off from the Roman empire, of which they had been a province during so many ages, had not yet acquired any union among themselves, and were destitute of all affection to their new liberties, and of all national attachments and regards. The vices and pusillanimity of Vortigern, the British leader, were a new ground of hope; and the Saxons in Germany, following such agreeable prospects, soon reinforced Hengist and Horsa with 5000 men, who came over in seventeen vessels. The Britons now began to entertain apprehensions of their allies, whose numbers they found continually augmenting; but thought of no remedy, except a passive submission and connivance. This weak expedient soon failed them. The Saxons sought a quarrel, by complaining that their subsidies were ill paid, and their provisions withdrawn; and, immediately taking off the mask, they formed an alliance with the Picts and Scots, and proceeded to open hostility against the Britons.

The Britons, impelled by these violent extremities, and roused to indignation against their treacherous auxiliaries, were necessitated to take arms; and having deposed Vortigern, who had become odious from his vices, and from the bad event of his rash counsels, they put themselves under the command of his son Vortimer. They fought many battles with their enemies; and though the victories in these actions be disputed between the British and Saxon annalists, the progress still made by the Saxons proves that the advantage was commonly on their side. In one battle, however, fought at Eaglesford, now Ailsford, Horsa, the Saxon general, was slain, and left the sole command over his countrymen in the hands of Hengist. This active general, continually reinforced by fresh numbers from Germany, carried devastation into the most remote corners of Britain; and being chiefly anxious to spread the terror of his arms, he spared neither age, nor sex, nor condition, wherever he marched with his victorious forces. The private and public edifices of the Britons were reduced to ashes: the priests were slaughtered on the altars by those idolatrous ravagers: the bishops and nobility shared the fate of the vulgar: the people, flying to the mountains and deserts, were intercepted and butchered in heaps: some were glad to accept of life and servitude under their victors: others, deserting their native country, took shelter in the province of Armorica, where, being charitably received by a people of the same language and manners, they settled in great numbers, and gave the country the name of Brittany.

The British writers assign one cause which facilitated the entrance of the Saxons into this island—the love with which Vortigern was at first seized for Rovena, the daughter of Hengist, and which that artful warrior made use of to blind the eyes of the imprudent monarch. The same historians add, that Vortimer died, and that Vortigern, being restored to the throne, accepted of a banquet from Hengist at Stonehenge, where 300 of his nobility were treacherously slaughtered, and himself detained captive. But these stories seem to have been invented by the Welsh authors, in order to palliate the weak resistance made at first by their countrymen, and to account for the rapid progress and licentious devastations of the Saxons.

After the death of Vortimer, Ambrosius, a Briton, though of Roman descent, was invested with the command over his countrymen, and endeavoured, not without success, to unite them in their resistance against the Saxons. Those contests increased the animosity between the two nations, and roused the military spirit of the ancient inhabitants, which had before been sunk into a fatal lethargy. Hengist, however, notwithstanding their opposition, still maintained his ground in Britain; and in order to divide the forces and attention of the natives, he called over a new tribe of Saxons, under the command of his brother Octa, and of Ebissa, the son of Octa; and he settled them in Northumberland. He himself remained in the southern parts of the island, and laid the foundation of the kingdom of Kent, comprehending the county of that name, Middlesex, Essex, and part of Surrey. He fixed his royal seat at Canterbury, where he governed about forty years; and he died in or near the year 488, leaving his new-acquired dominions to his posterity.

The success of Hengist excited the avidity of the other northern Germans; and at different times, and under different leaders, they flocked over in multitudes to the invasion of this island. These conquerors were chiefly composed of three tribes, the Saxons, Angles, and Jutes,* who all passed under the common appella-

* The inhabitants of Kent and the Isle of Wight were Jutes. Essex, Middlesex, Surrey, Sussex, and all the southern counties to Cornwall, were

tion, sometimes of Saxons, sometimes of Angles; and, speaking the same language, and being governed by the same institutions, they were naturally led from the these causes, as well as from their common interest, to unite themselves against the ancient inhabitants. The resistance, however, though unequal, was still maintained by the Britons; but became every day more feeble: and their calamities admitted of few intervals, till they were driven into Cornwall and Wales, and received protection from the remote situation or inaccessible mountains of those countries.

The first Saxon state, after that of Kent, which was established in Britain, was the kingdom of South Saxony. In the year 477, Ælla, a Saxon chief, brought over an army from Germany, and, landing on the southern coast, proceeded to take possession of the neighbouring territory. The Britons, now armed, did not tamely abandon their possessions; nor were they expelled, till defeated in many battles by their warlike invaders. The most memorable action mentioned by historians, is that of Meacredes-Burn; where, though the Saxons seem to have obtained the victory, they suffered so considerable a loss as somewhat retarded the progress of their conquests. But Ælla, re-enforced by fresh numbers of his countrymen, again took the field against the Britons, and laid siege to Andred-Ceaster, which was defended by the garrison and inhabitants with desperate valour. The Saxons, enraged by this resistance, and by the fatigues and dangers which they had sustained, redoubled their efforts against the place, and, when masters of it, put all their enemies to the sword, without distinction. This decisive advantage secured the conquests of Ælla, who assumed the name of king, and extended his dominion over Sussex and a great part of Surrey. He was stopped, in his progress to the east, by the kingdom of Kent: in that to the west, by another tribe of Saxons, who had taken possession of that territory.

These Saxons, from the situation of the country in which they settled, were called the West Saxons, and landed in the year 495, under the command of Cerdic, and of his son Kenric. The Britons were, by past experience, so much on their guard, and so well prepared to receive the enemy, that they gave battle to Cerdic the very day of his landing; and, though vanquished, still defended, for some time, their liberties against the invaders. None of the other tribes of Saxons met with such vigorous resistance, or exerted such valour and perseverance in pushing their conquests. Cerdic was even obliged to call for the assistance of his countrymen from the kingdoms of Kent and Sussex, as well as from Germany; and he was thence joined by a fresh army under the command of Porte, and of his sons Bleda and Megla. Strengthened by these succours, he fought, in the year 503, a desperate battle with the Britons, commanded by Nazan-Leod, who was victorious in the beginning of the action, and routed the wing in which Cerdic himself commanded; but Kenric, who had prevailed in the other wing, brought timely assistance to his father, and restored the battle, which ended in a complete victory gained by the Saxons. Nazan-Leod perished, with 5000 of his army; but left the Britons more weakened than discouraged by his death. The war still continued, though the success was commonly on the side of the Saxons, whose short swords, and close manner of fighting, gave them great advantage over the missile weapons of the Britons. Cerdic was not wanting to his good fortune; and, in order to extend his conquests, he laid siege to Mount Badon or Banesdowne, near Bath, whither the most obstinate of the discomfited Britons had retired. The southern Britons, in this extremity, applied for assistance to Arthur, prince of the Silures, whose heroic valour now sustained the declining fate of his country. This is that Arthur so much celebrated in the songs of Thaliessin, and the other British bards; and whose military achievements have been blended with so many fables, as even to give occasion for entertaining a doubt of his real existence. But poets, though they disfigure the most certain history by their fictions, and use strange liberties with truth where they are the sole historians, as among the Britons, have commonly some foundation for their wildest exaggerations. Certain it is, that the siege of Badon was raised by the Britons in the year 520; and the Saxons were there discomfited in a great battle. This misfortune stopped the progress of Cerdic; but was not sufficient to wrest from him the conquests which he had already made. He, and his son Kenric, who succeeded him, established the kingdom of the West Saxons, or of Wessex, over the counties of Hants, Dorset, Wilts, Berks, and the Isle of Wight, and left their new-acquired dominions to their posterity. Cerdic died in 534; Kenric, in 560.

While the Saxons made this progress in the south, their countrymen were not less active in other quarters. In the year 527, a great tribe of adventurers, under several leaders, landed on the east coast of Britain; and after fighting many battles, of which history has preserved no particular account, they established three new kingdoms in this island. Uffa assumed the title of king of the East-Angles, in 575; Crida, that of Mercia, in 585: and Erkenwin, that of East-Saxony or Essex, nearly about the same time, but the year is uncertain. This latter kingdom was dismembered from that of Kent, and comprehended Essex, Middlesex, and part of Hertfordshire; that of the East-Angles, the counties of Cambridge, Suffolk, and Norfolk; Mercia was extended over all the middle counties, from the banks of the Severn, to the frontiers of these two kingdoms.

The Saxons, soon after the landing of Hengist, had been planted in Northumberland; but, as they met with an obstinate resistance, and made but small progress in subduing the inhabitants, their affairs were in so unsettled a condition, that none of their princes for a long time assumed the name of king. At last, in 547, Ida, a Saxon prince of great valour, who claimed a descent, as did all the other princes of that nation, from Woden, brought over a re-enforcement from Germany, and enabled the Northumbrians to carry on their conquests over the Britons. He entirely subdued the county now called Northumberland, the bishopric of Durham, as well as some of the south-east counties of Scotland; and he assumed the crown under the title of king of Bernicia. Nearly about the same time, Ælla, another Saxon prince, having conquered Lancashire and the greater part of Yorkshire, received the appellation of king of Deiri. These two kingdoms were united in the person of Ethilfrid, grandson of Ida, who married Acca, the daughter of Ælla, and, expelling her brother Edwin, established one of the most powerful of the Saxon kingdoms by the title of Northumberland. How far his dominions extended into the country now called Scotland is uncertain; but it cannot be doubted that all the lowlands, especially the east coast of that country, were peopled in a great measure from Germany; though the expeditions, made by the several Saxon adventurers, have escaped the records of history. The language spoken in those countries, which is purely Saxon, is a stronger proof of this event, than can be opposed by the imperfect, or rather fabulous annals, which are obtruded on us by the Scottish historians.

THE HEPTARCHY.

Thus was established, after a violent contest of near a hundred and fifty years, the Heptarchy, or seven Saxon kingdoms, in Britain; and the whole southern part of the island, except Wales and Cornwall, had totally changed its inhabitants, language, customs, and political institutions. The Britons, under the Roman

peopled by Saxons; Mercia, and other parts of the kingdom, were inhabited by Angles.

dominion had made such advances towards arts and civil manners, that they had built twenty-eight considerable cities within their province, besides a great number of villages and country seats. But the fierce conquerors, by whom they were now subdued, threw everything back into ancient barbarity; and those few natives who were not either massacred or expelled their habitations, were reduced to the most abject slavery. None of the other northern conquerors, the Franks, Goths, Vandals, or Burgundians, though they overran the southern provinces of the empire like a mighty torrent, made such devastations in the conquered territories, or were inflamed into so violent an animosity against the ancient inhabitants. As the Saxons came over at intervals in separate bodies, the Britons, however at first unwarlike, were tempted to make resistance; and hostilities being thereby prolonged, proved more destructive to both parties, especially to the vanquished. The first invaders from Germany, instead of excluding other adventurers, who must share with them the spoils of the ancient inhabitants, were obliged to solicit fresh supplies from their own country; and a total extermination of the Britons became the sole expedient for providing a settlement and subsistence to the new planters. Hence there have been found in history few conquests more ruinous than that of the Saxons; and few revolutions more violent than that which they introduced.

So long as the contest was maintained with the natives, the several Saxon princes preserved a union of counsels and interests; but after the Britons were shut up in the barren counties of Cornwall and Wales, and gave no further disturbance to the conquerors, the band of alliance was in a great measure dissolved among the princes of the Heptarchy. Though one prince seems still to have been allowed, or to have assumed an ascendant over the whole, his authority, if it ought ever to be deemed regular or legal, was extremely limited; and each state acted as if it had been independent, and wholly separate from the rest. Wars, therefore, and revolutions and dissensions were unavoidable among a turbulent and military people; and these events, however intricate or confused, ought now to become the objects of our attention. But, added to the difficulty of carrying on at once the history of seven independent kingdoms, there is great discouragement to a writer, arising from the uncertainty, at least barrenness, of the accounts transmitted to us. The monks, who were the only annalists during those ages, lived remote from public affairs; considered the civil transactions as entirely subordinate to the ecclesiastical; and, besides partaking of the ignorance and barbarity which were then universal, were strongly infected with credulity, with the love of wonder, and with a propensity to imposture; vices almost inseparable from their profession and manner of life. The history of that period abounds in names, but is extremely barren of events; or the events are related so much without circumstances and causes, that the most profound or most eloquent writer must despair of rendering them either instructive or entertaining to the reader. Even the great learning and vigorous imagination of Milton sunk under the weight; and this author scruples not to declare, that the skirmishes of kites or crows as much merited a particular narrative, as the confused transactions and battles of the Saxon Heptarchy. In order, however, to connect the events in some tolerable measure, we shall give a succinct account of the successions of kings, and of the more remarkable revolutions, in each particular kingdom; beginning with that of Kent, which was the first established.

THE KINGDOM OF KENT.

Escus succeeded his father, Hengist, in the kingdom of Kent; but seems not to have possessed the military genius of that conqueror, who first made way for the entrance of the Saxon arms into Britain. All the Saxons, who sought either the fame of valour, or new establishments by arms, flocked to the standard of Ælla, king of Sussex, who was carrying on successful war against the Britons, and laying the foundations of a new kingdom. Escus was content to possess in tranquillity the kingdom of Kent, which he left in 512 to his son Octa, in whose time the East-Saxons established their monarchy, and dismembered the provinces of Essex and Middlesex from that of Kent. His death, after a reign of twenty-two years, made room for his son Hermenric in 534, who performed nothing memorable during a reign of thirty-two years, except associating with him his son Ethelbert in the government, that he might secure the succession in his famliy, and prevent such revolutions as are incident to a turbulent and barbarous monarchy.

Ethelbert revived the reputation of his family, which had languished for some generations. The inactivity of his predecessors, and the situation of his country, secured from all hostility with the Britons, seem to have much enfeebled the warlike genius of the Kentish Saxons; and Ethelbert, in his first attempt to aggrandize his country, and distinguish his own name, was unsuccessful. He was twice discomfited in battle by Ceaulin, king of Wessex; and obliged to yield the superiority in the Heptarchy to that ambitious monarch, who preserved no moderation in his victory, and, by reducing the kingdom of Sussex to subjection, excited jealousy in all the other princes. An association was formed against him; and Ethelbert, intrusted with the command of the allies, gave him battle, and obtained a decisive victory. Ceaulin died soon after; and Ethelbert succeeded, as well to his ascendant among the Saxon states, as to his other ambitious projects. He reduced all the princes, except the king of Northumberland, to a strict dependence upon him; and even established himself by force on the throne of Mercia, the most extensive of the Saxon kingdoms. Apprehensive, however, of a dangerous league against him, like that by which he himself had been enabled to overthrow Ceaulin, he had the prudence to resign the kingdom of Mercia to Webba, the rightful heir, the son of Crida, who had first founded that monarchy: but, governed still by ambition more than by justice, he gave Webba possession of the crown on such conditions as rendered him little better than a tributary prince under his artful benefactor.

But the most memorable event which distinguished the reign of this great prince, was the introduction of the Christian religion among the English Saxons. The superstition of the Germans, particularly that of the Saxons, was of the grossest and most barbarous kind; and being founded on traditional tales received from their ancestors, not reduced to any system, not supported by political institutions like that of the Druids, it seems to have made little impression on its votaries, and to have easily resigned its place to the new doctrine promulgated to them. Woden, whom they deemed the ancestor of all their princes, was regarded as the god of war, and, by a natural consequence, became their supreme deity, and the chief object of their religious worship. They believed, that if they obtained the favour of this divinity by their valour, (for they made less account of the other virtues,) they should be admitted after their death into his hall, and, reposing on couches, should satiate themselves with ale from the skulls of their enemies whom they had slain in battle. Incited by this idea of paradise, which gratified at once the passion of revenge and that of intemperance, the ruling inclinations of barbarians, they despised the dangers of war, and increased their native ferocity against the vanquished by their religious prejudices. We know little of the other theological tenets of the Saxons; we only learn that they were polytheists; that they worshipped the sun and moon; that they adored the god of thunder, under the name of Thor; that they had images in their temples; that they practised sacrifices, believed truly in spectres and incanta-

ments, and admitted in general a system of doctrines which they held as sacred, but which, like all other superstitions, must carry the air of the wildest extravagance, if propounded to those who are not familiarized to it from their earliest infancy.

The constant hostilities which the Saxons maintained against the Britons, would naturally indispose them for receiving the Christian faith, when preached to them by such inveterate enemies; and perhaps the Britons, as is objected to them by Gildas and Bede, were not over-fond of communicating to their cruel invaders the doctrine of eternal life and salvation. But as a civilized people, however subdued by arms, still maintain a sensible superiority over barbarous and ignorant nations, all the other northern conquerors of Europe had been already induced to embrace the Christian faith, which they found established in the empire; and it was impossible but the Saxons, informed of this event, must have regarded with some degree of veneration a doctrine which had acquired the ascendant over all their brethren: however limited in their views, they could not but have perceived a degree of cultivation in the southern countries beyond what they themselves possessed; and it was natural for them to yield to that superior knowledge, as well as zeal, by which the inhabitants of the Christian kingdoms were even at that time distinguished.

But these causes might long have failed of producing any considerable effect, had not a favourable incident prepared the means of introducing Christianity into Kent. Ethelbert, in his father's lifetime, had married Bertha, the only daughter of Caribert, king of Paris, one of the descendants of Clovis, the conqueror of Gaul; but, before he was admitted to this alliance, he was obliged to stipulate that the princess should enjoy the free exercise of her religion; a concession not difficult to be obtained from the idolatrous Saxons. Bertha brought over a French bishop to the court of Canterbury; and, being zealous for the propagation of her religion, she had been very assiduous in her devotional exercises, had supported the credit of her faith by an irreproachable conduct, and had employed every art of insinuation and address to reconcile her husband to her religious principles. Her popularity in the court, and her influence over Ethelbert, had so well paved the way for the reception of the Christian doctrine, that Gregory, surnamed the Great, then Roman pontiff, began to entertain hopes of effecting a project, which he himself, before he mounted the papal throne, had once embraced, of converting the British Saxons.

It happened that this prelate, at that time in a private station, had observed, in the market-place of Rome, some Saxon youths exposed to sale, whom the Roman merchants, in their trading voyages to Britain, had bought of their mercenary parents. Struck with the beauty of their fair complexions and blooming countenances, Gregory asked to what country they belonged; and being told they were *Angles*, he replied that they ought more properly to be denominated *angels:* it were a pity that the prince of darkness should enjoy so fair a prey, and that so beautiful a frontispiece should cover a mind destitute of internal grace and righteousness. Inquiring further concerning the name of their province, he was informed that it was Deïri, a district of Northumberland. "*Deïri!*" replied he, "*that is good! they are called to the mercy of God from his anger* (de ira). *But what is the name of the king of that province?*" He was told it was *Ælla* or *Alla*. "*Alleluia!*" cried he: "*we must endeavour that the praises of God be sung in their country.*" Moved by these allusions, which appeared to him so happy, he determined to undertake, himself, a mission into Britain; and, having obtained the pope's approbation, he prepared for that perilous journey: but his popularity at home was so great, that the Romans, unwilling to exposed him to such dangers, opposed his design; and he was obliged, for the present, to lay aside all further thoughts of executing that pious purpose.

The controversy between the pagans and the Christians was not entirely cooled in that age; and no pontiff, before Gregory, had ever carried to greater excess an intemperate zeal against the former religion. He had waged war with all the precious monuments of the ancients, and even with their writings; which, as appears from the strain of his own wit, as well as from the style of his compositions, he had not taste or genius sufficient to comprehend. Ambitious to distinguish his pontificate by the conversion of the British Saxons, he pitched on Augustine, a Roman monk, and sent him, with forty associates, to preach the gospel in this island. These missionaries, terrified with the dangers which might attend their proposing a new doctrine to so fierce a people, of whose language they were ignorant, stopped some time in France; and sent back Augustine to lay the hazards and difficulties before the pope, and crave his permission to desist from the undertaking. But Gregory exhorted them to persevere in their purpose; advised them to choose some interpreters from among the Franks, who still spoke the same language with the Saxons; and recommended them to the good offices of queen Brunehaut, who had at this time usurped the sovereign power in France. This princess, though stained with every vice of treachery and cruelty, either possessed or pretended great zeal for the cause; and Gregory acknowledged, that to her friendly assistance was, in a great measure, owing the success of that undertaking.

Augustine, on his arrival in Kent, in the year 597, found the danger much less than he had apprehended. Ethelbert, already well disposed towards the Christian faith, assigned him a habitation in the isle of Thanet, and soon after admitted him to a conference. Apprehensive, however, lest spells or enchantments might be employed against him by priests, who brought an unknown worship from a distant country, he had the precaution to receive them in the open air, where he believed the force of their magic would be more easily dissipated. Here Augustine, by means of his interpreters, delivered to him the tenets of the Christian faith; and promised him eternal joys above, and a kingdom in heaven without end, if he would be persuaded to receive that salutary doctrine. "Your words and promises," replied Ethelbert, "are fair; but, because they are new and uncertain, I cannot entirely yield to them, and relinquish the principles which I and my ancestors have so long maintained. You are welcome, however, to remain here in peace; and, as you have undertaken so long a journey solely, as it appears, for what you believe to be for our advantage, I will supply you with all necessaries, and permit you to deliver your doctrine to my subjects."

Augustine, encouraged by this favourable reception, and seeing now a prospect of success, proceeded with redoubled zeal to preach the gospel to the Kentish Saxons. He attracted their attention by the austerity of his manners, by the severe penances to which he subjected himself, by the abstinence and self-denial which he practised: and, having excited their wonder by a course of life which appeared so contrary to nature, he procured more easily their belief of miracles, which it was pretended he wrought for their conversion. Influenced by these motives, and by the declared favour of the court, numbers of the Kentish men were baptized; and the king himself was persuaded to submit to that rite of Christianity. His example had great influence with his subjects; but he employed no force to bring them over to the new doctrine. Augustine thought proper, in the commencement of his mission, to assume the appearance of the greatest lenity: he told Ethelbert that the service of Christ must be entirely voluntary, and that no violence ought ever to be used in propagating so salutary a doctrine.

The intelligence received of these spiritual conquests afforded great joy to the Romans; who now exulted as much in these peaceful trophies, as their ancestors



had ever done in their most sanguinary triumphs and most splendid victories. Gregory wrote a letter to Ethelbert, in which, after informing him that the end of the world was approaching, he exhorted him to display his zeal in the conversion of his subjects, to exert rigour against the worship of idols, and to build up the good work of holiness by every expedient of exhortation, terror, blandishment, or correction; a doctrine more suitable to that age, and to the usual papal maxims, than the tolerating principles which Augustine had thought it prudent to inculcate. The pontiff also answered some questions, which the missionary had put, concerning the government of the new church of Kent. Besides other queries, which it is not material here to relate, Augustine asked, "*Whether cousin-germans might be allowed to marry?*" Gregory answered, that that liberty had indeed been formerly granted by the Roman law; but that experience had shown that no issue could ever come from such marriages; and he therefore prohibited them. Augustine asked, "*Whether a woman pregnant might be baptized?*" Gregory answered that he saw no objection. "*How soon after the birth the child might receive baptism?*" It was answered, "Immediately, if necessary." "*How soon a husband might have commerce with his wife after her delivery?*" "Not till she had given suck to her child;" a practice to which Gregory exhorts all women. "*How soon a man might enter the church, or receive the sacrament, after having had commerce with his wife?*" It was replied, that unless he had approached her without desire, merely for the sake of propagating his species, he was not without sin: but in all cases it was requisite for him, before he entered the church, or communicated, to purge himself by prayer and ablution; and he ought not, even after using these precautions, to participate immediately of the sacred duties. There are some other questions and replies still more indecent and more ridiculous. And, on the whole, it appears that Gregory and his missionary, if sympathy of manners have any influence, were better calculated than men of more refined understandings for making a progress with the ignorant and barbarous Saxons.

The more to facilitate the reception of Christianity, Gregory enjoined Augustine to remove the idols from the heathen altars but not to destroy the altars themselves; because the people, he said, would be allured to frequent the Christian worship when they found it celebrated in a place which they were accustomed to revere. And as the pagans practised sacrifices, and feasted with the priests on their offerings, he also exhorted the missionary to persuade them, on Christian festivals, to kill their cattle in the neighbourhood of the church, and to indulge themselves in those cheerful entertainments to which they had been habituated. These political compliances show, that, notwithstanding his ignorance and prejudices, he was not unacquainted with the arts of governing mankind. Augustine was consecrated archbishop of Canterbury; was endowed by Gregory with authority over all the British churches; and received the pall, a badge of ecclesiastical honour, from Rome. Gregory also advised him not to be too much elated with his gift of working miracles; and as Augustine, proud with the success of his mission, seemed to think himself entitled to extend his authority over the bishops of Gaul, the pope informed him that they lay entirely without the bounds of his jurisdiction.

The marriage of Ethelbert with Bertha, and much more his embracing Christianity, begat a connexion of his subjects with the French, Italians, and other nations on the continent; and tended to reclaim them from their gross ignorance and barbarity, in which all the Saxon tribes had been hitherto involved. Ethelbert also enacted, with the consent of the states of his kingdom, a body of laws; the first written laws promulgated by any of the northern conquerors: and his reign was in every respect glorious to himself, and beneficial to his people. He governed the kingdom of Kent fifty years; and, dying in 616, left the succession to his son Eadbald. This prince, seduced by a passion for his mother-in-law, deserted for some time the Christian faith, which permitted not these incestuous marriages. His whole people immediately returned with him to idolatry. Laurentius, the successor of Augustine, found the Christian worship wholly abandoned; and was prepared to return to France, in order to escape the mortification of preaching the gospel without fruit to the infidels. Mellitus and Justus, who had been consecrated bishops of London and Rochester, had already departed the kingdom; when Laurentius, before he should entirely abandon his dignity, made one effort to reclaim the king. He appeared before that prince; and, throwing off his vestments, showed his body all torn with bruises and stripes, which he had received. Eadbald, wondering that any man should have dared to treat in that manner a person of his rank, was told by Laurentius that he had received this chastisement from St. Peter, the prince of the apostles; who had appeared to him in a vision, and, severely reproving him for his intention to desert his charge, had inflicted on him these visible marks of his displeasure. Whether Eadbald was struck with the miracle, or influenced by some other motive, he divorced himself from his mother-in-law, and returned to the profession of Christianity. His whole people returned with him. Eadbald reached not the fame or authority of his father; and died in 640, after a reign of twenty-five years, leaving two sons, Erminfrid and Ercombert.

Ercombert, though the younger son by Emma, a French princess, found means to mount the throne. He is celebrated by Bede for two exploits—for establishing the fast of Lent in his kingdom, and for utterly extirpating idolatry, which, notwithstanding the prevalence of Christianity, had hitherto been tolerated by the two preceding monarchs. He reigned twenty-four years; and left the crown to Egbert his son, who reigned nine years. This prince is renowned for his encouragement of learning; but infamous for putting to death his two cousin-germans, sons of Erminfrid, his uncle. The ecclesiastical writers praise him for his bestowing on his sister Domnona some lands in the isle of Thanet, where she founded a monastery.

The bloody precaution of Egbert could not fix the crown on the head of his son Edric. Lothaire, brother of the deceased prince, took possession of the kingdom; and, in order to secure the power in his family, he associated with him Richard, his son, in the administration of the government. Edric, the dispossessed prince, had recourse to Edilwach, king of Sussex, for assistance; and, being supported by that prince, fought a battle with his uncle, who was defeated and slain. Richard fled into Germany; and afterwards died in Lucca, a city of Tuscany. William of Malmesbury ascribes Lothaire's bad fortune to two crimes—his concurrence in the murder of his cousins, and his contempt for relics.

Lothaire reigned eleven years; Edric, his successor, only two. Upon the death of the latter, which happened in 686, Widred, his brother, obtained possession of the crown: but as the succession had been of late so much disjointed by revolutions and usurpations, faction began to prevail among the nobility; which invited Cedwalla, king of Wessex, with his brother Mollo, to attack the kingdom. These invaders committed great devastations in Kent; but the death of Mollo, who was slain in a skirmish, gave a short breathing time to that kingdom. Widred restored the affairs of Kent; and, after a reign of thirty-two years, left the crown to his posterity. Eadbert, Ethelbert, and Alric, his descendants, successively mounted the throne. After the death of the last, which happened in 794, the royal family of Kent was extinguished; and every factious leader who could entertain hopes of ascending the throne threw the state into confusion. Egbert, who first succeeded,

reigned but two years; Cuthred, brother to the king of Mercia, six years; Baldred, an illegitimate branch of the royal family, eighteen: and, after a troublesome and precarious reign, he was, in the year 723, expelled by Egbert, king of Wessex, who dissolved the Saxon Heptarchy, and united the several kingdoms under his dominion.

KINGDOM OF NORTHUMBERLAND.

Adelfrid, king of Bernicia, having married Acca, the daughter of Ælla, king of Deïri, and expelled her infant brother Edwin, had united all the counties north of Humber into one monarchy, and acquired a great ascendant in the Heptarchy. He also spread the terror of the Saxon arms to the neighbouring people; and, by his victories over the Scots and Picts, as well as Welsh, extended on all sides the bounds of his dominions. Having laid siege to Chester, the Britons marched out with all their forces to engage him; and they were attended by a body of twelve hundred and fifty monks from the monastery of Bangor, who stood at a small distance from the field of battle, in order to encourage the combatants by their presence and exhortations. Adelfrid, inquiring the purpose of this unusual appearance, was told that these priests had come to pray against him. "*Then are they as much our enemies,*" said he, "*as those who intend to fight against us.*" And he immediately sent a detachment, who fell upon them, and did such execution, that only fifty escaped with their lives. The Britons, astonished at this event, received a total defeat. Chester was obliged to surrender; and Adelfrid, pursuing his victory, made himself master of Bangor, and entirely demolished the monastery; a building so extensive that there was a mile's distance from one gate to another; and it contained two thousand one hundred monks, who are said to have been there maintained by their own labour.

Notwithstanding Adelfrid's success in war, he lived in inquietude on account of young Edwin, whom he had unjustly dispossessed of the crown of Deïri. This prince, now grown to man's estate, wandered from place to place, in continual danger from the attempts of Adelfrid; and received at last protection in the court of Redwald, king of the East Angles, where his engaging and gallant deportment procured him general esteem and affection. Redwald, however, was strongly solicited by the king of Northumberland to kill or deliver up his guest; rich presents were promised him, if he would comply; and war denounced against him, in case of his refusal. After rejecting several messages of this kind, his generosity began to yield to the motives of interest; and he retained the last ambassador till he should come to a resolution in a case of such importance. Edwin, informed of his friend's perplexity, was yet determined, at all hazards, to remain in East Anglia; and thought that, if the protection of that court failed him, it were better to die than prolong a life so much exposed to the persecutions of his powerful rival. This confidence in Redwald's honour and friendship, with his other accomplishments, engaged the queen on his side; and she effectually represented to her husband the infamy of delivering up to certain destruction their royal guest, who had fled to them for protection against his cruel and jealous enemies. Redwald, embracing more generous resolutions, thought it safest to prevent Adelfrid before that prince was aware of his intention, and to attack him while he was yet unprepared for defence. He marched suddenly with an army into the kingdom of Northumberland, and fought a battle with Adelfrid; in which that monarch was defeated and killed, after avenging himself by the death of Regner, son of Redwald. His own sons, Eanfrid, Oswald, and Oswy, yet infants, were carried into Scotland; and Edwin obtained possession of the crown of Northumberland.

Edwin was the greatest prince of the Heptarchy in that age; and distinguished himself, both by his influence over the other kingdoms, and by the strict execution of justice in his own dominions. He reclaimed his subjects from the licentious life to which they had been accustomed; and it was a common saying, that, during his reign, a woman or child might openly carry everywhere a purse of gold, without any danger of violence or robbery. There is a remarkable instance transmitted to us of the affection borne him by his servants. Cuichelme, king of Wessex, was his enemy; but, finding himself unable to maintain open war against so gallant and powerful a prince, he determined to use treachery against him; and he employed one Eumer for that criminal purpose. The assassin, having obtained admittance by pretending to deliver a message from Cuichelme, drew his dagger, and rushed upon the king. Lilla, an officer of his army, seeing his master's danger, and having no other means of defence, interposed with his own body between the king and Eumer's dagger, which was pushed with such violence that, after piercing Lilla, it even wounded Edwin; but, before the assassin could renew his blow, he was dispatched by the king's attendants.

The East Angles conspired against Redwald, their king; and, having put him to death, they offered their crown to Edwin, of whose valour and capacity they had had experience while he resided among them. But Edwin, from a sense of gratitude towards his benefactor, obliged them to submit to Earpwold, the son of Redwald; and that prince preserved his authority, though on a precarious footing, under the protection of the Northumbrian monarch.

Edwin after his accession to the crown, married Ethelburga, the daughter of Ethelbert, king of Kent. This princess, emulating the glory of her mother Bertha, who had been the instrument for converting her husband and his people to Christianity, carried Paullinus, a learned bishop, along with her; and, besides stipulating a toleration for the exercise of her own religion which was readily granted her, she used every reason to persuade the king to embrace it. Edwin, like a prudent prince, hesitated on the proposal; but promised to examine the foundations of that doctrine, and declared that, if he found them satisfactory, he was willing to be converted. Accordingly he held several conferences with Paullinus; canvassed the arguments propounded with the wisest of his counsellors; retired frequently from company, in order to revolve alone that important question; and, after a serious and long inquiry, declared in favour of the Christian religion. The people soon after imitated his example. Besides the authority and influence of the king, they were moved by another striking example. Coifi, the high-priest, being converted after a public conference with Paullinus, led the way in destroying the images which he had so long worshipped, and was forward in making this atonement for his past idolatry.

This able prince perished, with his son Osfrid, in a great battle which he fought against Penda, king of Mercia, and Cædwalla, king of the Britons. That event, which happened in the forty-eighth year of Edwin's age and seventeenth of his reign, divided the monarchy of Northumberland, which that prince had united in his own person. Eanfrid, the son of Adelfrid, returned, with his brothers Oswald and Oswy, from Scotland, and took possession of Bernicia, his paternal kingdom. Osric, Edwin's cousin-german, established himself in Deïri, the inheritance of his family, but to which the sons of Edwin had a preferable title. Eanfrid, the elder surviving son, fled to Penda, by whom he was treacherously slain. The younger son, Vuscfræa, with Yffi, the grandson of Edwin by Osfrid, sought protection in Kent; and, not finding themselves in safety there, retired into France to king Dagobert, where they died.

Osric, king of Deïri, and Eanfrid of Bernicia, returned to paganism; and the whole people seem to have returned with them, since Paullinus, who was the first

archbishop of York, and who had converted them, thought proper to retire with Ethelburga, the queen-dowager, into Kent. Both these Northumbrian kings perished soon after: the first, in battle against Cædwalla, the Briton; the second, by the treachery of that prince. Oswald, the brother of Eanfrid, of the race of Bernicia, united again the kingdom of Northumberland in the year 634, and restored the Christian religion in his dominions. He gained a bloody and well-disputed battle against Cædwalla; the last vigorous effort which the Britons made against the Saxons. Oswald is much celebrated for his sanctity and charity by the monkish historians; and they pretend that his reliques wrought miracles, particularly the curing of a sick horse, which had approached the place of his interment.

He died in battle against Penda, king of Mercia, and was succeeded by his brother Oswy, who established himself in the government of the whole Northumbrian kingdom by putting to death Oswin, the son of Osric, the last king of the race of Deïri. His son Egfrid succeeded; who perished in battle against the Picts, without leaving any children, because Adelthrid, his wife, refused to violate her vow of chastity. Alfred, his natural brother, acquired possession of the kingdom, which he governed for nineteen years; and he left it to Osred his son, a boy of eight years of age. This prince, after a reign of eleven years, was murdered by Kenred, his kinsman, who, after enjoying the crown only a year, perished by a like fate. Osric, and, after him, Celwulph the son of Kenred, next mounted the throne; which the latter relinquished, in the year 738, in favour of Eadbert, his cousin-german; who, imitating his predecessor, abdicated the crown, and retired into a monastery. Oswolf, son of Eadbert, was slain in a sedition, a year after his accession to the crown; and Mollo, who was not of the royal family, seized the crown. He perished by the treachery of Ailred, a prince of the blood; and Ailred, having succeeded in his design upon the throne, was soon after expelled by his subjects. Ethelred, his successor, the son of Mollo, underwent a like fate. Celwold, the next king, the brother of Ailred, was deposed and slain by the people; and his place was filled by Osred, his nephew; who, after a short reign of a year, made way for Ethelbert, another son of Mollo, whose death was equally tragical with that of almost all his predecessors. After Ethelbert's death, an universal anarchy prevailed in Northumberland; and the people, having, by so many fatal revolutions, lost all attachment to their government and princes, were well prepared for subjection to a foreign yoke, which Egbert, king of Wessex, finally imposed upon them.

THE KINGDOM OF EAST-ANGLIA.

The history of this kingdom contains nothing memorable except the conversion of Earpwold, the fourth king, and great-grandson of Uffa, the founder of the monarchy. The authority of Edwin, king of Northumberland, on whom that prince entirely depended, engaged him to take this step: but, soon after, his wife, who was an idolatress, brought him back to her religion; and he was found unable to resist those allurements which had seduced the wisest of mankind. After his death, which was violent, like that of most of the Saxon princes that did not early retire into monasteries, Sigebert, his successor and half-brother, who had been educated in France, restored Christianity, and introduced learning amongst the East-Angles. Some pretend that he founded the university of Cambridge, or rather some schools in that place.—It is almost impossible, and quite needless, to be more particular in relating the transactions of the East-Angles. What instruction or entertainment can it give the reader to hear a long bead-roll of barbarous names; Egric, Annas, Ethelbert, Ethelwald, Aldulf, Elfwold, Beorne, Ethelred, Ethelbert; who successively murdered, expelled, or inherited from each other, and obscurely filled the throne of that kingdom! Ethelbert, the last of these princes, was treacherously murdered by Offa, king of Mercia, in the year 792; and his state was thenceforth united with that of Offa, as we shall relate presently.

THE KINGDOM OF MERCIA.

Mercia, the largest, if not the most powerful kingdom of the Heptarchy, comprehended all the middle counties of England; and, as its frontiers extended to those of all the other six kingdoms, as well as to Wales, it received its name from that circumstance. Wibba, the son of Crida, founder of the monarchy, being placed on the throne by Ethelbert, king of Kent, governed his paternal dominions by a precarious authority; and after his death, Ceorl, his kinsman, was, by the influence of the Kentish monarch, preferred to his son Penda, whose turbulent character appeared dangerous to that prince. Penda was thus fifty years of age before he mounted the throne; and his temerity and restless disposition were found nowise abated by time, experience, or reflection. He engaged in continual hostilities against all the neighbouring states; and, by his injustice and violence, rendered himself equally odious to his own subjects and to strangers. Sigebert, Egric, and Annas, three kings of East-Anglia, perished successively in battle against him; as did also Edwin and Oswald, the two greatest princes that had reigned over Northumberland. At last Oswy, brother to Oswald, having defeated and slain him in a decisive battle, freed the world from this sanguinary tyrant. Peada, his son, mounted the throne of Mercia in 655, and lived under the protection of Oswy, whose daughter he had espoused. This princess was educated in the Christian faith, and she employed her influence with success, in converting her husband, and his subjects to that religion. Thus the fair sex have had the merit of introducing the Christian doctrine into all the most considerable kingdoms of the Saxon Heptarchy. Peada died a violent death.* His son Wolfhere succeeded to the government; and, after having reduced to dependence the kingdom of Essex and East Anglia, he left the crown to his brother Ethelred, who, though a lover of peace, showed himself not unfit for military enterprises. Besides making a successful expedition into Kent, he repulsed Egfrid, king of Northumberland, who had invaded his dominions; and he slew in battle Elfwin, the brother of that prince. Desirous, however, of composing all animosities with Egfrid, he paid him a sum of money, as a compensation for the loss of his brother. After a prosperous reign of thirty years, he resigned the crown to Kenred, son of Wolfhere, and retired into the monastery of Bardney. Kenred returned the present of the crown to Ceolred, the son of Ethelred; and, making a pilgrimage to Rome, passed his life there in penance and devotion. The place of Ceolred was supplied by Ethelbald, great-grand-nephew to Penda, by Alwy his brother; and this prince, being slain in a mutiny, was succeeded by Offa, who was a degree more remote from Penda, by Eawa, another brother.

This prince, who mounted the throne in 755, had some great qualities, and was successful in his warlike enterprises against Lothaire, king of Kent, and Kenwulph, king of Wessex. He defeated the former in a bloody battle at Otford upon the Darent, and reduced his kingdom to a state of dependence: he gained a victory over the latter at Bensington in Oxfordshire; and, conquering that county, together with that of Gloucester, annexed both to his dominions. But all these successes were stained by his treacherous murder of Ethelbert, king of the East-Angles, and his violent seizing of that kingdom. This young prince, who is said to have pos-

* Huntingdon, indeed, says, that he was [illegible] murdered by Elfgiva, his wife; but this account [illegible] of the matter is found in that historian.

sessed great merit, had paid his addresses to Elfrida, the daughter of Offa; and was invited with all his retinue to Hereford, in order to solemnize the nuptials: Amidst the joy and festivity of these entertainments, he was seized by Offa, and secretly beheaded: and though Elfrida, who abhorred her father's treachery, had time to give warning to the East Anglian nobility, who escaped into their own country, Offa, having extinguished the royal family, succeeded in his design of subduing that kingdom. The perfidious prince, desirous of re-establishing his character in the world, and perhaps of appeasing the remorses of his own conscience, paid great court to the clergy, and practised all the monkish devotion so much esteemed in that ignorant and superstitious age. He gave the tenth of his goods to the church; bestowed rich donations on the cathedral of Hereford, and even made a pilgrimage to Rome, where his great power and riches could not fail of procuring him the papal absolution. The better to ingratiate himself with the sovereign pontiff, he engaged to pay him a yearly donation for the support of an English college at Rome; and in order to raise the sum, he imposed the tax of a penny on each house possessed of thirty pence a year. This imposition, being afterwards levied on all England, was commonly denominated *Peter's pence*, and, though conferred at first as a gift, was afterwards claimed as a tribute by the Roman pontiff. Carrying his hypocrisy still further, Offa, feigning to be directed by a vision from heaven, discovered at Verulam the relics of St. Alban, the martyr, and endowed a magnificent monastery in that place. Moved by all these acts of piety, Malmesbury, one of the best of the old English historians, declares himself at a loss to determine whether the merits or crimes of this prince preponderated. Offa died after a reign of thirty-nine years, in 794.

This prince was become so considerable in the Heptarchy, that the emperor Charlemagne entered into an alliance and friendship with him; a circumstance which did honour to Offa, as distant princes at that time had usually little communication with each other. That emperor being a great lover of learning and learned men, in an age very barren of that ornament, Offa, at his desire, sent him over Alcuin, a clergyman much celebrated for his knowledge, who received great honours from Charlemagne, and even became his preceptor in the sciences. The chief reason why he had at first desired the company of Alcuin, was, that he might oppose his learning to the heresy of Felix, bishop of Urgil in Catalonia; who maintained that Jesus Christ, considered in his human nature, could more properly be denominated the adoptive than the natural Son of God. The heresy was condemned in the council of Francfort, held in 794, and consisting of 300 bishops. Such were the questions which were agitated in that age, and which employed the attention, not only of cloistered scholars, but of the wisest and greatest princes.*

Egfrith succeeded to his father Offa, but survived him only five months; when he made way for Kenulph, a descendant of the royal family. This prince waged war against Kent; and, taking Egbert, the king, prisoner, he cut off his hands, and put out his eyes; leaving Cuthred, his own brother, in possession of the crown of that kingdom. Kenulph was killed in an insurrection of the East Anglians, whose crown his predecessor, Offa, had usurped. He left his son, Kenelm, a minor; who was murdered the same year by his sister, Quendrade, who had entertained the ambitious views of assuming the government. But she was supplanted by her uncle, Ceolulf; who, two years after, was dethroned by Beornulf. The reign of this usurper, who was not of the royal family, was short and unfortunate: he was defeated by the West Saxons, and killed by his own subjects, the East Angles. Ludican, his successor, underwent the same fate; and Wiglaff, who mounted this unstable throne, and found everything in the utmost confusion, could not withstand the fortune of Egbert, who united all the Saxon kingdoms into one great monarchy.

* Offa, in order to protect his country from Wales, drew a rampart or ditch one hundred miles in length, from Basingwerke in Flintshire, to the south near Bristol. *See Speed's Description of Wales.*

THE KINGDOM OF ESSEX.

This kingdom made no great figure in the Heptarchy; and the history of it is very imperfect. Sleda succeeded to his father, Erkinwin, the founder of the monarchy; and made way for his son, Sebert, who, being nephew to Ethelbert, king of Kent, was persuaded by that prince to embrace the Christian faith. His sons and conjunct successors, Sexted and Seward, relapsed into idolatry, and were soon after slain in a battle against the West Saxons. To show the rude manner of living in that age, Bede tells us, that these two kings expressed great desire to eat the white bread distributed by Mellitus, the bishop, at the communion; but, on his refusing them unless they would submit to be baptized, they expelled him their dominions. The names of the other princes who reigned successively in Essex, are, Sigebert the Little, Sigebert the Good, who restored Christianity, Swithelm, Sigheri, Offa. This last prince, having made a vow of chastity, notwithstanding his marriage with Keneswitha, a Mercian princess, daughter to Penda, went in pilgrimage to Rome, and shut himself up during the rest of his life in a cloister. Selred, his successor, reigned thirty-eight years, and was the last of the royal line; the failure of which threw the kingdom into great confusion, and reduced it to dependence under Mercia. Switherd first acquired the crown, by the concession of the Mercian princes; and his death made way for Sigeric, who ended his life in a pilgrimage to Rome. His successor, Sigered, unable to defend his kingdom, submitted to the victorious arms of Egbert.

THE KINGDOM OF SUSSEX.

The history of this kingdom, the smallest in the Heptarchy, is still more imperfect than that of Essex. Ælla, the founder of the monarchy, left the crown to his son, Cissa, who is chiefly remarkable for his long reign of seventy-six years. During his time, the South Saxons fell almost into a total dependence on the kingdom of Wessex; and we scarcely know the names of the princes who were possessed of this titular sovereignty. Adelwalch, the last of them, was subdued in battle by Ceadwalla, king of Wessex, and was slain in the action, leaving two infant sons, who, falling into the hands of the conqueror, were murdered by him. The abbot of Retford opposed the order for this execution; but could only prevail on Ceadwalla to suspend it till they should be baptized. Berethun and Audhun, two noblemen of character, resisted some time the violence of the West Saxons; but their opposition served only to prolong the miseries of their country; and the subduing of this kingdom was the first step which the West Saxons made towards acquiring the sole monarchy of England.

THE KINGDOM OF WESSEX.

The kingdom of Wessex, which finally swallowed up all the other Saxon states, met with great resistance on its first establishment; and the Britons, who were now inured to arms, yielded not tamely their possessions to those invaders. Cerdic, the founder of the monarchy, and his son, Kenric, fought many successful and some unsuccessful battles against the natives; and the martial spirit common to all the Saxons, was, by means of these hostilities, carried to the greatest height among this tribe. Ceaulin, who was the son and successor of Kenric, and who began his reign in 560, was still more ambitious and enterprising than his predecessors; and

by waging continual war against the Britons, he added a great part of the counties of Devon and Somerset to his other dominions. Carried along by the tide of success, he invaded the other Saxon states in his neighbourhood; and, becoming terrible to all, he provoked a general confederacy against him. This alliance proved successful under the conduct of Ethelbert, king of Kent; and Ceaulin, who had lost the affections of his own subjects by his violent disposition, and had now fallen into contempt from his misfortunes, was expelled the throne, and died in exile and misery. Cuichelme and Cuthwin, his sons, governed jointly the kingdom, till the expulsion of the latter in 591, and the death of the former in 593, made way for Cealric; to whom succeeded Ceobald in 593, by whose death, which happened in 611, Kynegils inherited the crown. The prince embraced Christianity, through the persuasion of Oswald, king of Northumberland, who had married his daughter, and who had attained a great ascendant in the Heptarchy. Kenwalch next succeeded to the monarchy; and, dying in 672, left the succession so much disputed, that Sexburga, his widow, a woman of spirit, kept possession of the government till her death, which happened two years after. Escwin then peaceably acquired the crown; and, after a short reign of two years, made way for Kentwin, who governed nine years. Ceodwalla, his successor, mounted not the throne without opposition; but proved a great prince, according to the ideas of those times; that is, he was enterprising, warlike, and successful: he entirely subdued the kingdom of Sussex, and annexed it to his own dominions: he made inroads into Kent; but met with resistance from Widred, the king, who proved successful against Mollo, brother to Ceodwalla, and slew him in a skirmish. Ceodwalla, at last, tired with wars and bloodshed, was seized with a fit of devotion, bestowed several endowments on the church, and made a pilgrimage to Rome, where he received baptism, and died in 689. Ina, his successor, inherited the military virtues of Ceodwalla, and added to them the more valuable ones of justice, policy, and prudence. He made war upon the Britons in Somerset; and having finally subdued that province, he treated the vanquished with a humanity hitherto unknown to the Saxon conquerors: he allowed the proprietors to retain possession of their lands, encouraged marriages and alliances between them and his ancient subjects, and gave them the privilege of being governed by the same laws: these laws he augmented and ascertained; and, though he was disturbed by some insurrections at home, his long reign of thirty-seven years may be regarded as one of the most glorious and most prosperous of the Heptarchy. In the decline of his age, he made a pilgrimage to Rome; and, after his return, shut himself up in a cloister, where he died.

Though the kings of Wessex had always been princes of the blood, descended from Cerdic, the founder of the monarchy, the order of succession had been far from exact; and a more remote prince had often found means to mount the throne, in preference to one descended from a nearer branch of the royal family. Ina, therefore, having no children of his own, and lying much under the influence of Ethelburga, his queen, left by will the succession to Adelard, her brother, who was his remote kinsman. But this destination did not take place without some difficulty. Oswald, a prince more nearly allied to the crown, took arms against Adelard; but he being suppressed, and dying soon after, the title of Adelard was not any further disputed; and in the year 741, he was succeeded by his cousin, Cudred. The reign of this prince was distinguished by a great victory which he obtained, by means of Edelhun, his general, over Ethelbald, king of Mercia. His death made way for Sigebert, his kinsman, who governed so ill, that his people rose in an insurrection, and dethroned him, crowning Cenulph in his stead. The exiled prince found a refuge with duke Cumbran, governor of Hampshire; who, that he might add new obligations to Sigebert, gave him many salutary counsels for his future conduct, accompanied with some reprehensions for the past: but these were so much resented by the ungrateful prince, that he conspired against the life of his protector, and treacherously murdered him. After this infamous action, he was forsaken by all the world; and, skulking about in the wilds and forests, was at last discovered by a servant of Cumbran's, who instantly took revenge upon him for the murder of his master.

Cenulph, who had obtained the crown on the expulsion of Sigebert, was fortunate in many expeditions against the Britons of Cornwall; but afterwards lost some reputation by his ill success against Offa, king of Mercia. Kynehard, also, brother to the deposed Sigebert, gave him disturbance; and, though expelled the kingdom, he hovered on the frontiers, and watched an opportunity for attacking his rival. The king had an intrigue with a young woman who lived at Merton in Surrey, whither having secretly retired, he was on a sudden environed, in the night-time, by Kynehard and his followers, and, after making a vigorous resistance, was murdered with all his attendants. The nobility and people of the neighbourhood, rising next day in arms, took revenge on Kynehard for the slaughter of their king, and put every one to the sword who had been engaged in that criminal enterprise. This event happened in 784.

Brithric next obtained possession of the government, though remotely descended from the royal family; but he enjoyed not that dignity without inquietude. Eoppa, nephew to king Ina, by his brother Ingild, who died before that prince, had begot Eata, father to Alchmond, from whom sprung Egbert, a young man of the most promising hopes, who gave great jealousy to Brithric, the reigning prince, both because he seemed by his birth better entitled to the crown, and because he had acquired, to an eminent degree, the affections of the people. Egbert, sensible of his danger from the suspicions of Brithric, secretly withdrew into France, where he was well received by Charlemagne. By living in the court, and serving in the armies of that prince, the most able and most generous that had appeared in Europe during several ages; he acquired those accomplishments which afterwards enabled him to make such a shining figure on the throne; and familiarizing himself to the manners of the French, who, as Malmesbury observes, were eminent both for valour and civility above all the western nations, he learned to polish the rudeness and barbarity of the Saxon character: his early misfortunes thus proved of singular advantage to him.

It was not long ere Egbert had opportunities of displaying his natural and acquired talents. Brithric, king of Wessex, had married Eadburga, natural daughter of Offa, king of Mercia, a profligate woman, equally infamous for cruelty and for incontinence. Having great influence over her husband, she often instigated him to destroy such of the nobility as were obnoxious to her; and where this expedient failed, she scrupled not being herself active in traitorous attempts against them: she had mixed a cup of poison for a young nobleman, who had acquired her husband's friendship, and had on that account become the object of her jealousy; but, unfortunately, the king drank of the fatal cup along with his favourite, and soon after expired. This tragical incident, joined to her other crimes, rendered Eadburga so odious, that she was obliged to fly into France; whence Egbert was at the same time recalled by the nobility, in order to ascend the throne of his ancestors. He attained that dignity in the last year of the eighth century.

In the kingdoms of the Heptarchy, an exact rule of succession was either unknown, or not strictly observed; and thence the reigning prince was continually agitated with jealousy against all the princes of the blood, whom he still considered as rivals, and whose death alone could give him entire security in his pos-

session of the throne. From this fatal cause, together with the admiration of the monastic life, and the opinion of merit attending the preservation of chastity even in a married state, the royal families had been entirely extinguished in all the kingdoms, except that of Wessex; and the emulations, suspicions, and conspiracies, which had formerly been confined to the princes of the blood alone, were now diffused among all the nobility in the several Saxon states. Egbert was the sole descendant of those first conquerors who subdued Britain, and who enhanced their authority by claiming a pedigree from Woden, the supreme divinity of their ancestors: but that prince, though invited by this favourable circumstance to make attempts on the neighbouring Saxons, gave them for some time no disturbance, and rather chose to turn his arms against the Britons in Cornwall, whom he defeated in several battles: he was recalled from the conquest of that country by an invasion made upon his dominions by Bernulph, king of Mercia.

The Mercians, before the accession of Egbert, had very nearly attained the absolute sovereignty in the Heptarchy: they had reduced the East-Angles under subjection, and established tributary princes in the kingdoms of Kent and Essex: Northumberland was involved in anarchy; and no state of any consequence remained but that of Wessex, which, much inferior in extent to Mercia, was supported solely by the great qualities of its sovereign. Egbert led his army against the invaders; and, encountering them at Ellandum in Wiltshire, obtained a complete victory, and, by the great slaughter which he made of them in their flight, gave a mortal blow to the power of the Mercians. Whilst he himself, in prosecution of his victory, entered their country on the side of Oxfordshire, and threatened the heart of their dominions; he sent an army into Kent, commanded by Ethelwolph, his eldest son; and, expelling Baldred, the tributary king, soon made himself master of that country. The kingdom of Essex was conquered with equal facility; and the East-Angles, from their hatred to the Mercian government, which had been established over them by treachery and violence, and probably exercised with tyranny, immediately rose in arms, and craved the protection of Egbert. Bernulf, the Mercian king, who marched against them, was defeated and slain; and two years after, Ludican, his successor, met with the same fate. These insurrections and calamities facilitated the enterprises of Egbert, who advanced into the centre of the Mercian territories, and made easy conquests over a dispirited and divided people. In order to engage them more easily to submission, he allowed Wiglef, their countryman, to retain the title of king, while he himself exercised the real powers of sovereignty. The anarchy which prevailed in Northumberland tempted him to carry still further his victorious arms; and the inhabitants, unable to resist his power, and desirous of possessing some established form of government, were forward, on his first appearance, to send deputies, who submitted to his authority, and swore allegiance to him as their sovereign. Egbert, however, still allowed to Northumberland, as he had done to Mercia and East-Anglia, the power of electing a king, who paid him tribute, and was dependent on him.

Thus were united all the kingdoms of the Heptarchy in one great state, near four hundred years after the first arrival of the Saxons in Britain; and the fortunate arms and prudent policy of Egbert at last effected what had been so often attempted in vain by so many princes. Kent, Northumberland, and Mercia, which had successively aspired to general dominion, were now incorporated in his empire; and the other subordinate kingdoms seemed willingly to share the same fate. His territories were nearly of the same extent with what is now properly called England; and a favourable prospect was afforded to the Anglo-Saxons, of establishing a civilized monarchy, possessed of tranquillity within itself, and secure against foreign invasion. This great event happened in the year 827.

The Saxons, though they had been so long settled in the island, seem not as yet to have been much improved beyond their German ancestors, either in arts, civility, knowledge, humanity, justice, or obedience to the laws. Even Christianity, though it opened the way to connexions between them and the more polished states of Europe, had not hitherto been very effectual in banishing their ignorance, or softening their barbarous manners. As they received that doctrine through the corrupted channels of Rome, it carried along with it a great mixture of credulity and superstition, equally destructive to the understanding and to morals: the reverence towards saints and relics seems to have almost supplanted the adoration of the Supreme Being: monastic observances were esteemed more meritorious than the active virtues: the knowledge of natural causes was neglected, from the universal belief of miraculous interpositions and judgments: bounty to the church atoned for every violence against society; and the remorses for cruelty, murder, treachery, assassination, and the more robust vices, were appeased, not by amendment of life, but by penances, servility to the monks, and an abject and illiberal devotion.* The reverence for the clergy had been carried to such a height, that, wherever a person appeared in a sacerdotal habit, though on the highway, the people flocked around him, and showing him all marks of profound respect, received every word he uttered as the most sacred oracle. Even the military virtues, so inherent in all the Saxon tribes, began to be neglected; and the nobility, preferring the security and sloth of the cloister to the tumults and glory of war, valued themselves chiefly on endowing monasteries, of which they assumed the government. The several kings, too, being extremely impoverished by continual benefactions to the church, to which the states of their kingdoms had weakly assented, could bestow no rewards on valour or military services, and retained not even sufficient influence to support their government.

Another inconvenience which attended this corrupt species of Christianity, was the superstitious attachment to Rome, and the gradual subjection of the kingdom to a foreign jurisdiction. The Britons, having never acknowledged any subordination to the Roman pontiff, had conducted all ecclesiastical government by their domestic synods and councils: but the Saxons, receiving their religion from Roman monks, were taught at the same time a profound reverence for that see, and were naturally led to regard it as the capital of their religion: pilgrimages to Rome were represented as the most meritorious acts of devotion: not only noblemen and ladies of rank undertook this tedious journey, but kings themselves, abdicating their crowns, sought for a secure passport to heaven at the feet of the Roman pontiff: new relics, perpetually sent from that endless mint of superstition, and magnified by lying miracles invented in convents, operated on the astonished minds of the multitude; and every prince has attained the eulogies of the monks, the only historians of those ages, not in proportion to his civil and military virtues, but to his devoted attachment towards their order, and his superstitious reverence for Rome.

The sovereign pontiff, encouraged by this blindness and submissive disposition of the people, advanced every day in his encroachments on the independence of the English churches. Wilfrid, bishop of Lidisferne, the sole prelate of the Northumbrian kingdom, increased this subjection in the eighth century, by his making an appeal to Rome against the decisions of an English

* These abuses were common to all the European churches; but the priests in Italy, Spain, and France made some atonement for them by other advantages which they received from them. For several ages they were almost all Romans, or, in other words, the most learned: and they preserved the Roman language and laws, with some remains of the former civility. But the priests in the Heptarchy, after the first missionaries, were wholly Saxons, and almost as ignorant and barbarous as the laity: they contributed, therefore little to the improvement of the society in knowledge or the arts.

synod, which had abridged his diocese by the erection of some new bishoprics. Agatho, the pope, readily embraced this precedent of an appeal to his court; and Wilfrid, though the haughtiest and most luxurious prelate of his age, having obtained with the people the character of sanctity, was thus able to lay the foundation of this papal pretension.

The great topic by which Wilfrid confounded the imaginations of men was, that St. Peter, to whose custody the keys of heaven were entrusted, would certainly refuse admittance to every one who should be wanting in respect to his successor. This conceit, well suited to vulgar conceptions, made great impression on the people during several ages; and has not even at present lost all influence in the Catholic countries.

Had this abject superstition produced general peace and tranquillity, it had made some atonement for the ills attending it; but, besides the usual avidity of men for power and riches, frivolous controversies in theology were engendered by it, which were so much the more fatal, as they admitted not, like the others, of any final determination from established possession. The disputes excited in Britain were of the most ridiculous kind, and entirely worthy of those ignorant and barbarous ages. There were some intricacies, observed by all the Christian churches, in adjusting the day of keeping Easter, which depended on a complicated consideration of the course of the sun and moon; and it happened that the missionaries who had converted the Scots and Britons had followed a different calendar from that which was observed at Rome in the age when Augustine converted the Saxons. The priests, also, of all the Christian churches, were accustomed to shave part of their head; but the form given to this tonsure was different in the former from what was practised in the latter. The Scots and Britons pleaded the antiquity of *their* usages; the Romans, and their disciples the Saxons, insisted on the universality of *theirs*. That Easter must necessarily be kept by a rule which comprehended both the day of the year and age of the moon, was agreed by all; that the tonsure of a priest could not be omitted without the utmost impiety, was a point undisputed: but the Romans and Saxons called their antagonists schismatics, because they celebrated Easter on the very day of the full moon in March, if that day fell on a Sunday, instead of waiting till the Sunday following; and because they shaved the fore part of their head from ear to ear, instead of making that tonsure on the crown of the head, and in a circular form. In order to render their antagonists odious, they affirmed that once in seven years they concurred with the Jews in the time of celebrating that festival: and, that they might recommend their own form of tonsure, they maintained, that it imitated symbolically the crown of thorns worn by Christ in his passion; whereas the other form was invented by Simon Magus, without any regard to that representation. These controversies had, from the beginning, excited such animosity between the British and Romish priests, that, instead of concurring in their endeavours to convert the idolatrous Saxons, they refused all communion together, and each regarded his opponent as no better than a Pagan. The dispute lasted more than a century; and was at last finished, not by men's discovering the folly of it, which would have been too great an effort for human reason to accomplish, but by the entire prevalence of the Romish ritual over the Scotch and British. Wilfrid, bishop of Landisferne, acquired great merit, both with the court of Rome and with all the southern Saxons, by expelling the quartodeciman schism, as it was called, from the Northumbrian kingdom, into which the neighbourhood of the Scots had formerly introduced it.

Theodore, archbishop of Canterbury, called, in the year 680, a synod at Hatfield, consisting of all the bishops in Britain; where was accepted and ratified the decree of the Lateran council, summoned by Martin against the heresy of the Monothelites. The council and synod maintained, in opposition to these heretics, that, though the divine and human nature in Christ made but one person, yet had they different inclinations, wills, acts, and sentiments, and that the unity of the person implied not any unity in the consciousness. This opinion it seems somewhat difficult to comprehend; and no one, unacquainted with the ecclesiastical history of those ages, could imagine the height of zeal and violence with which it was then inculcated. The decree of the Lateran council calls the Monothelites impious, execrable, wicked, abominable, and even diabolical; and curses and anathematizes them to all eternity.

The Saxons, from the first introduction of Christianity among them, had admitted the use of images; and perhaps that religion without some of those exterior ornaments had not made so quick a progress with these idolaters: but they had not paid any species of worship or address to images; and this abuse never prevailed among Christians till it received the sanction of the second council of Nice.

CHAPTER II.

Egbert—Ethelwolf—Ethelbald and Ethelbert—Ethered—Alfred the Great—Edward the Elder—Athelstan—Edmund—Edred—Edwy—Edgar—Edward the Martyr.

EGBERT. 827.

THE kingdoms of the Heptarchy, though united by so recent a conquest, seemed to be firmly cemented into one state under Egbert; and the inhabitants of the several provinces had lost all desire of revolting from that monarch, or of restoring their former independent governments. Their language was everywhere nearly the same, their customs, laws, institutions, civil and religious; and as the race of the ancient kings was totally extinct in all the subjected states, the people readily transferred their allegiance to a prince who seemed to merit it by the splendour of his victories, the vigour of his administration, and the superior nobility of his birth. A union, also, in government, opened to them the agreeable prospect of future tranquillity; and it appeared more probable, that they would henceforth become formidable to their neighbours, than be exposed to their inroads and devastations. But these flattering views were soon overcast by the appearance of the Danes, who, during some centuries, kept the Anglo-Saxons in perpetual inquietude, committed the most barbarous ravages upon them, and at last reduced them to grievous servitude.

The emperor Charlemagne, though naturally generous and humane, had been induced by bigotry to exercise great severities upon the Pagan Saxons in Germany, whom he subdued; and, besides often ravaging their country with fire and sword, he had in cool blood decimated all the inhabitants for their revolts, and had obliged them, by the most rigorous edicts, to make a seeming compliance with the Christian doctrine. That religion which had easily made its way among the British Saxons by insinuation and address, appeared shocking to their German brethren when imposed on them by the violence of Charlemagne; and the more generous and warlike of these Pagans had fled northward into Jutland, in order to escape the fury of his persecutions. Meeting there with a people of similar manners, they were readily received among them; and they soon stimulated the natives to concur in enterprises which both promised revenge on the haughty conqueror, and afforded subsistence to those numerous inhabitants with which the northern countries were now overburthened. They invaded the provinces of France, which were exposed by the degeneracy and dissensions of Charlemagne's posterity; and being there

known under the general name of Normans, which they received from their northen situation, they became the terror of all the maritime, and even of the inland countries. They were also tempted to visit England in their frequent excursions; and being able, by sudden inroads, to make great progress over a people who were not defended by any naval force, who had relaxed their military institutions, and who were sunk into a superstition which had become odious to the Danes and ancient Saxons, they made no distinction in their hostilities between the French and English kingdoms. Their first appearance in this island was in the year 787, when Brithric reigned in Wessex: a small body of them landed in that kingdom, with a view of learning the state of the country; and when the magistrate of the place questioned them concerning their enterprise, and summoned them to appear before the king, and account for their intentions, they killed him, and, flying to their ships, escaped into their own country. The next alarm was given to Northumberland, in the year 794, when a body of these pirates pillaged a monastery; but their ships being much damaged by a storm, and their leader slain in a skirmish, they were at last defeated by the inhabitants, and the remainder of them put to the sword. Five years after Egbert had established his monarchy over England, the Danes landed in the Isle of Shepey, and, having pillaged it, escaped with impunity. They were not so fortunate in their next year's enterprise, when they disembarked from thirty-five ships, and were encountered by Egbert, at Charmouth in Dorsetshire: the battle was bloody; but though the Danes lost great numbers, they maintained the post which they had taken, and thence made good their retreat to their ships. Having learned, by experience, that they must expect a vigorous resistance from this warlike prince, they entered into an alliance with the Britons of Cornwall; and, landing two years after in that country, made an inroad with their confederates into the county of Devon; but were met at Hengesdown by Egbert, and totally defeated. While England remained in this state of anxiety, and defended itself more by temporary expedients than by any regular plan of administration, Egbert, who alone was able to provide effectually against this new evil, unfortunately died, and left the government to his son Ethelwolf.

ETHELWOLF. 838.

This prince had neither the abilities nor the vigour of his father; and was better qualified for governing a convent than a kingdom. He began his reign with making a partition of his dominions, and delivering over to his eldest son, Athelstan, the newly conquered provinces of Essex, Kent, and Sussex: but no inconveniencies seem to have arisen from this partition, as the continual terror of the Danish invasions prevented all domestic dissension. A fleet of these ravagers, consisting of thirty-three sail, appeared at Southampton; but were repulsed with loss by Wolfhere, governor of the neighbouring country. The same year, Æthelhelm, governor of Dorsetshire, routed another band which had disembarked at Portsmouth; but he obtained the victory after a furious engagement, and he bought it with the loss of his life. Next year the Danes made several inroads into England; and fought battles, or rather skirmishes, in East-Anglia, and Lindesey, and Kent; where, though they were sometimes repulsed and defeated, they always obtained their end, of committing spoil upon the country, and carrying off their booty. They avoided coming to a general engagement, which was not suited to their plan of operations. Their vessels were small, and ran easily up the creeks and rivers, where they drew them ashore, and, having formed an intrenchment round them, which they guarded with part of their number, the remainder scattered themselves everywhere, and carrying off the inhabitants, and cattle, and goods, they hastened to their ships, and quickly disappeared. If the military force of the county were assembled (for there was no time for troops to march from a distance) the Danes either were able to repulse them, and to continue their ravages with impunity, or they betook themselves to their vessels, and, setting sail, suddenly invaded some distant quarter which was not prepared for their reception. Every part of England was held in continual alarm; and the inhabitants of one county durst not give assistance to those of another lest their own families and property should in the mean time be exposed by their absence to the fury of these barbarous ravagers. All orders of men were involved in this calamity; and the priests and monks, who had been commonly spared in the domestic quarrels of the Heptarchy, were the chief objects on which the Danish idolaters exercised their rage and animosity. Every season of the year was dangerous; and the absence of the enemy was no reason why any man could esteem himself a moment in safety.

These incursions had now become almost annual; when the Danes, encouraged by their successes against France as well as England, (for both kingdoms were alike exposed to this dreadful calamity,) invaded the last [851] in so numerous a body as seemed to threaten it with universal subjection. But the English, more military than the Britons, whom, a few centuries before, they had treated with like violence, roused themselves with a vigour proportioned to the exigency. Ceorle, governor of Devonshire, fought a battle with one body of the Danes at Wiganburgh, and put them to rout with great slaughter. King Athelstan attacked another at sea near Sandwich, sunk nine of their ships, and put the rest to flight. A body of them, however, ventured, for the first time, to take up winter-quarters in England; and, receiving in the spring a strong reenforcement of their countrymen in three hundred and fifty vessels, they advanced from the Isle of Thanet, where they had stationed themselves; burnt the cities of London and Canterbury; and, having put to flight Brichtric, who now governed Mercia under the title of king, they marched into the heart of Surrey, and laid every place waste around them. Ethelwolf, impelled by the urgency of the danger, marched against them at the head of the West Saxons; and, carrying with him his second son, Ethelbald, gave them battle at Okely, and gained a bloody victory over them. This advantage procured but a short respite to the English. The Danes still maintained their settlement in the Isle of Thanet; and being attacked by Ealher and Huda, governors of Kent and Surrey, though defeated in the beginning of the action, they finally repulsed the assailants, and killed both the governors. They removed thence [853] to the Isle of Shepey, where they took up their winter-quarters, that they might further extend their devastation and ravages.

This unsettled state of England hindered not Ethelwolf from making a pilgrimage to Rome; whither he carried his fourth and favourite son, Alfred, then only six years of age. He passed there a twelvemonth in exercises of devotion; and failed not in that most essential part of devotion, liberality to the church of Rome. Besides giving presents to the more distinguished ecclesiastics, he made a perpetual grant of three hundred mancuses * a year to that see; one-third to support the lamps of St. Peter's, another those of St. Paul's, a third to the pope himself. In his return home, he married Judith, daughter of the emperor Charles the Bald; but on his landing in England, he met with an opposition which he little looked for.

His eldest son, Athelstan, being dead, Ethelbald, his second, who had assumed the government, formed, in concert with many of the nobles, the project of excluding his father from a throne which his weakness and superstition seem to have rendered him so ill-qualified to fill. The people were divided between the two

* A mancus was about the weight of our present half-crown. See Spelman's Glossary, *in verbo* Mancus.

princes; and a bloody civil war, joined to all the other calamities under which the English laboured, appeared inevitable; when Ethelwolf had the facility to yield to the greater part of his son's pretensions. He made with him a partition of the kingdom; and, taking to himself the eastern part, which was always at that time esteemed the least considerable, as well as the most exposed, he delivered over to Ethelbald the sovereignty of the western. Immediately after, he summoned the states of the whole kingdom, and with the same facility conferred a perpetual and important donation on the church.

The ecclesiastics, in those days of ignorance, made rapid advances in the acquisition of power and grandeur; and, inculcating the most absurd and most interested doctrines, though they sometimes met, from the contrary interests of the laity, with an opposition which it required time and address to overcome, they found no obstacle in their reason or understanding. Not content with the donations of land made them by the Saxon princes and nobles, and with temporary oblations from the devotion of the people, they had cast a wishful eye on a vast revenue, which they claimed as belonging to them by a sacred and indefeasible title. However little versed in the scriptures, they had been able to discover that, under the Jewish law, a tenth of all the produce of land was conferred on the priesthood; and, forgetting what they themselves taught, that the moral part only of that law was obligatory on Christians, they insisted that this donation conveyed a perpetual property, inherent by divine right in those who officiated at the altar. During some centuries, the whole scope of sermons and homilies was directed to this purpose; and one would have imagined, from the general tenor of these discourses, that all the practical parts of Christianity were comprised in the exact and faithful payment of tithes to the clergy. Encouraged by their success in inculcating these doctrines, they ventured further than they were warranted even by the Levitical law, and pretended to draw the tenth of all industry, merchandise, wages of labourers, and pay of soldiers: nay, some canonists went so far as to affirm, that the clergy were entitled to the tithe of the profits made by courtesans in the exercise of their profession. Though parishes had been instituted in England by Honorius, archbishop of Canterbury, near two centuries before, the ecclesiastics had never yet been able to get possession of the tithes: they therefore seized the present favourable opportunity of making that acquisition, when a weak, superstitious prince filled the throne, and when the people, discouraged by their losses from the Danes, and terrified with the fear of future invasions, were susceptible of any impression which bore the appearance of religion. So meritorious was this concession deemed by the English, that, trusting entirely to supernatural assistance, they neglected the ordinary means of safety; and agreed, even in the present desperate extremity, that the revenues of the church should be exempted from all burthens, though imposed for national defence and security.

ETHELBALD AND ETHELBERT. 857.

Ethelwolf lived only two years after making this grant; and, by his will, he shared England between his two eldest sons, Ethelbald and Ethelbert; the west being assigned to the former, the east to the latter. Ethelbald was a profligate prince; and marrying Judith, his mother-in-law, gave great offence to the people; but, moved by the remonstrances of Swithun, bishop of Winchester, he was at last prevailed on to divorce her. His reign was short; and Ethelbert, his brother, succeeding to the government, [608,] behaved himself, during a reign of five years, in a manner more worthy of his birth and station. The kingdom, however, was still infested by the Danes, who made an inroad, and sacked Winchester, but were there defeated. A body, also, of these pirates, who were quartered in the Isle of Thanet, having deceived the English by a treaty, unexpectedly broke into Kent, and committed great outrages.

ETHERED. 866.

Ethelbert was succeeded by his brother Ethered, who, though he defended himself with bravery, enjoyed, during his whole reign, no tranquillity from those Danish irruptions. His younger brother, Alfred, seconded him in all his enterprises; and generously sacrificed to the public good all resentment which he might entertain on account of his being excluded by Ethered from a large patrimony which had been left him by his father.

The first landing of the Danes in the reign of Ethered was among the East-Angles, who, more anxious for their present safety than for the common interest, entered into a separate treaty with the enemy; and furnished them with horses, which enabled them to make an irruption by land into the kingdom of Northumberland. They there seized the city of York; and defended it against Osbricht and Ælla, two Northumbrian princes, who perished in the assault. Encouraged by these successes, and by the superiority which they had acquired in arms, they now ventured, under the command of Hinguar and Hubba, to leave the sea-coast; and, penetrating into Mercia, they took up their winter-quarters at Nottingham, where they threatened the kingdom with a final subjection. The Mercians, in this extremity, applied to Ethered for succour; and that prince, with his brother Alfred, conducting a great army to Nottingham, obliged the enemy to dislodge, and to retreat into Northumberland. [870.] Their restless disposition, and their avidity for plunder, allowed them not to remain long in those quarters: they broke into East-Anglia; defeated and took prisoner Edmund, the king of that country, whom they afterwards murdered in cool blood; and, committing the most barbarous ravages on the people, particularly on the monasteries, they gave the East-Angles cause to regret the temporary relief which they had obtained, by assisting the common enemy.

The next station of the Danes [871] was at Reading, whence they infested the neighbouring country by their incursions. The Mercians, desirous of shaking off their dependence on Ethered, refused to join him with their forces; and that prince, attended by Alfred, was obliged to march against the enemy with the West-Saxons alone, his hereditary subjects. The Danes, being defeated in an action, shut themselves up in their garrison; but, quickly making thence an irruption, they routed the West-Saxons, and obliged them to raise the siege. An action soon after ensued at Aston in Berkshire, where the English, in the beginning of the day, were in danger of a total defeat. Alfred, advancing with one division of the army, was surrounded by the enemy in disadvantageous ground; and Ethered, who was at that time hearing mass, refused to march to his assistance till prayers should be finished: but as he afterwards obtained the victory, this success, not the danger of Alfred, was ascribed by the monks to the piety of that monarch. This battle of Aston did not terminate the war: another battle was a little after fought at Basing, where the Danes were more successful; and being re-enforced by a new army from their own country, they became every day more terrible to the English. Amidst these confusions, Ethered died of a wound which he had received in an action with the Danes; and left the inheritance of his cares and misfortunes, rather than of his grandeur, to his brother Alfred, who was now twenty-two years of age.

ALFRED. 871.

This prince gave very early marks of those great virtues, and shining talents, by which, during the most difficult times, he saved his country from utter ruin and subversion. Ethelwolf, his father, the year after

his return with Alfred from Rome, had again sent the young prince thither with a numerous retinue; and a report being spread of the king's death, the pope, Leo III. gave Alfred the royal unction; whether prognosticating his future greatness, from the appearances of his pregnant genius; or willing to pretend, even in that age, to the right of conferring kingdoms. Alfred, on his return home, became every day more the object of his father's affections; but being indulged in all youthful pleasures, he was much neglected in his education; and he had already reached his twelfth year, when he was yet totally ignorant of the lowest elements of literature. His genius was first roused by the recital of Saxon poems, in which the queen took delight; and this species of erudition, which is sometimes able to make a considerable progress even among barbarians, expanded those noble and elevated sentiments which he had received from nature. Encouraged by the queen, and stimulated by his own ardent inclination, he soon learned to read those compositions; and proceeded thence to acquire the knowledge of the Latin tongue, in which he met with authors that better prompted his heroic spirit, and directed his generous views. Absorbed in these elegant pursuits, he regarded his accession to royalty rather as an object of regret than of triumph; but being called to the throne, in preference to his brother's children, as well by the will of his father, a circumstance which had great authority with the Anglo-Saxons, as by the vows of the whole nation, and the urgency of public affairs, he shook off his literary indolence, and exerted himself in the defence of his people. He had scarcely buried his brother, when he was obliged to take the field, in order to oppose the Danes, who had seized Wilton, and were exercising their usual ravages on the countries around. He marched against them with the few troops which he could assemble on a sudden; and, giving them battle, gained at first an advantage; but, by his pursuing the victory too far, the superiority of the enemy's numbers prevailed, and recovered them the day. Their loss, however, in the action, was so considerable, that, fearing Alfred would receive daily re-enforcement from his subjects, they were content to stipulate for a safe retreat, and promised to depart the kingdom. For that purpose they were conducted to London, and allowed to take up winter-quarters there; but, careless of their engagements, they immediately set themselves to the committing of spoil on the neighbouring country. Burrhed, king of Mercia, in whose territories London was situated, made a new stipulation with them, and engaged them, by presents of money, to remove to Lindesey in Lincolnshire; a country which they had already reduced to ruin and desolation. Finding, therefore, no object in that place either for their rapine or violence, they suddenly turned back upon Mercia, in a quarter where they expected to find it without defence; and, fixing their station at Repton in Derbyshire, they laid the whole country desolate with fire and sword. Burrhed, despairing of success against an enemy whom no force could resist, and no treaties bind, abandoned his kingdom, and, flying to Rome, took shelter in a cloister. He was brother-in-law to Alfred, and the last who bore the title of king in Mercia.

The West-Saxons were now the only remaining power in England; and, though supported by the vigour and abilities of Alfred, they were unable to sustain the efforts of those ravagers, who from all quarters invaded them. A new swarm of Danes came over this year [875] under three princes, Guthrum, Oscital, and Amund; and, having first joined their countrymen at Repton, they soon found the necessity of separating, in order to provide for their subsistence. Part of them, under the command of Haldene, their chieftain, marched into Northumberland, where they fixed their quarters: part of them took quarters at Cambridge, whence they dislodged in the ensuing summer, and seized Wereham, in the county of Dorset, the very centre of Alfred's dominions. That prince so straitened them in these quarters, that they were content to come to a treaty with him, and stipulated to depart his country. Alfred, well acquainted with their usual perfidy, obliged them to swear upon the holy relics to the observance of the treaty; not that he expected they would pay any veneration to the relics; but he hoped, that, if they now violated this oath, their impiety would infallibly draw down upon them the vengeance of Heaven. But the Danes, little apprehensive of the danger, suddenly, without seeking any pretence, fell upon Alfred's army; and, having put it to rout, marched westward, and took possession of Exeter. The prince collected new forces, and exerted such vigour, that he fought in one year eight battles with the enemy,* and reduced them to the utmost extremity. He hearkened, however, to new proposals of peace; and was satisfied to stipulate with them, that they would settle somewhere in England, and would not permit the entrance of more ravagers into the kingdom: but, while he was expecting the execution of this treaty, which it seemed the interest of the Danes themselves to fulfil, he heard that another body had landed, and, having collected all the scattered troops of their countrymen, had surprised Chippenham, then a considerable town, and were exercising their usual ravages all around them.

This last incident quite broke the spirit of the Saxons, and reduced them to despair. Finding that, after all the miserable havoc which they had undergone in their persons and in their property, after all the vigorous actions which they had exerted in their own defence, a new band, equally greedy of spoil and slaughter, had disembarked among them, they believed themselves abandoned by Heaven to destruction, and delivered over to those swarms of robbers which the fertile north thus incessantly poured forth against them. Some left their country, and retired into Wales, or fled beyond sea: others submitted to the conquerors, in hopes of appeasing their fury by a servile obedience; and every man's attention being now engrossed in concern for his own preservation, no one would hearken to the exhortations of the king, who summoned them to make, under his conduct, one effort more in defence of their prince, their country, and their liberties. Alfred himself was obliged to relinquish the ensigns of his dignity, to dismiss his servants, and to seek shelter, in the meanest disguises, from the pursuit and fury of his enemies. He concealed himself under a peasant's habit, and lived some time in the house of a neatherd, who had been entrusted with the care of some of his cows. There passed here an incident, which has been recorded by all the historians, and was long preserved by popular tradition; though it contains nothing memorable in itself, except so far as every circumstance is interesting which attends so much virtue and dignity reduced to such distress. The wife of the neatherd was ignorant of the condition of her royal guest; and, observing him one day busy by the fire-side in trimming his bow and arrows, she desired him to take care of some cakes which were toasting, while she was employed elsewhere in other domestic affairs: but Alfred, whose thoughts were otherwise engaged, neglected this injunction; and the good woman, on her return, finding her cakes all burnt, rated the king very severely, and upbraided him, that he always seemed very well pleased to eat her warm cakes, though he was thus negligent in toasting them.

By degrees, Alfred, as he found the search of the enemy become more remiss, collected some of his retainers, and retired into the centre of a bog, formed by the stagnating waters of the Thone and Parret, in Somersetshire. He here found two acres of firm ground; and, building a habitation on them, rendered himself secure by its fortifications, and still more by the unknown and inaccessible roads which led to it, and by the forests and morasses with which it was every way environed. This place he called Æthe-

* The Saxon Chron. p. 82, says nine battles.



lingay, or the Isle of Nobles; and it now bears the name of Athelney. He thence made frequent and unexpected sallies upon the Danes, who often felt the vigour of his arm, but knew not from what quarter the blow came. He subsisted himself and his followers by the plunder which he acquired: he procured them consolation by revenge; and, from small successes, he opened their minds to hope, that, notwithstanding his present low condition, more important victories might at length attend his valour.

Alfred lay here concealed, but not inactive, during a twelvemonth; when the news of a prosperous event reached his ears, and called him to the field. Hubba, the Dane, having spread devastation, fire, and slaughter over Wales, had landed in Devonshire from twenty-three vessels, and laid siege to the castle of Kinwith, a place situated near the mouth of the small river Tau. Oddune, earl of Devonshire, with his followers, had taken shelter there; and, being ill supplied with provisions, and even with water, he determined, by some vigorous blow, to prevent the necessity of submitting to the barbarous enemy. He made a sudden sally on the Danes before sunrising; and, taking them unprepared, he put them to rout, pursued them with great slaughter, killed Hubba himself, and got possession of the famous *Reafen*, or enchanted standard, in which the Danes put great confidence. It contained the figure of a raven, which had been inwoven, by the three sisters of Hinguar and Hubba, with many magical incantations, and which, by its different movements, prognosticated, as the Danes believed, the good or bad success of any enterprise.

When Alfred observed this symptom of successful resistance in his subjects, he left his retreat; but before he would assemble them in arms, or urge them to any attempt, which, if unfortunate, might, in their present despondency, prove fatal, he resolved to inspect, himself, the situation of the enemy, and to judge of the probability of success. For this purpose he entered their camp under the disguise of a harper, and passed unsuspected through every quarter. He so entertained them with his music and facetious humours, that he met with a welcome reception; and was even introduced to the tent of Guthrum, their prince, where he remained some days. He remarked the supine security of the Danes, their contempt of the English, their negligence in foraging and plundering, and their dissolute wasting of what they gained by rapine and violence. Encouraged by these favourable appearances, he secretly sent emissaries to the most considerable of his subjects, and summoned them to a rendezvous, attended by their warlike followers, at Brixton, on the borders of Selwood forest. The English, who had hoped to put an end to their calamities by servile submission, now found the insolence and rapine of the conqueror more intolerable than all past fatigue and dangers; and at the appointed day they joyfully resorted to their prince. On his appearance, they received him with shouts of applause; and could not satiate their eyes with the sight of this beloved monarch, whom they had long regarded as dead, and who now, with voice and looks expressing his confidence of success, called them to liberty and to vengeance. He instantly conducted them to Eddington, where the Danes were encamped; and, taking advantage of his previous knowledge of the place, he directed his attack against the most unguarded quarter of the enemy. The Danes, surprised to see an army of English, whom they considered as totally subdued, and still more astonished to hear that Alfred was at their head, made but a faint resistance, notwithstanding their superiority of number, and were soon put to flight with great slaughter. The remainder of the routed army, with their prince, was besieged by Alfred in a fortified camp, to which they fled; but being reduced to extremity by want and hunger, they had recourse to the clemency of the victor, and offered to submit on any conditions. The king, no less generous than brave, gave them their lives; and even formed a scheme for converting them, from mortal enemies, into faithful subjects and confederates. He knew that the kingdoms of East-Anglia and Northumberland were totally desolated by the frequent inroads of the Danes; and he now proposed to repeople them, by settling there Guthrum and his followers. He hoped that the new planters would at least betake themselves to industry, when, by reason of his resistance, and the exhausted condition of the country, they could no longer subsist by plunder; and that they might serve him as a rampart against any future incursions of their countrymen. But, before he ratified these mild conditions with the Danes, he required that they should give him one pledge of their submission, and of their inclination to incorporate with the English, by declaring their conversion to Christianity. Guthrum and his army had no aversion to the proposal; and, without much instruction, or argument, or conference, they were all admitted to baptism. The king answered for Guthrum at the font, gave him the name of Athelstan, and received him as his adopted son.

The success of this expedient seemed to correspond to Alfred's hopes: the greater part of the Danes settled peaceably in their new quarters [880]: some smaller bodies of the same nation, which were dispersed in Mercia, were distributed into the five cities of Derby, Leicester, Stamford, Lincoln, and Nottingham, and were thence called the Fif or Five-burghers. The more turbulent and unquiet made an expedition into France, under the command of Hastings; and, except by a short incursion of Danes, who sailed up the Thames, and landed at Fulham, but suddenly retreated to their ships on finding the country in a posture of defence, Alfred was not for some years infested by the inroads of those barbarians.

The king employed this interval of tranquillity in restoring order to the state, which had been shaken by so many violent convulsions; in establishing civil and military institutions; in composing the minds of men to industry and justice, and in providing against the return of like calamities. He was, more properly than his grandfather Egbert, the sole monarch of the English, (for so the Saxons were now universally called,) because the kingdom of Mercia was at last incorporated in his state, and was governed by Ethelbert, his brother-in-law, who bore the title of Earl: and though the Danes, who peopled East-Anglia and Northumberland were for some time ruled immediately by their own princes, they all acknowledged a subordination to Alfred, and submitted to his superior authority. As equality amongst subjects is the great source of concord, Alfred gave the same laws to the Danes and English, and put them entirely on a like footing in the administration both of civil and criminal justice. The fine for the murder of a Dane was the same with that for the murder of an Englishman; the great symbol of equality in those ages.

The king, after rebuilding the ruined cities, particularly London, which had been destroyed by the Danes in the reign of Ethelwolf, established a regular militia for the defence of the kingdom. He ordained that all his people should be armed and registered; he assigned them a regular rotation of duty; he distributed part into the castles and fortresses, which he built at proper places; he required another part to take the field on any alarm, and to assemble at stated places of rendezvous; and he left a sufficient number at home, who were employed in the cultivation of the land, and who afterwards took their turn in military service. The whole kingdom was like one great garrison; and the Danes could no sooner appear in one place, than a sufficient number was assembled to oppose them, without leaving the other quarters defenceless or disarmed.

But Alfred, sensible that the proper method of opposing an enemy, who made incursions by sea, was to meet them on their own element, took care to provide himself with a naval force, which, though the most

natural defence of an island, had hitherto been totally neglected by the English. He increased the shipping of his kingdom both in number and in strength; and trained his subjects in the practice, as well of sailing as of naval action. He distributed his armed vessels in proper stations round the island; and was sure to meet the Danish ships either before or after they had landed their troops, and to pursue them in all their incursions. Though the Danes might suddenly, by surprise, disembark on the coast, which was generally become desolate by their frequent ravages, they were encountered by the English fleet in their retreat; and escaped not, as formerly, by abandoning their booty, but paid, by their total destruction, the penalty of the disorders which they had committed.

In this manner Alfred repelled several inroads of these piratical Danes, and maintained his kingdom during some years in safety and tranquillity. A fleet of a hundred and twenty ships of war was stationed upon the coast; and being provided with warlike engines, as well as with expert seamen, both Frisians and English, (for Alfred supplied the defects of his own subjects by engaging able foreigners in his service,) maintained a superiority over those smaller bands, with which England had so often been infested. But at last Hastings, the famous Danish chief, having ravaged all the provinces of France, both along the sea-coast and the Loire and Seine, and being obliged to quit that country, more by the desolation which he himself had occasioned, than by the resistance of the inhabitants, appeared off the coast of Kent with a fleet of three hundred and thirty sail. The greater part of the enemy disembarked in the Rother, and seized the fort of Apuldor. Hastings himself, commanding a fleet of eighty sail, entered the Thames, and, fortifying Milton in Kent, began to spread his forces over the country, and to commit the most destructive ravages. But Alfred, on the first alarm of this descent, flew to the defence of his people, at the head of a select band of soldiers, whom he always kept about his person; and, gathering to him the armed militia from all quarters, appeared in the field with a force superior to the enemy. All straggling parties, whom necessity, or love of plunder, had drawn to a distance from their chief encampment, were cut off by the English; and these pirates, instead of increasing their spoil, found themselves cooped up in their fortifications, and obliged to subsist by the plunder which they had brought from France. Tired of this situation, which must in the end prove ruinous to them, the Danes at Apuldore rose suddenly from their encampment, with an intention of marching towards the Thames, and passing over into Essex: but they escaped not the vigilance of Alfred, who encountered them at Farnham, put them to rout, seized all their horses and baggage, and chased the runaways on board their ships, which carried them up the Colne to Mersey in Essex, where they entrenched themselves. Hastings, at the same time, and probably by concert, made a like movement; and, deserting Milton, took possession of Bamflete, near the Isle of Canvey, in the same county; where he hastily threw up fortifications for his defence against the power of Alfred.

Unfortunately for the English, Guthrum, prince of the East-Anglian Danes, was now dead; as was also Guthred, whom the king had appointed governor of the Northumbrians; and those restless tribes, being no longer restrained by the authority of their princes, and being encouraged by the appearance of so great a body of their countrymen, broke into rebellion, shook off the authority of Alfred, and, yielding to their inveterate habits of war and depredation, embarked on board two hundred and forty vessels, and appeared before Exeter, in the west of England. Alfred lost not a moment in opposing this new enemy. Having left some forces at London to make head against Hastings and the other Danes, he marched suddenly to the west; and, falling on the rebels before they were aware, pursued them to their ships with great slaughter. These ravagers, sailing next to Sussex, began to plunder the country near Chichester: but the order which Alfred had everywhere established sufficed here, without his presence, for the defence of the place; and the rebels, meeting with a new repulse, in which many of them were killed, and some of their ships taken, were obliged to put again to sea, and were discouraged from attempting any other enterprise.

Meanwhile, the Danish invaders in Essex, having united their force under the command of Hastings, advanced into the inland country, and made spoil of all around them; but soon had reason to repent of their temerity. The English army left in London, assisted by a body of the citizens, attacked the enemy's entrenchments at Bamflete, overpowered the garrison, and, having done great execution upon them, carried off the wife and two sons of Hastings. Alfred generously spared these captives; and even restored them to Hastings, on condition that he should depart the kingdom.

But though the king had thus honourably rid himself of this dangerous enemy, he had not entirely subdued or expelled the invaders. The piratical Danes willingly followed in an excursion any prosperous leader who gave them hopes of booty; but were not so easily induced to relinquish their enterprise, or submit to return, baffled and without plunder, into their native country. Great numbers of them, after the departure of Hastings, seized and fortified Shobury, at the mouth of the Thames; and, having left a garrison there, they marched along the river, till they came to Boddington, in the county of Gloucester; where, being re-enforced by some Welsh, they threw up entrenchments, and prepared for their defence. The king here surrounded them with the whole force of his dominions; and as he had now a certain prospect of victory, he resolved to trust nothing to chance, but rather to master his enemies by famine than assault. They were reduced to such extremities, that, having eaten their own horses, and having many of them perished with hunger, they made a desperate sally upon the English; and, though the greater number fell in the action, a considerable body made their escape. These roved about for some time in England, still pursued by the vigilance of Alfred; they attacked Leicester with success, defended themselves in Hartford, and then fled to Quatford, where they were finally broken and subdued. The small remains of them either dispersed themselves among their countrymen in Northumberland and East-Anglia, or had recourse again to the sea, where they exercised piracy under the command of Sigefert, a Northumbrian. This freebooter, well acquainted with Alfred's naval preparations, had framed vessels of a new construction, higher, and longer, and swifter than those of the English: but the king soon discovered his superior skill, by building vessels still higher, and longer, and swifter than those of the Northumbrians; and, falling upon them while they were exercising their ravages in the west, he took twenty of their ships; and having tried all the prisoners at Winchester, he hanged them as pirates, the common enemies of mankind.

The well-timed severity of this execution, together with the excellent posture of defence established everywhere, restored full tranquillity in England, and provided for the future security of the government. The East-Anglian and Northumbrian Danes, on the first appearance of Alfred upon their frontiers, made anew the most humble submissions to him; and he thought it prudent to take them under his immediate government, without establishing over them a viceroy of their own nation. The Welsh also acknowledged his authority; and this great prince had now, by prudence and justice, and valour, established his sovereignty over all the southern parts of the island, from the English Channel to the frontiers of Scotland; when he died, [901,] in the vigour of his age, and the full strength of

his faculties, after a glorious reign of twenty-nine years and a half, in which he deservedly attained the appellation of Alfred the Great, and the title of Founder of the English monarchy.

The merit of this prince, both in private and public life, may with advantage be set in opposition to that of any monarch or citizen which the annals of any age or any nation can present to us. He seems, indeed, to be the model of that perfect character, which, under the denomination of a sage or wise man, philosophers have been fond of delineating, rather as a fiction of their imagination, than in hopes of ever seeing it really existing;—so happily were all his virtues tempered together; so justly were they blended; and so powerfully did each prevent the other from exceeding its proper boundaries! He knew how to reconcile the most enterprising spirit with the coolest moderation; the most obstinate perseverance with the easiest flexibility; the most severe justice with the gentlest lenity; the greatest vigour in commanding with the most perfect affability of deportment; the highest capacity and inclination for science with the most shining talents for action. His civil and military virtues are almost equally the objects of our admiration; excepting, only, that the former, being more rare among princes, as well as more useful, seem chiefly to challenge our applause. Nature, also, as if desirous that so bright a production of her skill should be set in the fairest light, had bestowed on him every bodily accomplishment, vigour of limbs, dignity of shape and air, with a pleasing, engaging, and open countenance. Fortune alone, by throwing him into that barbarous age, deprived him of historians worthy to transmit his fame to posterity; and we wish to see him delineated in more lively colours, and with more particular strokes, that we may at least perceive some of those small specks and blemishes from which, as a man, it is impossible he could be entirely exempted.

But we should give but an imperfect idea of Alfred's merit, were we to confine our narration to his military exploits, and were not more particular in our account of his institutions for the execution of justice, and of his zeal for the encouragement of arts and sciences.

After Alfred had subdued, and had settled or expelled the Danes, he found the kingdom in the most wretched condition, desolated by the ravages of those barbarians, and thrown into disorders which were calculated to perpetuate its misery. Though the great armies of the Danes were broken, the country was full of straggling troops of that nation, who, being accustomed to live by plunder, were become incapable of industry; and who, from the natural ferocity of their manners, indulged themselves in committing violence, even beyond what was requisite to supply their necessities. The English themselves, reduced to the most extreme indigence by these continued depredations, had shaken off all bands of government; and those who had been plundered to-day, betook themselves next day to the like disorderly life, and, from despair, joined the robbers in pillaging and ruining their fellow-citizens. These were the evils for which it was necessary that the vigilance and activity of Alfred should provide a remedy.

That he might render the execution of justice strict and regular, he divided all England into counties: these counties he subdivided into hundreds; and the hundreds into tithings. Every householder was answerable for the behaviour of his family and slaves, and even of his guests, if they lived above three days in his house. Ten neighbouring householders were formed into one corporation; who, under the name of a tithing, decennary, or fribourg, were answerable for each other's conduct; and over whom one person, called a tithingman, headbourg, or borsholder, was appointed to preside. Every man was punished as an outlaw who did not register himself in some tithing; and no man could change his habitation without a warrant or certificate from the borsholder of the tithing to which he formerly belonged.

When any person in any tithing or decennary was guilty of a crime, the borsholder was summoned to answer for him; and if he were not willing to be surety for his appearance, and his clearing himself, the criminal was committed to prison, and there detained till his trial. If he fled, either before or after finding sureties, the borsholder and decennary became liable to inquiry, and were exposed to the penalties of law: thirty-one days were allowed them for producing the criminal; and if the time elapsed without their being able to find him, the borsholder, with two other members of the decennary, was obliged to appear, and together with three chief members of the three neighbouring decennaries, (making twelve in all,) to swear that his decennary was free from all privity, both of the crime committed, and of the escape of the criminal. If the borsholder could not find such a number to answer for their innocence, the decennary was compelled by fine to make satisfaction to the king, according to the degree of the offence. By this institution, every man was obliged, from his own interest, to keep a watchful eye over the conduct of his neighbours; and was, in a manner, surety for the behaviour of those who were placed under the division to which he belonged: whence these decennaries received the name of frank-pledges.

Such a regular distribution of the people, with such a strict confinement in their habitation, may not be necessary in times when men are more inured to obedience and justice; and it might perhaps be regarded as destructive of liberty and commerce in a polished state: but it was well calculated to reduce that fierce and licentious people under the salutary restraint of law and government. But Alfred took care to temper these rigours by other institutions favourable to the freedom of the citizens; and nothing could be more popular and liberal than his plan for the administration of justice. The borsholder summoned together his whole decennary, to assist him in deciding any lesser difference which occurred among the members of this small community. In affairs of greater moment, in appeals from the decennary, or in controversies arising between members of different decennaries, the cause was brought before the hundred, which consisted of ten decennaries, or a hundred families of freemen, and which was regularly assembled once in four weeks for the deciding of causes. Their method of decision deserves to be noted, as being the origin of juries; an institution admirable in itself, and the best calculated for the preservation of liberty, and the administration of justice, that ever was devised by the wit of man. Twelve freeholders were chosen; who, having sworn, together with the hundreder, or presiding magistrate of that division, to administer impartial justice, proceeded to the examination of that cause which was submitted to their jurisdiction. And, beside these monthly meetings of the hundred, there was an annual meeting, appointed for a more general inspection of the police of the district, for the inquiry into crimes, the correction of abuses in magistrates, and the obliging of every person to show the decennary in which he was registered. The people, in imitation of their ancestors, the ancient Germans, assembled there in arms; whence a hundred was sometimes called a wapentake; and its court served both for the support of military discipline, and for the administration of civil justice.

The next superior court to that of the hundred was the county-court, which met twice a year, after Michaelmas and Easter, and consisted of the freeholders of the county, who possessed an equal vote in the decision of causes. The bishop presided in this court, together with the alderman; and the proper object of the court was the receiving of appeals from the hundreds and decennaries, and the deciding of such controversies as arose between men of different hundreds.

Formerly, the alderman possessed both the civil and military authority; but Alfred, sensible that this conjunction of powers rendered the nobility dangerous and independent, appointed also a sheriff in each county, who enjoyed a co-ordinate authority with the former in the judicial function. His office also empowered him to guard the rights of the crown in the county, and to levy the fines imposed, which in that age formed no contemptible part of the public revenue.

There lay an appeal, in default of justice, from all these courts, to the king himself in council; and as the people, sensible of the equity and great talents of Alfred, placed their chief confidence in him, he was soon overwhelmed with appeals from all parts of England. He was indefatigable in the dispatch of these causes; but finding that his time must be entirely engrossed by this branch of duty, he resolved to obviate the inconvenience, by correcting the ignorance or corruption of the inferior magistrates, from which it arose. He took care to have his nobility instructed in letters and the law: he chose the earls and sheriffs from among the men most celebrated for probity and knowledge: he punished severely all malversation in office; and he removed all the earls whom he found unequal to the trust; allowing only some of the more elderly to serve by a deputy, till their death should make room for more worthy successors.

The better to guide the magistrate in the administration of justice, Alfred framed a body of laws; which, though now lost, served long as the basis of English jurisprudence, and is generally deemed the origin of what is denominated the COMMON LAW. He appointed regular meetings of the states of England twice a year in London; a city which he himself had repaired and beautified, and which he thus rendered the capital of the kingdom. The similarity of these institutions to the customs of the ancient Germans, to the practice of the other northern conquerors, and to the Saxon laws during the Heptarchy, prevents us from regarding Alfred as the sole author of this plan of government; and leads us rather to think, that, like a wise man, he contented himself with reforming, extending, and executing the institutions which he found previously established. But, on the whole, such success attended his legislation, that everything bore suddenly a new face in England: robberies and iniquities of all kinds were repressed by the punishment or reformation of the criminals: and so exact was the general police, that Alfred, it is said, hung up, by way of bravado, golden bracelets near the highways; and no man dared to touch them. Yet, amidst these rigours of justice, this great prince preserved the most sacred regard to the liberty of his people; and it is a memorable sentiment preserved in his will, that it was just the English should for ever remain as free as their own thoughts.

As good morals and knowledge are almost inseparable in every age, though not in every individual, the care of Alfred for the encouragement of learning among his subjects, was another useful branch of his legislation, and tended to reclaim the English from their former dissolute and ferocious manners: but the king was guided in his pursuit, less by political views, than by his natural bent and propensity towards letters. When he came to the throne, he found the nation sunk into the grossest ignorance and barbarism, proceeding from the continued disorders in the government, and from the ravages of the Danes: the monasteries were destroyed, the monks butchered or dispersed, their libraries burnt; and thus the only seats of erudition in those ages were totally subverted. Alfred himself complains, that on his accession he knew not one person, south of the Thames, who could so much as interpret the Latin service; and very few in the northern parts who had even reached that pitch of erudition. But this prince invited over the most celebrated scholars from all parts of Europe: he established schools everywhere for the instruction of his people: he founded, at least repaired, the university of Oxford, and endowed it with many privileges, revenues, and immunities: he enjoined, by law, all freeholders possessed of two hydes* of land, or more, to send their children to school, for their instruction; he gave preferment, both in church and state, to such only as had made some proficiency in knowledge: and, by all these expedients, he had the satisfaction, before his death, to see a great change in the face of affairs; and in a work of his, which is still extant, he congratulates himself on the progress which learning, under his patronage, had already made in England.

But the most effectual expedient employed by Alfred for the encouragement of learning, was his own example, and the constant assiduity with which notwithstanding the multiplicity and urgency of his affairs, he employed himself in the pursuits of knowledge. He usually divided his time into three equal portions: one was employed in sleep, and the refection of his body by diet and exercise; another, in the dispatch of business; a third, in study and devotion: and, that he might more exactly measure the hours, he made use of burning tapers of equal length, which he fixed in lanterns; an expedient suited to that rude age, when the geometry of dialling, and the mechanism of clocks and watches, were totally unknown. And by such a regular distribution of his time, though he often laboured under great bodily infirmities, this martial hero, who fought in person fifty-six battles by sea and land, was able, during a life of no extraordinary length, to acquire more knowledge, and even to compose more books, than most studious men, though blessed with the greatest leisure and application, have, in more fortunate ages, made the object of their uninterrupted industry.

Sensible that the people, at all times, especially when their understandings are obstructed by ignorance and bad education, are not much susceptible of speculative instruction, Alfred endeavoured to convey his morality by apologues, parables, stories, apophthegms, couched in poetry; and, besides propagating among his subjects former compositions of that kind which he found in the Saxon tongue, he exercised his genius in inventing works of a like nature, as well as in translating from the Greek the elegant Fables of Æsop. He also gave Saxon translations of Orosius's and Bede's histories, and of Boethius concerning the consolation of philosophy. And he deemed it nowise derogatory from his other great characters of sovereign, legislator, warrior, and politician, thus to lead the way to his people in the pursuits of literature.

Meanwhile, this prince was not negligent in encouraging the vulgar and mechanical arts, which have a more sensible, though not a closer connexion with the interests of society. He invited, from all quarters, industrious foreigners to repeople his country, which had been desolated by the ravages of the Danes. He introduced and encouraged manufactures of all kinds; and no inventor or improver of any ingenious art did he suffer to go unrewarded. He prompted men of activity to betake themselves to navigation, to push commerce into the most remote countries, and to acquire riches by propagating industry among their fellow-citizens. He set apart a seventh portion of his own revenue for maintaining a number of workmen, whom he constantly employed in rebuilding the ruined cities, castles, palaces, and monasteries. Even the elegancies of life were brought to him from the Mediterranean and the Indies; and his subjects, by seeing those productions of the peaceful arts, were taught to respect the virtues of justice and industry, from which alone they could arise. Both living and dead, Alfred was regarded by foreigners, no less than by his own subjects, as the greatest prince after Charlemagne that had appeared in Europe during several ages, and as one of the wisest and best that ever adorned the annals of any nation.

* A hyde contained land sufficient to employ one plough. See H. Hunt, lib. 6, in A.D. 1001. Annal. Waverl. in A.D. 1051. Gervase of Tilbury says, it commonly contained about 100 acres.

Alfred had, by his wife Ethelswitha, daughter of a Mercian earl, three sons and three daughters. The eldest son, Edmund, died without issue, in his father's lifetime: the third, Ethelward, inherited his father's passion for letters, and lived a private life: the second, Edward, succeeded to his power; and passes by the appellation of Edward the Elder, being the first of that name who sat on the English throne.

EDWARD THE ELDER. 901.

This prince, who equalled his father in military talents, though inferior to him in knowledge and erudition, found, immediately on his accession, a specimen of that turbulent life to which all princes, and even all individuals, were exposed, in an age when men, less restrained by law or justice, and less occupied by industry, had no aliment for their inquietude but wars, insurrections, convulsions, rapine, and depredation. Ethelwald, his cousin-german, son of king Ethelbert, the elder brother of Alfred, insisted on a preferable title; and, arming his partisans, took possession of Winbourne, where he seemed determined to defend himself to the last extremity, and to wait the issue of his pretensions. But when the king approached the town with a great army, Ethelwald, having the prospect of certain destruction, made his escape, and fled, first into Normandy, then into Northumberland, where he hoped that the people who had been recently subdued by Alfred, and who were impatient of peace, would, on the intelligence of that great prince's death, seize the first pretence or opportunity of rebellion. The event did not disappoint his expectations: the Northumbrians declared for him; and Ethelwald, having thus connected his interests with the Danish tribes, went beyond sea, and, collecting a body of these freebooters, he excited the hopes of all those who had been accustomed to subsist by rapine and violence. The East-Anglian Danes joined his party, the Five-burghers, who were seated in the heart of Mercia, began to put themselves in motion; and the English found that they were again menaced with those convulsions, from which the valour and policy of Alfred had so lately rescued them. The rebels, headed by Ethelwald, made an incursion into the counties of Gloucester, Oxford, and Wilts; and, having exercised their ravages in these places, they retired with their booty, before the king, who had assembled an army, was able to approach them. Edward, however, who was determined that his preparations should not be fruitless, conducted his forces into East-Anglia, and retaliated the injuries which the inhabitants had committed, by spreading the like devastation among them. Satiated with revenge, and loaded with booty, he gave orders to retire: but the authority of those ancient kings, which was feeble in peace, was not much better established in the field; and the Kentish men, greedy of more spoil, ventured, contrary to repeated orders, to stay behind him, and to take up their quarters in Bury. This disobedience proved in the issue fortunate to Edward. The Danes assaulted the Kentish men; but met with so vigorous a resistance, that, though they gained the field of battle, they bought that advantage by the loss of their bravest leaders, and, among the rest, by that of Ethelwald, who perished in the action. The king, freed from the fear of so dangerous a competitor, made peace on advantageous terms with the East-Angles.

In order to restore England to such a state of tranquillity as it was then capable of attaining, nought was wanting but the subjection of the Northumbrians, who, assisted by the scattered Danes in Mercia, continually infested the bowels of the kingdom. Edward, in order to divert the force of these enemies, prepared a fleet to attack them by sea; hoping that, when his ships appeared on their coast, they must at least remain at home, and provide for their defence. But the Northumbrians were less anxious to secure their own property, than greedy to commit spoil on their enemy; and, concluding that the chief strength of the English was embarked on board the fleet, they thought the opportunity favourable, and entered Edward's territories with all their forces. The king, who was prepared against this event, attacked them on their return at Tetenhall in the county of Stafford, put them to rout, recovered all the booty, and pursued them with great slaughter into their own country.

All the rest of Edward's reign was a scene of continued and successful action against the Northumbrians, the East-Angles, the Five-burghers, and the foreign Danes who invaded him from Normandy and Britanny. Nor was he less provident in putting his kingdom in a posture of defence, than vigorous in assaulting the enemy. He fortified the towns of Chester, Eddesbury, Warwick, Cherbury, Buckingham, Towcester, Maldon, Huntingdon, and Colchester. He fought two signal battles at Temsford and Maldon. He vanquished Thurketill, a great Danish chief; and obliged him to retire with his followers into France, in quest of spoil and adventures. He subdued the East-Angles, and forced them to swear allegiance to him; he expelled the two rival princes of Northumberland, Reginald and Sidroc, and acquired, for the present, the dominions of that province: several tribes of the Britons were subjected by him; and even the Scots, who, during the reign of Egbert, had, under the conduct of Kenneth, their king, increased their power by the final subjection of the Picts, were nevertheless obliged to give him marks of submission. In all these fortunate achievements he was assisted by the activity and prudence of his sister Ethelfleda, who was widow of Ethelbert, earl of Mercia, and who, after her husband's death, retained the government of that province. This princess, who had been reduced to extremity in child-bed, refused afterwards all commerce with her husband; not from any weak superstition, as was common in that age, but because she deemed all domestic occupations unworthy of her masculine and ambitious spirit. She died before her brother; and Edward, during the remainder of his reign, took upon himself the immediate government of Mercia, which before had been entrusted to the authority of a governor. The Saxon Chronicle fixes the death of this prince in 925: his kingdom devolved to Athelstan, his natural son.

ATHELSTAN. 925.

The stain in this prince's birth was not, in those times, deemed so considerable as to exclude him from the throne; and Athelstan, being of an age, as well as of a capacity, fitted for government, obtained the preference to Edward's younger children, who, though legitimate, were of too tender years to rule a nation so much exposed both to foreign invasion and to domestic convulsions. Some discontents, however, prevailed on his accession; and Alfred, a nobleman of considerable power, was thence encouraged to enter into a conspiracy against him. This incident is related by historians with circumstances which the reader, according to the degree of credit he is disposed to give them, may impute either to the invention of monks, who forged them, or to their artifice, who found means of making them real. Alfred, it is said, being seized upon strong suspicions, but without any certain proof, firmly denied the conspiracy imputed to him; and in order to justify himself, he offered to swear to his innocence before the pope, whose person, it was supposed, contained such superior sanctity, that no one could presume to give a false oath in his presence, and yet hope to escape the immediate vengeance of Heaven. The king accepted of the condition, and Alfred was conducted to Rome; where, either conscious of his innocence, or neglecting the superstition to which he appealed, he ventured to make the oath required of him, before John, who then filled the papal chair. But no sooner had he pronounced the fatal words, than he fell into

convulsions, of which three days after he expired. The king, as if the guilt of the conspirator were now fully ascertained, confiscated his estate, and made a present of it to the monastery of Malmesbury; secure that no doubts would ever thenceforth be entertained concerning the justice of his proceedings.

The dominion of Athelstan was no sooner established over his English subjects, than he endeavoured to give security to the government, by providing against the insurrections of the Danes, which had created so much disturbance to his predecessors. He marched into Northumberland; and finding that the inhabitants bore with impatience the English yoke, he thought it prudent to confer on Sithric, a Danish nobleman, the title of king, and to attach him to his interests, by giving him his sister, Editha, in marriage. But this policy proved, by accident, the source of dangerous consequences. Sithric died in a twelvemonth after; and his two sons by a former marriage, Anlaf and Godfrid, founding pretensions on their father's elevation, assumed the sovereignty without waiting for Athelstan's consent. They were soon expelled by the power of that monarch; and the former took shelter in Ireland, as the latter did in Scotland; where he received, during some time, protection from Constantine, who then enjoyed the crown of that kingdom. The Scottish prince, however, continually solicited, and even menaced by Athelstan, at last promised to deliver up his guest; but secretly detesting this treachery, he gave Godfrid warning to make his escape; and that fugitive, after subsisting by piracy for some years, freed the king, by his death, from any further anxiety. Athelstan, resenting Constantine's behaviour, entered Scotland with an army; and ravaging the country with impunity, he reduced the Scots to such distress, that their king was content to preserve his crown, by making submissions to the enemy. The English historians assert, that Constantine did homage to Athelstan for his kingdom; and they add, that the latter prince, being urged by his courtiers to push the present favourable opportunity, and entirely subdue Scotland, replied, that it was more glorious to confer than conquer kingdoms. But those annals, so uncertain and imperfect in themselves, lose all credit, when national prepossessions and animosities have place: and on that account, the Scotch historians, who, without having any more knowledge of the matter, strenuously deny the fact, seem more worthy of belief.

Constantine, whether he owed the retaining of his crown to the moderation of Athelstan, who was unwilling to employ all his advantages against him, or to the policy of that prince, who esteemed the humiliation of an enemy a greater acquisition than the subjection of a discontented and mutinous people, thought the behaviour of the English monarch more an object of resentment than of gratitude. He entered into a confederacy with Anlaf, who had collected a great body of Danish pirates, whom he found hovering in the Irish seas; and with some Welsh princes, who were terrified at the growing power of Athelstan: and all these allies made by concert an irruption with a great army into England. Athelstan, collecting his forces, met the enemy near Brunsbury in Northumberland, and defeated them in a general engagement. This victory was chiefly ascribed to the valour of Turketul, the English chancellor: for in those turbulent ages no one was so much occupied in civil employments, as wholly to lay aside the military character.*

There is a circumstance not unworthy of notice, which historians relate, with regard to the transactions of this war. Anlaf, on the approach of the English army, thought that he could not venture too much to ensure a fortunate event; and employing the artifice formerly practised by Alfred against the Danes, he entered the enemy's camp in the habit of a minstrel. The stratagem was for the present attended with like success. He gave such satisfaction to the soldiers, flocked about him, that they introduced him to the king's tent; and Anlaf, having played before that prince and his nobles during their repast, was dismissed with a handsome reward. His prudence kept him from refusing the present; but his pride determined him, on his departure, to bury it, while he fancied that he was unespied by all the world. But a soldier in Athelstan's camp, who had formerly served under Anlaf, had been struck with some suspicion on the first appearance of the minstrel; and was engaged by curiosity to observe all his motions. He regarded this last action as a full proof of Anlaf's disguise; and he immediately carried the intelligence to Athelstan, who blamed him for not sooner giving him information, that he might have seized his enemy. But the soldier told him, that, as he had formerly sworn fealty to Anlaf, he could never have pardoned himself the treachery of betraying and ruining his ancient master; and that Athelstan himself, after such an instance of his criminal conduct, would have had equal reason to distrust his allegiance. Athelstan, having praised the generosity of the soldier's principles, reflected on the incident, which he foresaw might be attended with important consequences. He removed his station in the camp; and as the bishop arrived that evening with a re-enforcement of troops (for the ecclesiastics were then no less warlike than the civil magistrates,) he occupied by his train that very place which had been left vacant by the king's removal. The precaution of Athelstan was found prudent: for no sooner had darkness fallen, than Anlaf broke into the camp, and hastening directly to the place where he had left the king's tent, put the bishop to death before he had time to prepare for his defence.

There fell several Danish and Welsh princes in the action of Brunsbury; and Constantine and Anlaf made their escape with difficulty, leaving the greater part of their army on the field of battle. After this success, Athelstan enjoyed his crown in tranquillity; and he is regarded as one of the ablest and most active of those ancient princes. He passed a remarkable law, which was calculated for the encouragement of commerce, and which it required some liberality of mind in that age to have devised—that a merchant, who had made three long sea-voyages on his own account, should be admitted to the rank of a thane or gentleman. This prince died at Gloucester in the year 941, after a reign of sixteen years, and was succeeded by Edmund, his legitimate brother.

EDMUND. 941.

Edmund, on his accession, met with disturbance from the restless Northumbrians, who lay in wait for every opportunity of breaking into rebellion. But marching suddenly with his forces into their country, he so overawed the rebels, that they endeavoured to appease him by the most humble submissions. In order to give him the surer pledge of their obedience, they offered to embrace Christianity; a religion which the English Danes had frequently professed, when reduced to difficulties, but which, for that very reason, they regarded as a badge of servitude, and shook off as soon as a favourable opportunity offered. Edmund, trusting little to their sincerity in this forced submission, used the precaution of removing the Five-burghers from the towns of Mercia, in which they had been allowed to settle; because it was always found, that they took advantage of every commotion, and introduced the rebellious or foreign Danes into the heart of the kingdom. He also conquered Cumberland from the Britons; and conferred that territory on Malcolm, king of Scotland, on condition that he should do him homage for it, and protect the north from all future incursions of the Danes.

* The office of chancellor among the Anglo-Saxons resembled more that of a secretary of state, than that of our present chancellor. See Spelman on the Councils.

Edmund was young when he came to the crown; yet was his reign short, as his death was violent. One day as he was solemnizing a festival in the county of Gloucester, he remarked, that Leolf, a notorious robber, whom he had sentenced to banishment, had yet the boldness to enter the hall where he himself dined, and to sit at table with his attendants. Enraged at this insolence, he ordered him to leave the room; but on his refusing to obey, the king, whose temper, naturally choleric, was inflamed by this additional insult, leaped on him himself, and seized him by the hair: but the ruffian, pushed to extremity, drew his dagger, and gave Edmund a wound, of which he immediately expired. This event happened in the year 946, and in the sixth year of the king's reign. Edmund left male issue, but so young, that they were incapable of governing the kingdom; and his brother, Edred, was promoted to the throne.

EDRED. 946.

The reign of this prince, as those of his predecessors, was disturbed by the rebellions and incursions of the Northumbrian Danes, who, though frequently quelled, were never entirely subdued, nor had ever paid a sincere allegiance to the crown of England. The accession of a new king seemed to them a favourable opportunity for shaking off the yoke; but on Edred's appearance with an army, they made him their wonted submissions; and the king, having wasted the country with fire and sword, as a punishment of their rebellion, obliged them to renew their oaths of allegiance; and he straight retired with his forces. The obedience of the Danes lasted no longer than the present terror. Provoked at the devastations of Edred, and even reduced by necessity to subsist on plunder, they broke into a new rebellion, and were again subdued: but the king, now instructed by experience, took greater precautions against their future revolt. He fixed English garrisons in their most considerable towns; and placed over them an English governor, who might watch all their motions, and suppress any insurrection on its first appearance. He obliged also Malcolm, king of Scotland, to renew his homage for the lands which he held in England.

Edred, though not unwarlike, nor unfit for active life, lay under the influence of the lowest superstition, and had blindly delivered over his conscience to the guidance of Dunstan, commonly called St. Dunstan, abbot of Glastenbury, whom he advanced to the highest offices, and who covered, under the appearance of sanctity, the most violent and most insolent ambition Taking advantage of the implicit confidence reposed in him by the king, this churchman imported into England a new order of monks, who much changed the state of ecclesiastical affairs, and excited, on their first establishment, the most violent commotions.

From the introduction of Christianity among the Saxons, there had been monasteries in England; and these establishments had extremely multiplied, by the donations of the princes and nobles; whose superstition, derived from their ignorance and precarious life, and increased by remorses for the crimes into which they were so frequently betrayed, knew no other expedient for appeasing the Deity than a profuse liberality towards the ecclesiastics. But the monks had hitherto been a species of secular priests, who lived after the manner of the present canons or prebendaries, and were both intermingled in some degree with the world, and endeavoured to render themselves useful to it. They were employed in the education of youth: they had the disposal of their own time and industry: they were not subjected to the rigid rules of an order: they had made no vows of implicit obedience to their superiors: and they still retained the choice, without quitting the convent, either of a married or a single life. But a mistaken piety had produced in Italy a new species of monks called Benedictines; who, carrying further the plausible principles of mortification, secluded themselves entirely from the world, renounced all claim to liberty, and made a merit of the most inviolable chastity. These practices and principles, which superstition at first engendered, were greedily embraced and promoted by the policy of the court of Rome. The Roman pontiff, who was making every day great advances towards an absolute sovereignty over the ecclesiastics, perceived that the celibacy of the clergy alone could break off entirely their connexion with the civil power, and depriving them of every other object of ambition, engage them to promote, with unceasing industry, the grandeur of their own order. He was sensible, that so long as the monks were indulged in marriage, and were permitted to rear families, they never could be subjected to strict discipline, or reduced to that slavery under their superiors, which was requisite to procure to the mandates, issued from Rome, a ready and zealous obedience. Celibacy, therefore, began to be extolled, as the indispensable duty of priests: and the pope undertook to make all the clergy throughout the western world renounce at once the privilege of marriage: a fortunate policy; but at the same time an undertaking the most difficult of any, since he had the strongest propensities of human nature to encounter, and found that the same connexions with the female sex, which generally encourage devotion, were here unfavourable to the success of his project. It is no wonder, therefore, that this master-stroke of art should have met with violent contradiction, and that the interests of the hierarchy, and the inclinations of the priests, being now placed in this singular opposition, should, notwithstanding the continued efforts of Rome, have retarded the execution of that bold scheme during the course of near three centuries.

As the bishops and parochial clergy lived apart with their families, and were more connected with the world, the hopes of success with them were fainter, and the pretence for making them renounce marriage was much less plausible. But the pope, having cast his eye on the monks as the basis of his authority, was determined to reduce them under strict rules of obedience, to procure them the credit of sanctity by an appearance of the most rigid mortification, and to break off all their other ties which might interfere with his spiritual policy. Under pretence, therefore, of reforming abuses, which were, in some degree, unavoidable in the ancient establishments, he had already spread over the southern countries of Europe the severe laws of the monastic life, and began to form attempts towards a like innovation in England. The favourable opportunity offered itself, (and it was greedily seized,) arising from the weak superstition of Edred, and the violent impetuous character of Dunstan.

Dunstan was born of noble parents in the west of England; and being educated under his uncle Aldhelm, then archbishop of Canterbury, had betaken himself to the ecclesiastical life, and had acquired some character in the court of Edmund. He was, however, represented to that prince as a man of licentious manners: and finding his fortune blasted by these suspicions, his ardent ambition prompted him to repair his indiscretions, by running into an opposite extreme. He secluded himself entirely from the world; he framed a cell so small, that he could neither stand erect in it, nor stretch out his limbs during his repose; and here employed himself perpetually either in devotion or in manual labour. It is probable, that his brain became gradually crazed by these solitary occupations, and that his head was filled with chimeras, which being believed by himself and his stupid votaries, procured him the general character of sanctity among the people. He fancied that the devil, among the frequent visits which he paid him, was one day more earnest than usual in his temptations; till Dunstan, provoked at his importunity, seized him by the nose with a pair of red-hot pincers, as he put his head into the cell; and he

held him there, till that malignant spirit made the whole neighbourhood resound with his bellowings. This notable exploit was seriously credited and extolled by the public; it is transmitted to posterity by one who, considering the age in which he lived, may pass for a writer of some elegance; and it ensured to Dunstan a reputation which no real piety, much less virtue, could, even in the most enlightened period, have ever procured him with the people.

Supported by the character obtained in his retreat, Dunstan appeared again in the world; and gained such an ascendant over Edred, who had succeeded to the crown, as made him not only the director of that prince's conscience, but his counsellor in the most momentous affairs of government. He was placed at the head of the treasury, and being thus possessed both of power at court, and of credit with the populace, he was enabled to attempt with success the most arduous enterprises. Finding that this advancement had been owing to the opinion of his austerity, he professed himself a partisan of the rigid monastic rules; and, after introducing that reformation into the convents of Glastenbury and Abingdon, he endeavoured to render it universal in the kingdom.

The minds of men were already well prepared for the innovation. The praises of an inviolable chastity had been carried to the highest extravagance by some of the first preachers of Christianity among the Saxons: the pleasures of love had been represented as incompatible with Christian perfection: and a total abstinence from all commerce with the sex was deemed such a meritorious penance, as was sufficient to atone for the greatest enormities. The consequence seemed natural, that those, at least, who officiated at the altar should be clear of this pollution; and when the doctrine of transubstantiation, which was now creeping in, was once fully established, the reverence to the real body of Christ in the eucharist bestowed on this argument an additional force and influence. The monks knew how to avail themselves of all these popular topics, and to set off their own character to the best advantage. They affected the greatest austerity of life and manners: they indulged themselves in the highest strains of devotion: they inveighed bitterly against the vices and pretended luxury of the age: they were particularly vehement against the dissolute lives of the secular clergy, their rivals: every instance of libertinism in any individual of that order was represented as a general corruption: and where other topics of defamation were wanting, their marriage became a sure subject of invective; and their wives received the name of *concubine*, or other more opprobrious appellation. The secular clergy, on the other hand, who were numerous and rich, and possessed of the ecclesiastical dignities, defended themselves with vigour, and endeavoured to retaliate upon their adversaries. The people were thrown into agitation; and few instances occur of more violent dissensions, excited by the most material differences in religion, or rather the most frivolous: since it is a just remark, that the more affinity there is between theological parties, the greater commonly is their animosity.

The progress of the monks, which was become considerable, was somewhat retarded by the death of Edred, their partisan, who expired after a reign of nine years. He left children; but as they were infants, his nephew Edwy, son of Edmund, was placed on the throne.

EDWY. 955.

Edwy, at the time of his accession, was not above sixteen or seventeen years of age, was possessed of the most amiable figure, and was even endowed, according to authentic accounts, with the most promising virtues. He would have been the favourite of his people, had he not unhappily, at the commencement of his reign, been engaged in a controversy with the monks, whose rage neither the graces of the body nor virtues of the mind could mitigate, and who have pursued his memory with the same unrelenting vengeance which they exercised against his person and dignity during his short and unfortunate reign. There was a beautiful princess of the royal blood, called Elgiva, who had made impression on the tender heart of Edwy; and as he was of an age when the force of the passions first begins to be felt, he had ventured, contrary to the advice of his gravest counsellors, and the remonstrances of the more dignified ecclesiastics to espouse her; though she was within the degrees of affinity prohibited by the canon law. As the austerity affected by the monks made them particularly violent on this occasion, Edwy entertained a strong prepossession against them; and seemed, on that account, determined not to second their project of expelling the seculars from all the convents, and of possessing themselves of those rich establishments. War was therefore declared between the king and the monks; and the former soon found reason to repent his provoking such dangerous enemies. On the day of his coronation, his nobility were assembled in a great hall, and were indulging themselves in that riot and disorder, which, from the example of their German ancestors, had become habitual to the English; when Edwy, attracted by softer pleasures, retired into the queen's apartment, and in that privacy gave reins to his fondness towards his wife, which was only moderately checked by the presence of her mother. Dunstan conjectured the reason of the king's retreat; and carrying along with him Odo, archbishop of Canterbury, over whom he had gained an absolute ascendant, he burst into the apartment, upbraided Edwy with his lasciviousness, probably bestowed on the queen the most opprobrious epithet that can be applied to her sex, and tearing him from her arms, pushed him back in a disgraceful manner, into the banquet of the nobles. Edwy, though young, and opposed by the prejudices of the people, found an opportunity of taking revenge for this public insult. He questioned Dunstan concerning the administration of the treasury during the reign of his predecessor; and when that minister refused to give any account of money expended, as he affirmed, by orders of the late king, he accused him of malversation in his office, and banished him the kingdom. But Dunstan's cabal was not inactive during his absence: they filled the public with high panegyrics on his sanctity: they exclaimed against the impiety of the king and queen: and having poisoned the minds of the people by these declamations, they proceeded to still more outrageous acts of violence against the royal authority. Archbishop Odo sent into the palace a party of soldiers, who seized the queen; and having burned her face with a red-hot iron, in order to destroy that fatal beauty which had seduced Edwy, they carried her by force into Ireland, there to remain in perpetual exile. Edwy finding it in vain to resist, was obliged to consent to his divorce, which was pronounced by Odo; and a catastrophe, still more dismal, awaited the unhappy Elgiva. That amiable princess, being cured of her wounds, and having even obliterated the scars with which Odo had hoped to deface her beauty, returned into England, and was flying to the embraces of the king, whom she still regarded as her husband: when she fell into the hands of a party whom the primate had sent to intercept her. Nothing but her death could now give security to Odo and the monks; and the most cruel death was requisite to satiate their vengeance. She was hamstringed; and expired a few days after at Gloucester in the most acute torments.

The English, blinded with superstition, instead of being shocked with this inhumanity, exclaimed that the misfortunes of Edwy and his consort were a just judgment for their dissolute contempt of the ecclesiastical statutes. They even proceeded to rebellion against their sovereign; and having placed Edgar at their

head, the younger brother of Edwy, a boy of thirteen years of age, they soon put him in possession of Mercia, Northumberland, and East-Anglia: and chased Edwy into the southern counties. That it might not be doubtful at whose instigation this revolt was undertaken, Dunstan returned into England, and took upon him the government of Edgar and his party. He was first installed in the see of Worcester, then in that of London, and, on Odo's death, and the violent expulsion of Brithelm, his successor, in that of Canterbury; of all which he long kept possession. Odo is transmitted to us by the monks under the character of a man of piety; Dunstan was even canonized; and is one of those numerous saints of the same stamp who disgrace the Roman calendar. Meanwhile the unhappy Edwy was excommunicated, and pursued with unrelenting vengeance; but his death, which happened soon after, freed his enemies from all further inquietude, and gave Edgar peaceable possession of the government. [*See note B, at the end of this Vol.*]

EDGAR.

This prince, who mounted the throne in such early youth, soon discovered an excellent capacity in the administration of affairs; and his reign is one of the most fortunate that we met with in the ancient English history. He showed no aversion to war; he made the wisest preparations against invaders; and by this vigour and foresight he was enabled, without any danger of suffering insults, to indulge his inclination towards peace, and to employ himself in supporting and improving the internal government of his kingdom. He maintained a body of disciplined troops; which he quartered in the north, in order to keep the mutinous Northumbrians in subjection, and to repel the inroads of the Scots. He built and supported a powerful navy; and that he might retain the seamen in the practice of their duty, and always present a formidable armament to his enemies, he stationed three squadrons off the coast, and ordered them to make from time to time the circuit of his dominions. [*See note C, at the end of this Vol.*] The foreign Danes dared not to approach a country which appeared in such a posture of defence: the domestic Danes saw inevitable destruction to be the consequence of their tumults and insurrections. The neighbouring sovereigns, the king of Scotland, the princes of Wales, of the Isle of Man, of the Orkneys, and even of Ireland, were reduced to pay submission to so formidable a monarch. He carried his superiority to a great height, and might have excited an universal combination against him, had not his power been so well established as to deprive his enemies of all hopes of shaking it. It is said, that residing once at Chester, and having purposed to go by water to the abbey of St. John the Baptist, he obliged eight of his tributary princes to row him in a barge upon the Dee. The English historians are fond of mentioning the name of Kenneth III. king of Scots, among the number: the Scottish historians either deny the fact, or assert that their king, if ever he acknowledged himself a vassal to Edgar, did him homage, not for his crown, but for the dominions which he held in England.

But the chief means by which Edgar maintained his authority, and preserved public peace, was the paying of court to Dunstan and the monks, who had at first placed him on the throne, and who, by their pretensions to superior sanctity and purity of manners, had acquired an ascendant over the people. He favoured their scheme for dispossessing the secular canons of all the monasteries; he bestowed preferment on none but their partisans; he allowed Dunstan to resign the see of Worcester into the hands of Oswald, one of his creatures, and to place Ethelwold, another of them, in that of Winchester; he consulted these prelates in the administration of all ecclesiastical, and even in that of many civil affairs; and though the vigour of his own genius prevented him from being implicitly guided by them, the king and the bishops found such advantages in their mutual agreement, that they always acted in concert, and united their influence in preserving the peace and tranquillity of the kingdom.

In order to complete the great work of placing the new order of monks in all the convents, Edgar summoned a general council of the prelates and the heads of the religious orders. He here inveighed against the dissolute lives of the secular clergy; the smallness of their tonsure, which, it is probable, maintained no longer any resemblance to the crown of thorns; their negligence in attending the exercise of their function; their mixing with the laity in the pleasures of gaming, hunting, dancing, and singing; and their openly living with concubines, by which it is commonly supposed he meant their wives. He then turned himself to Dunstan the primate; and in the name of king Edred, whom he supposed to look down from heaven with indignation against all those enormities, he thus addressed him: "It is you, Dunstan, by whose advice I founded monasteries, built churches, and expended my treasure, in the support of religion and religious houses. You were my counsellor and assistant in all my schemes: you were the director of my conscience. to you I was obedient in all things. When did you call for supplies, which I refused you? Was my assistance ever wanting to the poor? Did I deny support and establishments to the clergy and the convents? Did I not hearken to your instructions, who told me that these charities were, of all others, the most grateful to my Maker, and fixed a perpetual fund for the support of religion? And are all our pious endeavours now frustrated by the dissolute lives of the priests? Not that I throw any blame on you: you have reasoned, besought, inculcated, inveighed: but it now behoves you to use sharper and more vigorous remedies; and enjoining your spiritual authority with the civil power, to purge effectually the temple of God from thieves and intruders." It is easy to imagine that this harangue had the desired effect; and that when the king and prelates thus concurred with the popular prejudices, it was not long before the monks prevailed, and established their new discipline in almost all the convents.

We may remark, that the declamations against the secular clergy are, both here and in all the historians, conveyed in general terms; and as that order of men are commonly restrained by the decency of their character, it is difficult to believe that the complaints against their dissolute manners could be so universally just as is pretended. It is more probable that the monks paid court to the populace by an affected austerity of life; and representing the most innocent liberties, taken by the other clergy, as great and unpardonable enormities, thereby prepared the way for the increase of their own power and influence. Edgar, however, like a true politician, concurred with the prevailing party; and he even indulged them in pretensions, which, though they might, when complied with, engage the monks to support royal authority during his own reign, proved afterwards dangerous to his successors, and gave disturbance to the whole civil power. He seconded the policy of the court of Rome, in granting to some monasteries an exemption from episcopal jurisdiction: he allowed the convents, even those of royal foundation, to usurp the election of their own abbot: and he admitted their forgeries of ancient charters; by which, from the pretended grant of former kings, they assumed many privileges and immunities.

These merits of Edgar have procured him the highest panegyrics from the monks; and he is transmitted to us, not only under the character of a consummate statesman and an active prince, praises to which he seems to have been justly entitled, but under that of a great saint and a man of virtue. But nothing could more betray both his hypocrisy in inveighing against

the licentiousness of the secular clergy, and the interested spirit of his partisans, in bestowing such eulogies on his piety, than the usual tenour of his conduct, which was licentious to the highest degree, and violated every law, human and divine. Yet those very monks, who, as we are told by Ingulf, a very ancient historian, had no idea of any moral or religious merit, except chastity and obedience, not only connived at his enormities, but loaded him with the greatest praises. History, however, has preserved some instances of his amours, from which, as from a specimen, we may form a conjecture of the rest.

Edgar broke into a convent, carried off Editha, a nun, by force, and even committed violence on her person. For this act of sacrilege he was reprimanded by Dunstan; and that he might reconcile himself to the church, he was obliged, not to separate from his mistress, but to abstain from wearing his crown during seven years, and to deprive himself so long of that vain ornament: a punishment very unequal to that which had been inflicted on the unfortunate Edwy, who, for a marriage which in the strictest sense could only deserve the name of irregular, was expelled his kingdom, saw his queen treated with singular barbarity, was loaded with calumnies, and has been represented to us under the most odious colours. Such is the ascendant which may be attained, by hypocrisy and cabal, over mankind.

There was another mistress of Edgar's, with whom he first formed a connexion by a kind of accident. Passing one day by Andover, he lodged in the house of a nobleman, whose daughter, being endowed with all the graces of person and behaviour, inflamed him at first sight with the highest desire; and he resolved by any expedient to gratify it. As he had not leisure to employ courtship or address for attaining his purpose, he went directly to her mother, declared the violence of his passion, and desired that the young lady might be allowed to pass that very night with him. The mother was a woman of virtue, and determined not to dishonour her daughter and her family by compliance; but being well acquainted with the impetuosity of the king's temper, she thought it would be easier, as well as safer, to deceive than refuse him. She feigned therefore a submission to his will; but secretly ordered a waiting-maid, of no disagreeable figure, to steal into the king's bed, after all the company should be retired to rest. In the morning, before day-break, the damsel, agreeably to the injunctions of her mistress, offered to retire; but Edgar, who had no reserve in his pleasures, and whose love to his bed-fellow was rather inflamed by enjoyment, refused his consent, and employed force and entreaties to detain her. Elfleda, (for that was the name of the maid,) trusting to her own charms, and to the love with which, she hoped, she had now inspired the king, made probably but a faint resistance; and the return of light discovered the deceit to Edgar. He had passed a night so much to his satisfaction, that he expressed no displeasure with the old lady on account of her fraud; his love was transferred to Elfleda; she became his favourite mistress; and maintained her ascendant over him till his marriage with Elfrida.

The circumstances of his marriage with this lady were more singular and more criminal. Elfrida was daughter and heir of Olgar, earl of Devonshire; and though she had been educated in the country, and had never appeared at court, she had filled all England with the reputation of her beauty. Edgar himself, who was indifferent to no accounts of this nature, found his curiosity excited by the frequent panegyrics which he heard of Elfrida; and reflecting on her noble birth, he resolved, if he found her charms answerable to their fame, to obtain possession of her on honourable terms. He communicated his intention to Earl Athelwold, his favourite; but used the precaution, before he made any advances to her parents, to order that nobleman, on some pretence, to pay them a visit, and to bring him a certain account of the beauty of their daughter. Athelwold, when introduced to the young lady found general report to have fallen short of the truth; and being actuated by the most vehement love, he determined to sacrifice to this new passion his fidelity to his master, and to the trust reposed in him. He returned to Edgar, and told him, that the riches alone, and high quality of Elfrida, had been the ground of the admiration paid her, and that her charms, far from being anywise extraordinary, would have been overlooked in a woman of inferior station. When he had, by this deceit, diverted the king from his purpose, he took an opportunity, after some interval, of turning again the conversation on Elfrida: he remarked, that though the parentage and fortune of the lady had not produced on him, as on others, any illusion with regard to her beauty, he could not forbear reflecting that she would, on the whole, be an advantageous match for him, and might, by her birth and riches, make him sufficient compensation for the homeliness of her person. If the king, therefore, gave his approbation, he was determined to make proposals in his own behalf to the earl of Devonshire, and doubted not to obtain his, as well as the young lady's consent to the marriage. Edgar, pleased with an expedient for establishing his favourite's fortune, not only exhorted him to execute his purpose, but forwarded his success by his recommendations to the parents of Elfrida; and Athelwold was soon made happy in the possession of his mistress. Dreading, however, the detection of the artifice, he employed every pretence for detaining Elfrida in the country, and for keeping her at a distance from Edgar.

The violent passion of Athelwold had rendered him blind to the necessary consequences which must attend his conduct, and the advantages which the numerous enemies that always pursue a royal favourite, would, by its means, be able to make against him. Edgar was soon informed of the truth; but before he would execute vengeance on Athelwold's treachery, he resolved to satisfy himself with his own eyes of the certainty and full extent of his guilt. He told him, that he intended to pay him a visit in his castle, and be introduced to the acquaintance of his new-married wife; and Athelwold, as he could not refuse the honour, only craved leave to go before him a few hours, that he might the better prepare everything for his reception. He then discovered the whole matter to Elfrida; and begged her, if she had any regard either to her own honour or his life, to conceal from Edgar, by every circumstance of dress and behaviour, that fatal beauty which had seduced him from fidelity to his friend, and had betrayed him into so many falsehoods. Elfrida promised compliance, though nothing was further from her intentions. She deemed herself little beholden to Athelwold for a passion which had deprived her of a crown; and knowing the force of her own charms, she did not despair even yet of reaching that dignity, of which her husband's artifice had bereaved her. She appeared before the king with all the advantages which the richest attire and the most engaging airs could bestow upon her, and she excited at once in his bosom the highest love towards herself, and the most furious desire of revenge against her husband. He knew, however, how to dissemble these passions; and seducing Athelwold into a wood, on pretence of hunting, he stabbed him with his own hand, and soon after publicly espoused Elfrida.

Before we conclude our account of this reign, we must mention two circumstances, which are remarked by historians. The reputation of Edgar allured a great number of foreigners to visit his court; and he gave them encouragement to settle in England. We are told that they imported all the vices of their respective countries, and contributed to corrupt the simple manners of the natives: but as this simplicity of manners, so highly and often so injudiciously extolled, did not preserve them from barbarity and treachery, the greatest of

all vices, and the most incident to a rude uncultivated people, we ought perhaps to deem their acquaintance with foreigners rather an advantage; as it tended to enlarge their views, and to cure them of those illiberal prejudices and rustic manners to which islanders are often subject.

Another remarkable incident of this reign was the extirpation of wolves from England. This advantage was attained by the industrious policy of Edgar. He took great pains in hunting and pursuing those ravenous animals; and when he found that all that escaped him had taken shelter in the mountains and forests of Wales, he changed the tribute of money imposed on the Welsh princes by Athelstan, his predecessor, into an annual tribute of three hundred heads of wolves; which produced such diligence in hunting them, that the animal has been no more seen in this island.

Edgar died after a reign of sixteen years, and in the thirty-third of his age. He was succeeded by Edward, whom he had by his first marriage with the daughter of earl Ordmer.

EDWARD THE MARTYR. 975.

The succession of this prince, who was only fifteen years of age at his father's death, did not take place without much difficulty and opposition. Elfrida, his step-mother, had a son, Ethelred, seven years old, whom she attempted to raise to the throne: she affirmed that Edgar's marriage with the mother of Edward was exposed to insuperable objections; and as she had possessed great credit with her husband, she had found means to acquire partisans, who seconded all her pretensions. But the title of Edward was supported by many advantages. He was appointed successor by the will of his father: he was approaching to man's estate, and might soon be able to take into his own hands the reins of government: the principal nobility, dreading the imperious temper of Elfrida, were averse to her son's government, which must enlarge her authority, and probably put her in possession of the regency: above all, Dunstan, whose character of sanctity had given him the highest credit with the people, had espoused the cause of Edward, over whom he had already acquired a great ascendant; and he was determined to execute the will of Edgar in his favour. To cut off all opposite pretensions, Dunstan resolutely anointed and crowned the young prince at Kingston; and the whole kingdom, without further dispute, submitted to him.

It was of great importance to Dunstan and the monks, to place on the throne a king favourable to their cause: the secular clergy had still partisans in England, who wished to support them in the possession of the convents, and of the ecclesiastical authority. On the first intelligence of Edgar's death, Alfere, duke of Mercia, expelled the new orders of monks from all the monasteries which lay within his jurisdiction; but Elfwin, duke of East-Anglia, and Brithnot, duke of the East-Saxons, protected them within their territories, and insisted upon the execution of the late laws enacted in their favour. In order to settle this controversy, there were summoned several synods, which, according to the practice of those times, consisted partly of ecclesiastical members, partly of the lay nobility. The monks were able to prevail in these assemblies; though, as it appears, contrary to the secret wishes, if not the declared inclination, of the leading men in the nation: they had more invention in forging miracles to support their cause; or having been so fortunate as to obtain, by their pretended austerities, the character of piety, their miracles were more credited by the populace.

In one synod, Dunstan finding the majority of votes against him, rose up and informed the audience that he had that instant received an immediate revelation in behalf of the monks: the assembly was so astonished at this intelligence, or probably so overawed by the populace, that they proceeded no further in their deliberations. In another synod, a voice issued from the crucifix, and informed the members that the establishment of the monks was founded on the will of Heaven, and could not be opposed without impiety. But the miracle performed in the third synod was still more alarming: the floor of the hall in which the assembly met sunk of a sudden, and a great number of the members were either bruised or killed by the fall. It was remarked that Dunstan had that day prevented the king from attending the synod, and that the beam, on which his own chair stood, was the only one that did not sink under the weight of the assembly. But these circumstances, instead of begetting any suspicion of contrivance, were regarded as the surest proof of the immediate interposition of Providence, in behalf of those favourites of Heaven.

Edward lived four years after his accession, and there passed nothing memorable during his reign. His death alone was memorable and tragical. This young prince was endowed with the most amiable innocence of manners; and as his own intentions were always pure, he was incapable of entertaining any suspicion against others. Though his step-mother had opposed his succession, and had raised a party in favour of her own son, he always showed her marks of regard, and even expressed, on all occasions, the most tender affection towards his brother. He was hunting one day in Dorsetshire; and being led by the chase near Corfe-castle, where Elfrida resided, he took the opportunity of paying her a visit, unattended by any of his retinue, and he thereby presented her with the opportunity which she had long wished for. After he had mounted his horse, he desired some liquor to be brought him: while he was holding the cup to his head, a servant of Elfrida approached him, and gave him a stab behind. The prince, finding himself wounded, put spurs to his horse; but becoming faint by loss of blood, he fell from the saddle, his foot stuck in the stirrup, and he was dragged along by his unruly horse till he expired. Being tracked by the blood, his body was found, and was privately interred at Wareham by his servants.

The youth and innocence of this prince, with his tragical death, begat such compassion among the people, that they believed miracles to be wrought at his tomb; and they gave him the appellation of martyr, though his murder had no connexion with any religious principle or opinion. Elfrida built monasteries, and performed many penances, in order to atone for her guilt; but could never, by all her hypocrisy or remorses, recover the good opinion of the public, though so easily deluded in those ignorant ages.

CHAPTER III.

Ethelred — Settlement of the Normans — Edmond Ironside — Canute — Harold Harefoot — Hardicanute — Edward the Confessor — Harold.

ETHELRED. 978.

THE freedom which England had so long enjoyed from the depredations of the Danes, seems to have proceeded, partly from the establishments which that piratical nation had obtained in the north of France, and which employed all their superfluous hands to people and maintain them; partly from the vigour and warlike spirit of a long race of English princes, who preserved the kingdom in a posture of defence by sea and land, and either prevented or repelled every attempt of the invaders. But a new generation of men being now sprung up in the northern regions, who could no longer disburthen themselves on Nor-

mandy, the English had reason to dread that the Danes would again visit an island to which they were invited, both by the memory of their past successes, and by the expectation of assistance from their countrymen, who, though long established in the kingdom, were not yet thoroughly incorporated with the natives, nor had entirely forgotten their inveterate habits of war and depredation. And as the reigning prince was a minor, and even when he attained to man's estate, never discovered either courage or capacity sufficient to govern his own subjects, much less to repel a formidable enemy, the people might justly apprehend the worst calamities from so dangerous a crisis.

The Danes, before they durst attempt any important enterprise against England, made an inconsiderable descent by way of trial; and having landed [931] from seven vessels near Southampton, they ravaged the country, enriched themselves by spoil, and departed with impunity. Six years after, they made a like attempt in the west, and met with like success. The invaders, having now found affairs in a very different situation from that in which they formerly appeared, encouraged their countrymen to assemble a greater force, and to hope for more considerable advantages. They landed [991] in Essex, under the command of two leaders; and having defeated and slain, at Maldon, Brithnot, duke of that county, who ventured, with a small body, to attack them, they spread their devastations over all the neighbouring provinces. In this extremity, Ethelred, to whom historians give the epithet of the *Unready*, instead of rousing his people to defend with courage their honour and their property, hearkened to the advice of Siricius, archbishop of Canterbury, which was seconded by many of the degenerate nobility; and paying the enemy the sum of ten thousand pounds, he bribed them to depart the kingdom. This shameful expedient was attended with the success which might be expected. The Danes next year appeared off the eastern coast, in hopes of subduing a people who defended themselves by their money, which invited assailants, instead of their arms, which repelled them. But the English, sensible of their folly, had, in the interval, assembled in a great council, and had determined to collect at London a fleet able to give battle to the enemy; though that judicious measure failed of success, from the treachery of Alfric, duke of Mercia, whose name is infamous in the annals of that age, by the calamities which his repeated perfidy brought upon his country. This nobleman had, in 983, succeeded to his father, Alfere, in that extensive command; but being deprived of it two years after, and banished the kingdom, he was obliged to employ all his intrigue, and all his power, which was too great for a subject, to be restored to his country, and reinstated in his authority. Having had experience of the credit and malevolence of his enemies, he thenceforth trusted for security, not to his services, or to the affections of his fellow-citizens, but to the influence which he had obtained over his vassals, and to the public calamities, which he thought must, in every revolution, render his assistance necessary. Having fixed this resolution, he determined to prevent all such successes as might establish the royal authority, or render his own situation dependent or precarious. As the English had formed the plan of surrounding and destroying the Danish fleet in harbour, he privately informed the enemy of their danger; and when they put to sea, in consequence of this intelligence, he deserted to them, with the squadron under his command, the night before the engagement, and thereby disappointed all the efforts of his countrymen. Ethelred, enraged at his perfidy, seized his son Alfgar, and ordered his eyes to be put out. But such was the power of Alfric, that he again forced himself into authority; and though he had given this specimen of his character, and received this grievous provocation, it was found necessary to entrust him anew with the government of Mercia. This conduct of the court, which in all its circumstances is so barbarous, weak, and imprudent, both merited and prognosticated the most grievous calamities.

The northern invaders, now well acquainted with the defenceless condition of England, made a powerful descent [993] under the command of Sweyn, king of Denmark, and Olave, king of Norway; and sailing up the Humber, spread on all sides their destructive ravages. Lindsey was laid waste; Banbury was destroyed; and all the Northumbrians, though mostly of Danish descent, were constrained either to join the invaders, or to suffer under their depredations. A powerful army was assembled to oppose the Danes, and a general action ensued; but the English were deserted in the battle, from the cowardice or treachery of their three leaders, all of them men of Danish race, Frena, Frithegist, and Godwin, who gave the example of a shameful flight to the troops under their command.

Encouraged by this success, and still more by the contempt which it inspired for their enemy, the pirates ventured to attack the centre of the kingdom; and entering the Thames in ninety-four vessels, laid siege to London, and threatened it with total destruction. But the citizens, alarmed at the danger, and firmly united among themselves, made a bolder defence than the cowardice of the nobility and gentry gave the invaders reason to apprehend; and the besiegers, after suffering the greatest hardships, were finally frustrated in their attempt. In order to revenge themselves, they laid waste, Essex, Sussex, and Hampshire: and having there procured horses, they were thereby enabled to spread, through the more inland counties, the fury of their depredations. In this extremity, Ethelred and his nobles had recourse to the former expedient; and sending ambassadors to the two northern kings, they promised them subsistence and tribute, on condition they would, for the present, put an end to their ravages, and soon after depart the kingdom. Sweyn and Olave agreed to the terms, and peaceably took up their quarters at Southampton, where the sum of sixteen thousand pounds was paid to them. Olave even made a journey to Andover, where Ethelred resided; and he received the rite of confirmation from the English bishops, as well as many rich presents from the king. He here promised that he would never more infest the English territories; and he faithfully fulfilled the engagement. This prince receives the appellation of St. Olave from the church of Rome; and, notwithstanding the general presumption which lies either against the understanding or morals of every one who in those ignorant ages was dignified with that title, he seems to have been a man of merit and of virtue. Sweyn, though less scrupulous than Olave, was constrained, upon the departure of the Norwegian prince, to evacuate also the kingdom with all his followers.

This composition brought only a short interval to the miseries of the English. The Danish pirates appeared soon after [997] in the Severn; and having committed spoil in Wales, as well as in Cornwall and Devonshire, they sailed round to the south coast, and entering the Tamar, completed the devastation of these two counties. They then returned to the Bristol Channel; and penetrating into the country by the Avon, spread themselves over all that neighbourhood, and carried fire and sword even into Dorsetshire. They next changed the seat of war; [998;] and after ravaging the Isle of Wight, they entered the Thames and Medway, and laid siege to Rochester, where they defeated the Kentish-men in a pitched battle. After this victory, the whole province of Kent was made a scene of slaughter, fire, and devastation. The extremity of these miseries forced the English into counsels for common defence both by sea and land; but the weakness of the king, the divisions among the nobility, the treachery of some, the cowardice of others, the want of concert in all, frustrated every endeavour: their fleets and armies either came too late to attack the enemy, or were repulsed with dishonour; and the people were thus equally ruined by resistance or by submission. The

English therefore, destitute both of prudence and unanimity in council, of courage and conduct in the field, had recourse to the same weak expedient which by experience they had already found so ineffectual: they offered the Danes to buy peace, by paying them a large sum of money. These ravagers rose continually in their demands; and now required the payment of twenty-four thousand pounds, to which the English were so mean and imprudent as to submit. The departure of the Danes procured them another short interval of repose, which they enjoyed, as if it were to be perpetual, without making any effectual preparations for a more vigorous resistance upon the next return of the enemy.

Besides receiving this sum, the Danes were engaged by another motive to depart a kingdom which appeared so little in a situation to resist their efforts: they were invited over by their countrymen in Normandy, who at this time were hard pressed by the arms of Robert, king of France, and who found it difficult to defend the settlement which, with so much advantage to themselves and glory to their nation, they had made in that country. It is probable also, that Ethelred, observing the close connexions thus maintained among all the Danes, however divided in government or situation, was desirous of forming an alliance with that formidable people: for this purpose, being now a widower, he made his addresses to Emma, sister to Richard II. duke of Normandy, and he soon succeeded in his negociation. The princess came over this year [1001] to England, and was married to Ethelred.

SETTLEMENT OF THE NORMANS.

In the end of the ninth, and beginning of the tenth century—when the north, not yet exhausted by that multitude of people, or rather nations, which she had successively emitted, sent forth a new race, not of conquerors, as before, but of pirates and ravagers, who infested the countries possessed by her once warlike sons—lived Rollo, a petty prince or chieftain of Denmark, whose valour and abilities soon engaged the attention of his countrymen. He was exposed in his youth to the jealousy of the king of Denmark, who attacked his small but independent principality; and who, being foiled in every assault, had recourse at last to perfidy for effecting his purpose, which he had often attempted in vain by force of arms: he lulled Rollo into security by an insidious peace, and, falling suddenly upon him, murdered his brother and his bravest officers, and forced him to fly for safety into Scandinavia. Here many of his ancient subjects, induced partly by affection to their prince, partly by the oppressions of the Danish monarch, ranged themselves under his standard, and offered to follow him in every enterprise. Rollo, instead of attempting to recover his paternal dominions, where he must expect a vigorous resistance from the Danes, determined to pursue an easier, but more important undertaking, and to make his fortune, in imitation of his countrymen, by pillaging the richer and more southern coasts of Europe. He collected a body of troops, which, like that of all those ravagers, was composed of Norwegians, Swedes, Frisians, Danes, and adventurers of all nations, who, being accustomed to a roving unsettled life, took delight in nothing but war and plunder. His reputation brought him associates from all quarters; and a vision, which he pretended to have appeared to him in his sleep, and which, according to his interpretation of it, prognosticated the greatest successes, proved also a powerful incentive with those ignorant and superstitious people.

The first attempt made by Rollo was in England, near the end of Alfred's reign; when that great monarch, having settled Guthrum and his followers in East-Anglia, and others of those freebooters in Northumberland, and having restored peace to his harassed country, had established the most excellent military as well as civil institutions among the English. The prudent Dane, finding that no advantages could be gained over such a people, governed by such a prince, soon turned his enterprises against France, which he found more exposed to his inroads; and during the reigns of Eudes, an usurper, and of Charles the Simple, a weak prince, he committed the most destructive ravages both on the inland and maritime provinces of that kingdom. The French, having no means of defence against a leader who united all the valour of his countrymen with the policy of more civilized nations, were obliged to submit to the expedient practised by Alfred, and to offer the invaders a settlement in some of those provinces which they had depopulated by their arms.

The reason why the Danes for many years pursued measures so different from those which had been embraced by the Goths, Vandals, Franks, Burgundians, Lombards, and other northern conquerors, was the great difference in the method of attack which was practised by these several nations, and to which the nature of their respective situations necessarily confined them. The latter tribes, living in an inland country, made incursions by land upon the Roman empire; and when they entered far into the frontiers, they were obliged to carry along with them their wives and families, whom they had no hopes of soon revisiting, and who could not otherwise participate of their plunder. This circumstance quickly made them think of forcing a settlement in the provinces which they had overrun; and these barbarians, spreading themselves over the country, found an interest in protecting the property and industry of the people whom they had subdued. But the Danes and Norwegians, invited by their maritime situation, and obliged to maintain themselves in their uncultivated country by fishing, had acquired some experience of navigation; and in their military excursions pursued the method practised against the Roman empire by the more early Saxons: they made descents in small bodies from their ships, or rather boats, and ravaging the coasts, returned with the booty to their families, whom they could not conveniently carry along with them in those hazardous enterprises. But when they increased their armaments, made incursions into the inland countries, and found it safe to remain longer in the midst of the enfeebled enemy, they had been accustomed to crowd their vessels with their wives and children; and having no longer any temptation to return to their own country, they willingly embraced an opportunity of settling in the warm climates and cultivated fields of the south.

Affairs were in this situation with Rollo and his followers, when Charles proposed to relinquish to them part of the province formerly called Neustria, and to purchase peace on these hard conditions. After all the terms were fully settled, there appeared only one circumstance shocking to the haughty Dane: he was required to do homage to Charles for this province, and to put himself in that humiliating posture imposed on vassals by the rites of the feudal law. He long refused to submit to this indignity; but being unwilling to lose such important advantages for a mere ceremony, he made a sacrifice of his pride to his interest, and acknowledged himself, in form, the vassal of the French monarch. Charles gave him his daughter Gisla in marriage; and, that he might bind him faster to his interests, made him a donation of a considerable territory, besides that which he was obliged to surrender to him by his stipulations. When some of the French nobles informed him, that in return for so generous a present, it was expected that he should throw himself at the king's feet, and make suitable acknowledgments for his bounty, Rollo replied, that he would rather decline the present; and it was with some difficulty they could persuade him to make that compliment by one of his captains. The Dane, commissioned for this purpose, full of indignation at the order, and despising so unwarlike a prince, caught Charles by the foot, and

pretending to carry it to his mouth, that he might kiss it, overthrew him before all his courtiers. The French, sensible of their present weakness, found it prudent to overlook this insult.

Rollo, who was now in the decline of life, and was tired of wars and depredations, applied himself, with mature counsels, to the settlement of his new-acquired territory, which was thenceforth called Normandy; and he parcelled it out among his captains and followers. He followed, in this partition, the customs of the feudal law, which was then universally established in the southern countries of Europe, and which suited the peculiar circumstances of that age. He treated the French subjects, who submitted to him, with mildness and justice; he reclaimed his ancient followers from their ferocious violence; he established law and order throughout his state; and after a life spent in tumults and ravages, he died peaceably in a good old age, and left his dominions to his posterity.

William I. who succeeded him, governed the duchy twenty-five years; and, during that time, the Normans were thoroughly intermingled with the French, had acquired their language, had imitated their manners, and had made such progress towards cultivation, that, on the death of William, his son Richard, though a minor, inherited his dominions: a sure proof that the Normans were already somewhat advanced in civility, and that their government could now rest secure on its laws and civil institutions, and was not wholly sustained by the abilities of the sovereign. Richard, after a long reign of fifty-four years, was succeeded by his son of the same name, in the year 996; which was eighty-five years after the first establishment of the Normans in France. This was the duke who gave his sister Emma in marriage to Ethelred, king of England, and who hereby formed connexions with a country which his posterity was so soon after destined to subdue.

The Danes had been established during a longer period in England than in France; and though the similarity of their original language to that of the Saxons invited them to a more early coalition with the natives, they had hitherto found so little example of civilized manners among the English, that they retained all their ancient ferocity, and valued themselves only on their national character of military bravery. The recent as well as more ancient achievements of their countrymen, tended to support this idea; and the English princes, particularly Athelstan and Edgar, sensible of that superiority, had been accustomed to keep in pay bodies of Danish troops, who were quartered about the country, and committed many violences upon the inhabitants. These mercenaries had attained to such a height of luxury, according to the old English writers, that they combed their hair once a day, bathed themselves once a week, changed their clothes frequently; and by all these arts of effeminacy, as well as by their military character, had rendered themselves so agreeable to the fair sex, that they debauched the wives and daughters of the English, and dishonoured many families. But what most provoked the inhabitants was, that instead of defending them against invaders, they were ever ready to betray them to the foreign Danes, and to associate themselves with all straggling parties of that nation. The animosity between the inhabitants of English and Danish race had, from these repeated injuries, risen to a great height; when Ethelred, from a policy incident to weak princes, embraced the cruel resolution of massacring the latter, throughout all his dominions. [1002.]—[*See note* D, *at the end of this Vol.*]—Secret orders were dispatched to commence the execution everywhere on the same day; and the festival of St. Brice, which fell on a Sunday, (Nov. 13,) the day on which the Danes usually bathed themselves, was chosen for that purpose. It is needless to repeat the accounts transmitted concerning the barbarity of this massacre: the rage of the populace, excited by so many injuries, sanctified by authority, and stimulated by example, distinguished not between innocence and guilt, spared neither sex nor age, and was not satiated without the tortures, as well as death, of the unhappy victims. Even Gunilda, sister to the king of Denmark, who had married earl Paling, and had embraced Christianity, was, by the advice of Edric, earl of Wilts, seized and condemned to death by Ethelred, after seeing her husband and children butchered before her face. This unhappy princess foretold, in the agonies of despair, that her murder would soon be avenged by the total ruin of the English nation.

Never was prophecy better fulfilled; and never did barbarous policy prove more fatal to the authors. Sweyn and his Danes, who wanted but a pretence for invading the English, appeared off the western coast, [1003,] and threatened to take full revenge for the slaughter of their countrymen. Exeter fell first into their hands, from the negligence or treachery of earl Hugh, a Norman, who had been made governor by the interest of queen Emma. They began to spread their devastations over the country; when the English, sensible what outrages they must now expect from their barbarous and offended enemy, assembled more early, and in greater numbers than usual, and made an appearance of vigorous resistance. But all these preparations were frustrated by the treachery of duke Alfric, who was intrusted with the command, and who, feigning sickness, refused to lead the army against the Danes, till it was dispirited, and at last dissipated, by his fatal misconduct. Alfric soon after died; and Edric, a greater traitor than he, who had married the king's daughter, and had acquired a total ascendant over him, succeeded Alfric in the government of Mercia, and in the command of the English armies. A great famine, proceeding partly from the bad seasons, partly from the decay of agriculture, added to all the other miseries of the inhabitants. The country, wasted by the Danes, harassed by the fruitless expeditions of its own forces, was reduced to the utmost desolation; and at last submitted [1007] to the infamy of purchasing a precarious peace from the enemy, by the payment of thirty thousand pounds.

The English endeavoured to employ this interval in making preparations against the return of the Danes, which they had reason soon to expect. A law was made, ordering the proprietors of eight hydes of land to provide each a horseman and a complete suit of armour; and those of three hundred and ten hydes to equip a ship for the defence of the coast. When this navy was assembled, which must have consisted of near eight hundred vessels,* all hopes of its success were disappointed by the factions, animosities, and dissensions of the nobility. Edric had impelled his brother Brightric to prefer an accusation of treason against Wolfnorth, governor of Sussex, the father of the famous earl Godwin; and that nobleman, well acquainted with the malevolence as well as power of his enemy, found no means of safety but in deserting with twenty ships to the Danes. Brightric pursued him with a fleet of eighty sail; but his ships being shattered in a tempest, and stranded on the coast, he was suddenly attacked by Wolfnorth, and all his vessels were burnt and destroyed. The imbecility of the king was little capable of repairing this misfortune: the treachery of Edric frustrated every plan for future defence; and the English navy, disconcerted, discouraged, and divided, was at last scattered into its several harbours.

It is almost impossible, or would be tedious, to relate particularly all the miseries to which the English were thenceforth exposed. We hear of nothing but the sacking and burning of towns; the devastation of the open country; the appearance of the enemy in every quarter of the kingdom; their cruel diligence in discovering any corner which had not been ransacked by their former violence. The broken and disjointed

* There were 243,600 hydes in England. Consequently the ships equipped must be 786. The cavalry was 30,150 men.

narration of the ancient historians is here well adapted to the nature of the war, which was conducted by such sudden inroads as would have been dangerous even to an united and well-governed kingdom, but proved fatal, where nothing but a general consternation and mutual diffidence and dissension prevailed. The governors of one province refused to march to the assistance of another, and were at last terrified from assembling their forces for the defence of their own province. General councils were summoned; but either no resolution was taken, or none was carried into execution. And the only expedient in which the English agreed, was the base and imprudent one of buying a new peace from the Danes, by the payment of forty-eight thousand pounds.

This measure did not even bring them that short interval of repose which they had expected from it. The Danes, disregarding all engagements, continued their devastations and hostilities; [1011;] levied a new contribution of eight thousand pounds upon the county of Kent alone; murdered the archbishop of Canterbury, who had refused to countenance this exaction; and the English nobility found no other resource than that of submitting everywhere to the Danish monarch, swearing allegiance to him, and delivering him hostages for their fidelity. Ethelred, equally afraid of the violence of the enemy and the treachery of his own subjects, fled into Normandy, [1013,] whither he had sent before him queen Emma, and her sons, Alfred and Edward. Richard received his unhappy guests with a generosity that does honour to his memory.

The king had not been above six weeks [1014] in Normandy, when he heard of the death of Sweyn, who expired at Gainsborough, before he had time to establish himself in his new-acquired dominions. The English prelates and nobility, taking advantage of this event, sent over a deputation to Normandy; invited Ethelred to return to them, expressing a desire of being again governed by their native prince, and intimating their hopes that, being now tutored by experience, he would avoid all those errors which had been attended with such misfortunes to himself and to his people. But the misconduct of Ethelred was incurable; and on his resuming the government, he discovered the same incapacity, indolence, cowardice, and credulity, which had so often exposed him to the insults of his enemies. His son-in-law, Edric, notwithstanding his repeated treasons, retained such influence at court, as to instil into the king jealousies of Sigefert and Morcar, two of the chief nobles of Mercia: Edric allured them into his house, where he murdered them; while Ethelred participated in the infamy of the action, by confiscating their estates, and thrusting into a convent the widow of Sigefert. She was a woman of singular beauty and merit; and in a visit which was paid her, during her confinement, by prince Edmond, the king's eldest son, she inspired him with so violent an affection, that he released her from the convent, and soon after married her without the consent of his father.

Meanwhile the English found in Canute, the son and successor of Sweyn, an enemy no less terrible than the prince from whom death had so lately delivered them. He ravaged the eastern coast with merciless fury, and put ashore all the English hostages at Sandwich, after having cut off their hands and noses. He was obliged, by the necessity of his affairs, to make a voyage to Denmark; but returning soon after, he continued his depredations along the southern coast: he even broke into the counties of Dorset, Wilts, and Somerset; where an army was assembled against him, under the command of prince Edmond and duke Edric. The latter still continued his perfidious machinations; and after endeavouring in vain to get the prince into his power, he found means to disperse the army; and he then openly deserted to Canute with forty vessels [1015].

Notwithstanding this misfortune, Edmond was not disconcerted; but assembling all the force of England, was in a condition to give battle to the enemy. The king had had such frequent experience of perfidy among his subjects, that he had lost all confidence in them: he remained at London, pretending sickness, but really from apprehensions that they intended to buy their peace, by delivering him into the hands of his enemies. The army called aloud for their sovereign to march at their head against the Danes; and on his refusal to take the field, they were so discouraged, that those vast preparations became ineffectual for the defence of the kingdom. Edmond, deprived of all regular supplies to maintain his soldiers, was obliged to commit equal ravages with those which were practised by the Danes; and after making some fruitless expeditions into the north, which had submitted entirely to Canute's power, he retired to London, determined there to maintain, to the last extremity, the small remains of English liberty. He here found everything in confusion by the death of the king, who expired [1016] after an unhappy and inglorious reign of thirty-five years. He left two sons by his first marriage, Edmond, who succeeded him, and Edwy, whom Canute afterwards murdered. His two sons by the second marriage, Alfred and Edward, were immediately, upon Ethelred's death, conveyed into Normandy by queen Emma.

EDMOND IRONSIDE.

This prince, who received the name of Ironside from his hardy valour, possessed courage and abilities sufficient to have prevented his country from sinking into those calamities, but not to raise it from that abyss of misery into which it had already fallen. Among the other misfortunes of the English, treachery and disaffection had crept in among the nobility and prelates; and Edmond found no better expedient for stopping the further progress of these fatal evils than to lead his army instantly into the field, and to employ them against the common enemy. After meeting with some success at Gillingham, he prepared himself to decide in one general engagement the fate of his crown; and at Scoerston, in the county of Gloucester, he offered battle to the enemy, who were commanded by Canute and Edric. Fortune, in the beginning of the day, declared for him; but Edric, having cut off the head of one Osmer, whose countenance resembled that of Edmond, fixed it on a spear, carried it through the ranks in triumph, and called aloud to the English, that it was time to fly; for, behold! the head of their sovereign. And though Edmond, observing the consternation of the troops, took off his helmet and showed himself to them, the utmost he could gain by his activity and valour was to leave the victory undecided. Edric now took a surer method to ruin him, by pretending to desert to him; and as Edmond was well acquainted with his power, and probably knew no other of the chief nobility in whom he could repose more confidence, he was obliged, notwithstanding the repeated perfidy of the man, to give him a considerable command in the army. A battle soon after ensued at Assington in Essex; where Edric, flying in the beginning of the day, occasioned the total defeat of the English, followed by a great slaughter of the nobility. The indefatigable Edmond, however, had still resources: assembling a new army at Gloucester, he was again in a condition to dispute the field; when the Danish and English nobility, equally harassed with those convulsions, obliged their kings to come to a compromise, and to divide the kingdom between them by treaty. Canute reserved to himself the northern division, consisting of Mercia, East-Anglia, and Northumberland, which he had entirely subdued: the southern parts were left to Edmond. This prince survived the treaty about a month: he was murdered at Oxford by two of his chamberlains, accomplices of Edric, who thereby made way for the succession of Canute the Dane to the crown of England.

The English, who had been unable to defend their country, and maintain their independency, under so active and brave a prince as Edmond, could, after his death, expect nothing but total subjection from Canute, who, active and brave himself, and at the head of a great force, was ready to take advantage of the minority of Edwin and Edward, the two sons of Edmond. Yet this conqueror, who was commonly so little scrupulous, showed himself anxious to cover his injustice under plausible pretences: before he seized the dominions of the English princes, he summoned a general assembly of the states, in order to fix the succession of the kingdom. He here suborned some nobles to depose that in the treaty of Gloucester, it had been verbally agreed either to name Canute, in case of Edmond's death, successor to his dominions, or tutor to his children: (for historians vary in this particular:) and that evidence, supported by the great power of Canute, determined the states immediately to put the Danish monarch in possession of the government. Canute, jealous of the two princes, but sensible that he should render himself extremely odious if he ordered them to be dispatched in England, sent them abroad to his ally, the king of Sweden, whom he desired, as soon as they arrived at his court, to free him by their death from all further anxiety. The Swedish monarch was too generous to comply with the request; but being afraid of drawing on himself a quarrel with Canute, by protecting the young princes, he sent them to Solomon, king of Hungary, to be educated in his court. The elder, Edwin, was afterwards married to the sister of the king of Hungary; but the English prince dying without issue, Solomon gave his sister-in-law, Agatha, daughter of the emperor Henry II., in marriage to Edward, the younger brother; and she bore him Edgar Atheling, Margaret, afterwards queen of Scotland, and Christina, who retired into a convent.

Canute, though he had reached the great point of his ambition, in obtaining possession of the English crown, was obliged at first to make great sacrifices to it, and to gratify the chief of the nobility, by bestowing on them the most extensive governments and jurisdictions. He created Thurkill earl or duke of East-Anglia, (for these titles were then nearly of the same import,) Yric of Northumberland, and Edric of Mercia; reserving only to himself the administration of Wessex. But seizing afterwards a favourable opportunity, he expelled Thurkill and Yric from their governments, and banished them the kingdom: he put to death many of the English nobility, on whose fidelity he could not rely, and whom he hated on account of their disloyalty to their native prince. And even the traitor Edric, having had the assurance to reproach him with his services, was condemned to be executed, and his body to be thrown into the Thames; a suitable reward for his multiplied acts of perfidy and rebellion.

Canute also found himself obliged, in the beginning of his reign, to load the people with heavy taxes, in order to reward his Danish followers: he exacted from them at one time the sum of seventy-two thousand pounds, besides eleven thousand pounds which he levied on London alone. He was probably willing, from political motives, to mulct severely that city, on account of the affection which it had borne to Edmond, and the resistance which it had made to the Danish power in two obstinate sieges.* But these rigours were imputed to necessity; and Canute, like a wise prince, was determined that the English, now deprived of all their dangerous leaders, should be reconciled to the Danish yoke, by the justice and impartiality of his administration. He sent back to Denmark as many of his followers as he could safely spare: he restored the Saxon customs in a general assembly of the states: he made no distinction between Danes and English in the distribution of justice: and he took care, by a strict execution of law, to protect the lives and properties of all his people. The Danes were gradually incorporated with his new subjects; and both were glad to obtain a little respite from those multiplied calamities from which the one, no less than the other, had, in their fierce contest for power, experienced such fatal consequences.

The removal of Edmond's children into so distant a country as Hungary, was, next to their death, regarded by Canute as the greatest security to his government: he had no further anxiety, except with regard to Alfred and Edward, who were protected and supported by their uncle, Richard duke of Normandy. Richard even fitted out a great armament, in order to restore the English princes to the throne of their ancestors; and though the navy was dispersed by a storm, Canute saw the danger to which he was exposed from the enmity of so warlike a people as the Normans. In order to acquire the friendship of the duke, he paid his addresses to queen Emma, sister of that prince; and promised that he would leave the children whom he should have by that marriage in possession of the crown of England. Richard complied with his demand, and sent over Emma to England, where she was soon after married to Canute. The English, though they disapproved of her espousing the mortal enemy of her former husband and his family, were pleased to find at court a sovereign, to whom they were accustomed, and who had already formed connexions with them: and thus Canute, besides securing by this marriage the alliance of Normandy, gradually acquired, by the same means, the confidence of his own subjects. The Norman prince did not long survive the marriage of Emma; and he left the inheritance of the dutchy to his eldest son of the same name; who dying a year after him without children, was succeeded by his brother Robert, a man of valour and abilities.

Canute, having settled his power in England beyond all danger of a revolution, made a voyage to Denmark, in order to resist the attacks of the king of Sweden; and he carried along with him a great body of the English, under the command of earl Godwin. This nobleman had here an opportunity of performing a service, by which he both reconciled the king's mind to the English nation, and, gaining to himself the friendship of his sovereign, laid the foundation of that immense fortune which he acquired to his family. He was stationed next the Swedish camp; and observing a favourable opportunity, which he was obliged suddenly to seize, he attacked the enemy in the night, drove them from their trenches, threw them into disorder, pursued his advantage, and obtained a decisive victory over them. Next morning Canute, seeing the English camp entirely abandoned, imagined that those disaffected troops had deserted to the enemy: he was agreeably surprised to find that they were at that time engaged in pursuit of the discomfited Swedes. He was so pleased with his success, and with the manner of obtaining it, that he bestowed his daughter in marriage upon Godwin, and treated him ever after with entire confidence and regard.

In another voyage, which he made afterwards to Denmark, [1029] Canute attacked Norway, and expelling the just but unwarlike Olaus, kept possession of his kingdom till the death of that prince. He had now, by his conquests and valour, attained the utmost height of grandeur: having leisure from wars and intrigues, he felt the unsatisfactory nature of all human enjoyments; and, equally weary of the glories and turmoils of this life, he began to cast his view towards that future existence, which it is so natural for the human mind, whether satiated by prosperity or disgusted with adversity, to make the object of its attention. Unfortunately the spirit which prevailed in that age gave a wrong direction to his devotion: instead of making compensation to those whom he had injured by his former acts of violence, he employed himself

* W. Malm. p. 72. In one of these sieges, Canute diverted the course of the Thames, and by that means brought his ships above London Bridge.

entirely in those exercises of piety which the monks represented as the most meritorious. He built churches, he endowed monasteries, he enriched the ecclesiastics, and he bestowed revenues for the support of chantries at Assington and other places; where he appointed prayers to be said for the souls of those who had there fallen in battle against him. He even undertook a pilgrimage to Rome, where he resided a considerable time: besides obtaining from the pope some privileges for the English school erected there, he engaged all the princes, through whose dominions he was obliged to pass, to desist from those heavy impositions and tolls which they were accustomed to exact from the English pilgrims. By this spirit of devotion, no less than by his equitable and politic administration, he gained, in a good measure, the affections of his subjects.

Canute, the greatest and most powerful monarch of his time, sovereign of Denmark and Norway, as well as of England, could not fail of meeting with adulation from his courtiers; a tribute which is liberally paid even to the meanest and weakest princes. Some of his flatterers breaking out one day in admiration of his grandeur, exclaimed that everything was possible for him: upon which the monarch, it is said, ordered his chair to be set on the sea-shore, while the tide was rising; and as the waters approached, he commanded them to retire, and to obey the voice of him who was lord of the ocean. He feigned to sit some time in expectation of their submission; but when the sea still advanced towards him, and began to wash him with its billows, he turned to his courtiers, and remarked to them, that every creature in the universe was feeble and impotent, and that power resided with one Being alone, in whose hands were all the elements of nature; who could say to the ocean, *Thus far shalt thou go, and no further;* and who could level with his nod the most towering piles of human pride and ambition.

The only memorable action which Canute performed after his return from Rome, was an expedition [1031] against Malcolm, king of Scotland. During the reign of Ethelred, a tax of a shilling a hyde had been imposed on all the lands of England. It was commonly called *Danegelt;* because the revenue had been employed, either in buying peace with the Danes, or in making preparations against the inroads of that hostile nation. That monarch had required that the same tax should be paid by Cumberland, which was held by the Scots; but Malcolm, a warlike prince, told him, that as he was always able to repulse the Danes by his own power, he would neither submit to buy peace of his enemies, nor pay others for resisting them. Ethelred, offended at this reply, which contained a secret reproach on his own conduct, undertook an expedition against Cumberland; but though he committed ravages upon the country, he could never bring Malcolm to a temper more humble or submissive. Canute, after his accession, summoned the Scottish king to acknowledge himself a vassel for Cumberland to the crown of England: but Malcolm refused compliance, on pretence that he owed homage to those princes only who inherited that kingdom by right of blood. Canute was not of a temper to bear this insult; and the king of Scotland soon found that the sceptre was in very different hands from those of the feeble and irresolute Ethelred. Upon Canute's appearing on the frontiers with a formidable army, Malcolm agreed that his grandson and heir, Duncan, whom he put in possession of Cumberland, should make the submissions required, and that the heirs of Scotland should always acknowledge themselves vassals to England for that province.

Canute passed four years in peace after this enterprise, and he died at Shaftesbury; leaving three sons, Sweyn, Harold, and Hardicanute. Sweyn, whom he had by his first marriage with Alfwen, daughter of the earl of Hampshire, was crowned in Norway: Hardicanute, whom Emma had borne him, was in possession of Denmark: Harold, who was of the same marriage with Sweyn, was at that time in England.

HAROLD HAREFOOT. 1035.

Though Canute, in his treaty with Richard, duke of Normandy, had stipulated that his children by Emma should succeed to the crown of England, he had either considered himself as released from that engagement by the death of Richard, or esteemed it dangerous to leave an unsettled and newly-conquered kingdom in the hands of so young a prince as Hardicanute: he therefore appointed, by his will, Harold successor to the crown. This prince was besides present to maintain his claim; he was favoured by all the Danes; and he got immediately possession of his father's treasures, which might be equally useful, whether he found it necessary to proceed by force or intrigue in insuring his succession. On the other hand, Hardicanute had the suffrages of the English, who, on account of his being born among them of queen Emma, regarded him as their countryman; he was favoured by the articles of treaty with the duke of Normandy; and, above all, his party was espoused by earl Godwin, the most powerful nobleman in the kingdom, especially in the province of Wessex, the chief seat of the ancient English. Affairs were likely to terminate in a civil war; when, by the interposition of the nobility of both parties, a compromise was made; and it was agreed that Harold should enjoy, together with London, all the provinces north of the Thames, while the possession of the south should remain to Hardicanute; and till that prince should appear and take possession of his dominions, Emma fixed her residence at Winchester, and established her authority over her son's share of the partition.

Meanwhile Robert, duke of Normandy, died in a pilgrimage to the Holy Land, and being succeeded by a son, yet a minor, the two English princes, Alfred and Edward, who found no longer any countenance or protection in that country, gladly embraced the opportunity of paying a visit, with a numerous retinue, to their mother Emma, who seemed to be placed in a state of so much power and splendour at Winchester. But the face of affairs soon wore a melancholy aspect. Earl Godwin had been gained by the arts of Harold, who promised to espouse the daughter of that nobleman; and while the treaty was yet a secret, these two tyrants laid a plan for the destruction of the English princes. Alfred was invited to London by Harold with many professions of friendship; but when he had reached Guildford, he was set upon by Godwin's vassals, about six hundred of his train were murdered in the most cruel manner, he himself was taken prisoner, his eyes were put out, and he was conducted to the monastery of Ely, where he died soon after. Edward and Emma, apprised of the fate which was awaiting them, fled beyond sea, the former into Normandy, the latter into Flanders. While Harold, triumphing in his bloody policy, took possession, without resistance, of all the dominions assigned to his brother.

This is the only memorable action performed, during a reign of four years, by this prince, who gave so bad a specimen of his character, and whose bodily accomplishments alone are known to us by his appellation of *Harefoot*, which he acquired from his agility in running and walking. He died on the 14th of April, 1039; little regretted or esteemed by his subjects; and left the succession open to his brother, Hardicanute.

HARDICANUTE. 1039.

Hardicanute, or Canute the Hardy, that is, the robust, (for he too is chiefly known by his bodily accomplishments,) though, by remaining so long in Denmark, he had been deprived of his share in the partition of the kingdom, had not abandoned his preten-

sions: and he had determined, before Harold's death, to recover by arms what he had lost, either by his own negligence, or by the necessity of his affairs. On pretence of paying a visit to the queen dowager in Flanders, he had assembled a fleet of sixty sail, and was preparing to make a descent on England, when intelligence of his brother's death induced him to sail immediately to London, where he was received in triumph, and acknowledged king without opposition.

The first act of Hardicanute's government afforded his subjects a bad prognostic of his future conduct. He was so enraged at Harold, for depriving him of his share of the kingdom, and for the cruel treatment of his brother Alfred, that, in an impotent desire of revenge against the dead, he ordered his body to be dug up and to be thrown into the Thames: and when it was found by some fishermen, and buried in London, he ordered it again to be dug up, and to be thrown again into the river: but it was fished up a second time, and then interred with great secrecy. Godwin, equally servile and insolent, submitted to be his instrument in that unnatural and brutal action.

That nobleman knew that he was universally believed to have been an accomplice in the barbarity exercised on Alfred, and that he was on that account obnoxious to Hardicanute; and perhaps he hoped, by displaying this rage against Harold's memory, to justify himself from having had any participation in his counsels. But prince Edward being invited over by the king, immediately on his appearance, preferred an accusation against Godwin for the murder of Alfred, and demanded justice for that crime. Godwin, in order to appease the king, made him a magnificent present of a galley with a gilt stern, rowed by fourscore men, who wore each of them a gold bracelet on his arm, weighing sixteen ounces, and were armed and clothed in the most sumptuous manner, Hardicanute, pleased with the splendour of this spectacle, quickly forgot his brother's murder; and on Godwin's swearing that he was innocent of the crime, he allowed him to be acquitted.

Though Hardicanute, before his accession, had been called over by the vows of the English, he soon lost the affections of the nation by his misconduct: but nothing appeared more grievous to them, than his renewing the imposition of Danegelt, and obliging the nation to pay a great sum of money to the fleet which brought him from Denmark. The discontents ran high in many places: in Worcester the populace rose, and put to death two of the collectors. The king, enraged at this opposition, swore vengeance against the city, and ordered three noblemen, Godwin, duke of Wessex, Siward, duke of Northumberland, and Leofric, duke of Mercia, to execute his menaces with the utmost rigour. They were obliged to set fire to the city, and deliver it up to be plundered by their soldiers; but they saved the lives of the inhabitants, whom they confined in a small island of the Severn, called Bevery, till, by their intercession, they were able to appease the king, and obtain the pardon of the supplicants.

This violent government was of short duration. Hardicanute died in two years after his accession, at the nuptials of a Danish lord, which he had honoured with his presence. His usual habits of intemperance were so well known, that, notwithstanding his robust constitution, his sudden death gave as little surprise as it did sorrow to his subjects.

EDWARD THE CONFESSOR. 1041.

The English, on the death of Hardicanute, saw a favourable opportunity for recovering their liberty, and for shaking off the Danish yoke, under which they had so long laboured. Sweyn, king of Norway, the eldest son of Canute, was absent; and as the two last kings had died without issue, none of that race presented himself, nor any whom the Danes could support as successor to the throne. Prince Edward was fortunately at court on his brother's demise; and though the descendants of Edmond Ironside were the true heirs of the Saxon family, yet their absence in so remote a country as Hungary appeared a sufficient reason for their exclusion to a people like the English, so little accustomed to observe a regular order in the succession of their monarchs. All delays might be dangerous; and the present occasion must hastily be embraced; while the Danes, without concert, without a leader, astonished at the present incident, and anxious only for their personal safety, durst not oppose the united voice of the nation.

But this concurrence of circumstances in favour of Edward, might have failed of its effect, had his succession been opposed by Godwin, whose power, alliances, and abilities, gave him a great influence at all times, especially amidst those sudden opportunities which always attended a revolution of government, and which, either seized or neglected, commonly prove decisive. There were opposite reasons which divided men's hopes and fears with regard to Godwin's conduct. On the one hand, the credit of that nobleman lay chiefly in Wessex, which was almost entirely inhabited by English: it was therefore presumed, that he would second the wishes of that people in restoring the Saxon line, and in humbling the Danes, from whom he, as well as they, had reason to dread, as they had already felt, the most grievous oppressions. On the other hand, there subsisted a declared animosity between Edward and Godwin, on account of Alfred's murder, of which the latter had publicly been accused by the prince, and which he might believe so deep an offence as could never, on account of any subsequent merits, be sincerely pardoned. But their common friends here interposed; and representing the necessity of their good correspondence, obliged them to lay aside all jealousy and rancour, and concur in restoring liberty to their native country. Godwin only stipulated that Edward, as a pledge of his sincere reconciliation, should promise to marry his daughter Editha; and having fortified himself by this alliance, he summoned a general council at Gillingham, and prepared every measure for securing the succession to Edward. The English were unanimous and zealous in their resolutions; the Danes were divided and dispirited; any small opposition which appeared in this assembly was brow-beaten and suppressed; and Edward was crowned king, with every demonstration of duty and affection.

The triumph of the English, upon this signal and decisive advantage, was at first attended with some insult and violence against the Danes: but the king, by the mildness of his character, soon reconciled the latter to his administration, and the distinction between the two nations gradually disappeared. The Danes were interspersed with the English in most of the provinces; they spoke nearly the same language, they differed little in their manners and laws; domestic dissensions in Denmark prevented, for some years, any powerful invasion from thence, which might awaken past animosities; and as the Norman conquest, which ensued soon after, reduced both nations to equal subjection, there is no further mention in history of any difference between them. The joy, however, of their present deliverance made such impression on the minds of the English, that they instituted an annual festival for celebrating that great event; and it was observed in some counties even to the time of Spelman.

The popularity which Edward enjoyed on his accession was not destroyed by the first act of his administration—his resuming all the grants of his immediate predecessors; an attempt which is commonly attended with the most dangerous consequences. The poverty of the crown convinced the nation that this act of violence was become absolutely necessary; and as the loss fell chiefly on the Danes, who had obtained large grants from the late kings, their countrymen, on ac-

count of their services in subduing the kingdom, the English were rather pleased to see them reduced to their primitive poverty. The king's severity also towards his mother, the queen-dowager, though exposed to some more censure, met not with very general disapprobation. He had hitherto lived on indifferent terms with that princess: he accused her of neglecting him and his brother during their adverse fortune: he remarked, that as the superior qualities of Canute, and his better treatment of her, had made her entirely indifferent to the memory of Ethelred, she also gave the preference to her children of the second bed, and always regarded Hardicanute as her favourite. The same reasons had probably made her unpopular in England; and though her benefactions to the monks obtained her the favour of that order, the nation was not in general displeased to see her stripped by Edward of immense treasures which she had amassed. He confined her, during the remainder of her life, in a monastery at Winchester; but carried his rigour against her no further. The stories of his accusing her of a participation in her son Alfred's murder, and of a criminal correspondence with the bishop of Winchester, and also of her justifying herself by treading barefoot, without receiving any hurt, over nine burning ploughshares, were the inventions of the monkish historians, and were propagated and believed from the silly wonder of posterity.

The English flattered themselves that, by the accession of Edward, they were delivered for ever from the dominion of foreigners; but they soon found that this evil was not yet entirely removed. The king had been educated in Normandy; and had contracted many intimacies with the natives of that country, as well as an affection for their manners. The court of England was soon filled with Normans, who, being distinguished both by the favour of Edward, and by a degree of cultivation superior to that which was attained by the English in those ages, soon rendered their language, customs, and laws, fashionable in the kingdom. The study of the French tongue became general among the people. The courtiers affected to imitate that nation in their dress, equipage, and entertainments: even the lawyers employed a foreign language in their deeds and papers: but above all, the church felt the influence and dominion of those strangers: Ulf and William, two Normans, who had formerly been the king's chaplains, were created bishops of Dorchester and London. Robert, a Norman also, was promoted to the see of Canterbury, and always enjoyed the highest favour of his master, of which his abilities rendered him not unworthy. And though the king's prudence, or his want of authority, made him confer almost all the civil and military employments on the natives, the ecclesiastical preferments fell often to the share of the Normans; and as the latter possessed Edward's confidence, they had secretly a great influence on public affairs, and excited the jealousy of the English, particularly of Earl Godwin.

This powerful nobleman, besides being duke or earl of Wessex, had the counties of Kent and Sussex annexed to his government. His eldest son, Sweyn, possessed the same authority in the counties of Oxford, Berks, Gloucester, and Hereford; and Harold, his second son, was duke of East-Anglia, and at the same time governor of Essex. The great authority of this family was supported by immense possessions and powerful alliances; and the abilities, as well as ambition, of Godwin himself contributed to render it still more dangerous. A prince of greater capacity and vigour than Edward would have found it difficult to support the dignity of the crown under such circumstances; and as the haughty temper of Godwin made him often forget the respect due to his prince, Edward's animosity against him was grounded on personal as well as political considerations, on recent as well as more ancient injuries. The king, in pursuance of his engagements, had indeed married Editha, the daughter of Godwin; but this alliance became a fresh source of enmity between them. Edward's hatred to the father was transferred to that princess; and Editha, though possessed of many amiable accomplishments, could never acquire the confidence and affection of her husband. It is even pretended that, during the whole course of her life, he abstained from all commerce of love with her; and such was the absurd admiration paid to an inviolable chastity during those ages, [1046,] that his conduct in this particular is highly celebrated by the monkish historians, and greatly contributed to his acquiring the title of Saint and Confessor.

The most popular pretence on which Godwin could ground his disaffection to the king and his administration, was to complain of the influence of the Normans in the government; and a declared opposition had thence arisen between him and his favourites. It was not long before this animosity broke into action. Eustace, count of Bologne, having paid a visit to the king, passed by Dover in his return: one of his train being refused entrance to a lodging which had been assigned him, attempted to make his way by force, and in the contest he wounded the master of the house. The inhabitants revenged this insult by the death of the stranger; the count and his train took arms, and murdered the wounded townsman; a tumult ensued; near twenty persons were killed on each side; and Eustace, being overpowered by numbers, was obliged to save his life by flight from the fury of the populace. He hurried immediately to court, and complained of the usage he had met with: the king entered zealously into the quarrel, and was highly displeased that a stranger of such distinction, whom he had invited over to his court, should, without any just cause, as he believed, have felt so sensibly the insolence and animosity of his people. He gave orders to Godwin, in whose government Dover lay, to repair immediately to the place, and to punish the inhabitants for the crime: but Godwin, who desired rather to encourage than repress the popular discontents against foreigners, refused obedience, and endeavoured to throw the whole blame of the riot on the count of Bologne, and his retinue. Edward, touched in so sensible a point, saw the necessity of exerting the royal authority; and he threatened Godwin, if he persisted in his disobedience, to make him feel the utmost effects of his resentment.

The earl, perceiving a rupture to be unavoidable, and pleased to embark in a cause where it was likely he should be supported by his countrymen, made preparations for his own defence, or rather for an attack on Edward. Under pretence of repressing some disorders on the Welsh frontier, he secretly assembled a great army, and was approaching the king, who resided, without any military force, and without suspicion, at Gloucester. Edward applied for protection to Siward, duke of Northumberland, and Leofric, duke of Mercia, two powerful noblemen, whose jealousy of Godwin's greatness, as well as their duty to the crown, engaged them to defend the king in this extremity. They hastened to him with such of their followers as they could assemble on a sudden; and finding the danger much greater than they had at first apprehended, they issued orders for mustering all the forces within their respective governments, and for marching them without delay to the defence of the king's person and authority. Edward, meanwhile, endeavoured to gain time by negociation; while Godwin, who thought the king entirely in his power, and who was willing to save appearances, fell into the snare; and not sensible that he ought to have no further reserve after he had proceeded so far, he lost the favourable opportunity of rendering himself master of the government.

The English, though they had no high idea of Edward's vigour and capacity, bore him great affection on account of his humanity, justice, and piety, as well as the long race of their native kings from whom he was descended; and they hastened from all quarters to

defend him from the present danger. His army was now so considerable, that he ventured to take the field, and marching to London, he summoned a great council to judge of the rebellion of Godwin and his sons. These noblemen pretended at first that they were willing to stand their trial; but having in vain endeavoured to make their adherents persist in rebellion, they offered to come to London, provided they might receive hostages for their safety: this proposal being rejected, they were obliged to disband the remains of their forces, and have recourse to flight. Baldwin, earl of Flanders, gave protection to Godwin and his three sons, Gurth, Sweyn, and Tosti; the latter of whom had married the daughter of that prince; Harold and Leofwin, two other of his sons, took shelter in Ireland. The estates of the father and sons were confiscated: their governments were given to others: queen Editha was confined in a monastery at Warewel: and the greatness of this family, once so formidable, seemed now to be totally supplanted and overthrown.

But Godwin had fixed his authority on too firm a basis, and he was too strongly supported by alliances, both foreign and domestic, not to occasion further disturbances, and make new efforts for his re-establishment. The earl of Flanders [1052] permitted him to purchase and hire ships within his harbours; and Godwin having manned them with his followers, and with freebooters of all nations, put to sea, and attempted to make a descent at Sandwich. The king, informed of his preparations, had equipped a considerable fleet, much superior to that of the enemy; and the earl hastily, before their appearance, made his retreat into the Flemish harbours. The English court, allured by the present security, and destitute of all vigorous counsels, allowed the seamen to disband, and the fleet to go to decay; while Godwin, expecting this event, kept his men in readiness for action. He put to sea immediately, and sailed to the Isle of Wight, where he was joined by Harold, with a squadron which that nobleman had collected in Ireland. He was now master of the sea; and entering every harbour in the southern coast, he seized all the ships, and summoned his followers in those counties, which had so long been subject to his government, to assist him in procuring justice to himself, his family, and his country, against the tyranny of foreigners. Re-enforced by great numbers from all quarters, he entered the Thames; and appearing before London, threw everything into confusion. The king alone seemed resolute to defend himself to the last extremity; but the interposition of the English nobility, many of whom favoured Godwin's pretensions, made Edward hearken to terms of accommodation; and the feigned humility of the earl, who disclaimed all intentions of offering violence to his sovereign, and desired only to justify himself by a fair and open trial, paved the way for his more easy admission. It was stipulated, that he should give hostages for his good behaviour, and that the primate and all the foreigners should be banished: by this treaty, the present danger of a civil war was obviated, but the authority of the crown was considerably impaired, or rather entirely annihilated. Edward, sensible that he had not power sufficient to secure Godwin's hostages in England, sent them over to his kinsman, the young duke of Normandy.

Godwin's death, which happened soon after, while he was sitting at table with the king, prevented him from further establishing the authority which he had acquired, and from reducing Edward to still greater subjection. [*See note* E, *at the end of this Vol.*] He was succeeded in the government of Wessex, Sussex, Kent, and Essex, and in the office of steward of the household, a place of great power, by his son Harold, who was actuated by an ambition equal to that of his father, and was superior to him in address, in insinuation, and in virtue. By a modest and gentle demeanour, he acquired the good-will of Edward; at least softened that hatred which the prince had so long borne his family; and gaining every day new partisans by his bounty and affability, he proceeded in a more silent, and therefore a more dangerous manner, to the increase of his authority. The king, who had not sufficient vigour directly to oppose his progress, knew of no other expedient than that hazardous one, of raising him a rival in the family of Leofric, duke of Mercia, whose son Algar was invested with the government of East-Anglia, which, before the banishment of Harold, had belonged to the latter nobleman. But this policy, of balancing opposite parties, required a more steady hand to manage it than that of Edward, and naturally produced faction, and even civil broils, among nobles of such mighty and independent authority. Algar was soon after expelled his government by the intrigues and power of Harold; but being protected by Griffith, prince of Wales, who had married his daughter, as well as by the power of his father Leofric, he obliged Harold to submit to an accommodation, and was reinstated in the government of East-Anglia. This peace was not of long duration: Harold, taking advantage of Leofric's death, which happened soon after, expelled Algar anew, and banished him the kingdom: and though that nobleman made a fresh irruption into East-Anglia with an army of Norwegians, and overran the country, his death soon freed Harold from the pretensions of so dangerous a rival. Edward, the eldest son of Algar, was indeed advanced to the government of Mercia; but the balance, which the king desired to establish between those potent families, was wholly lost, and the influence of Harold greatly preponderated.

The death of Siward, duke of Northumberland, [1055,] made the way still more open to the ambition of that nobleman. Siward, besides his other merits, had acquired honour to England, by his successful conduct in the only foreign enterprise undertaken during the reign of Edward. Duncan, king of Scotland, was a prince of a gentle disposition, but possessed not the genius requisite for governing a country so turbulent, and so much infested by the intrigues and animosities of the great. Macbeth, a powerful nobleman, and nearly allied to the crown, not content with curbing the king's authority, carried still further his pestilent ambition: he put his sovereign to death; chased Malcolm Kenmore, his son and heir, into England; and usurped the crown. Siward, whose daughter was married to Duncan, embraced, by Edward's orders, the protection of this distressed family: he marched an army into Scotland; and having defeated and killed Macbeth in battle, he restored Malcolm to the throne of his ancestors. This service, added to his former connexions with the royal family of Scotland, brought a great accession to the authority of Siward in the north; but as he had lost his eldest son, Osberne, in the action with Macbeth, it proved in the issue fatal to his family. His second son, Waltheof, appeared, on his father's death, too young to be entrusted with the government of Northumberland; and Harold's influence obtained that dukedom for his own brother Tosti.

There are two circumstances related of Siward, which discover his high sense of honour, and his martial disposition. When intelligence was brought him of his son Osberne's death, he was inconsolable; till he heard that the wound was received in the breast, and that he had behaved with great gallantry in the action. When he found his own death approaching, he ordered his servants to clothe him in a complete suit of armour; and sitting erect on the couch, with a spear in his hand, declared that in that posture, the only one worthy of a warrior, he could patiently await the fatal moment.

The king, now worn out with cares and infirmities, felt himself far advanced in the decline of life; and having no issue himself, began to think of appointing a successor to the kingdom. He sent a deputation to Hungary, to invite over his nephew, Edward, son of his elder brother, and the only remaining heir of the

Saxon line. That prince, whose succession to the crown would have been easy and undisputed, came to England with his children, Edgar, surnamed Atheling, Margaret, and Christina; but his death, which happened a few days after his arrival, threw the king into new difficulties. He saw that the great power and ambition of Harold had tempted him to think of obtaining possession of the throne on the first vacancy, and that Edgar, on account of his youth and inexperience, was very unfit to oppose the pretensions of so popular and enterprising a rival. The animosity which he had long borne to earl Godwin, made him averse to the succession of his son; and he could not, without extreme reluctance, think of an increase of grandeur to a family which had risen on the ruins of royal authority, and which, by the murder of Alfred, his brother, had contributed so much to the weakening of the Saxon line. In this uncertainty he secretly cast his eye towards his kinsman, William, duke of Normandy, as the only person whose power, and reputation, and capacity could support any destination which he might make in his favour, to the exclusion of Harold and his family.

This famous prince was natural son of Robert, duke of Normandy, by Harlotta, daughter of a tanner in Falaise, and was very early established in that grandeur from which his birth seemed to have set him at so great a distance. While he was but nine years of age, his father had resolved to undertake a pilgrimage to Jerusalem; a fashionable act of devotion, which had taken place of the pilgrimages to Rome, and which, as it was attended with more difficulty and danger, and carried those religious adventurers to the first sources of Christianity, appeared to them more meritorious. Before his departure, he assembled the states of the dutchy; and informing them of his design, he engaged them to swear allegiance to his natural son, William, whom, as he had no legitimate issue, he intended, in case he should die in the pilgrimage, to leave successor to his dominions. As he was a prudent prince, he could not but foresee the great inconveniencies which must attend this journey, and this settlement of his succession; arising from the perpetual turbulency of the great, the claims of other branches of the ducal family, and the power of the French monarch: but all these considerations were surmounted by the prevailing zeal for pilgrimages; and probably the more important they were, the more would Robert exult in sacrificing them to what he imagined to be his religious duty.

This prince, as he had apprehended, died in his pilgrimage; and the minority of his son was attended with all those disorders which were almost unavoidable in that situation. The licentious nobles, freed from the awe of sovereign authority, broke out into personal animosities against each other, and made the whole country a scene of war and devastation. Roger, count of Toni, and Alain, count of Britanny, advanced claims to the dominion of the state; and Henry I. king of France, thought the opportunity favourable for reducing the power of a vassal, who had originally acquired his settlement in so violent and invidious a manner, and who had long appeared formidable to his sovereign. The regency established by Robert encountered great difficulties in supporting the government under this complication of dangers; and the young prince, when he came to maturity, found himself reduced to a very low condition. But the great qualities, which he soon displayed in the field and in the cabinet, gave encouragement to his friends, and struck a terror into his enemies. He opposed himself on all sides against his rebellious subjects, and against foreign invaders; and by his valour and conduct prevailed in every action. He obliged the French king to grant him peace on reasonable terms; he expelled all pretenders to the sovereignty; and he reduced his turbulent barons to pay submission to his authority, and to suspend their mutual animosities. The natural severity of his temper appeared in a rigorous administration of justice; and having found the happy effects of this plan of government, without which the laws in those ages became totally impotent, he regarded it as a fixed maxim, that an inflexible conduct was the first duty of a sovereign.

The tranquillity which he had established in his dominions, had given William leisure to pay a visit to the king of England during the time of Godwin's banishment; and he was received in a manner suitable to the great reputation which he had acquired, to the relation by which he was connected with Edward, and to the obligations which that prince owed to his family. On the return of Godwin, and the expulsion of the Norman favourites, Robert, archbishop of Canterbury, had, before his departure, persuaded Edward to think of adopting William as his successor; a counsel which was favoured by the king's aversion to Godwin, his prepossessions for the Normans, and his esteem of the duke. That prelate, therefore, received a commission to inform William of the king's intentions in his favour; and he was the first person that opened the mind of the prince to entertain those ambitious hopes. But Edward, irresolute and feeble in his purpose, finding that the English would more easily acquiesce in the restoration of the Saxon line, had, in the mean time, invited his brother's descendants from Hungary, with a view of having them recognised heirs to the crown. The death of his nephew, and the inexperience and unpromising qualities of young Edgar, made him resume his former intentions in favour of the duke of Normandy; though his aversion to hazardous enterprises engaged him to postpone the execution, and even to keep his purpose secret from all his ministers.

Harold, meanwhile, proceeded, after a more open manner, in increasing his popularity, in establishing his power, and in preparing the way for his advancement on the first vacancy; an event which, from the age and infirmities of the king, appeared not very distant. But there was still an obstacle, which it was requisite for him previously to overcome. Earl Godwin, when restored to his power and fortune, had given hostages for his good behaviour; and among the rest, one son and one grandson, whom Edward, for greater security, as has been related, had consigned to the custody of the duke of Normandy. Harold, though not aware of the duke's being his competitor, was uneasy that such near relations should be detained prisoners in a foreign country; and he was afraid lest William should, in favour of Edgar, retain these pledges as a check on the ambition of any other pretender. He represented, therefore, to the king, his unfeigned submission to royal authority, his steady duty to his prince, and the little necessity there was, after such a uniform trial of his obedience, to detain any longer those hostages who had been required on the first composing of civil discords. By these topics, enforced by his great power, he extorted the king's consent to release them; and in order to effect his purpose, he immediately proceeded with a numerous retinue, on his journey to Normandy. A tempest drove him on the territory of Guy, count of Ponthieu, who, being informed of his quality, immediately detained him prisoner, and demanded an exorbitant sum for his ransom. Harold found means to convey intelligence of his situation to the duke of Normandy: and represented, that while he was proceeding to *his* court, in execution of a commission from the king of England, he had met with this harsh treatment from the mercenary disposition of the count of Ponthieu.

William was immediately sensible of the importance of the incident: he foresaw, that if he could once gain Harold, either by favours or menaces, his way to the throne of England would be open, and Edward would meet with no further obstacle in executing the favourable intentions which he had entertained in his behalf. He sent, therefore, a messenger to Guy, in order to demand the liberty of his prisoner; and that nobleman,

not daring to refuse so great a prince, put Harold into the hands of the Norman, who conducted him to Rouen. William received him with every demonstration of respect and friendship; and after showing himself disposed to comply with his desire, in delivering up the hostages, he took an opportunity of disclosing to him the great secret, of his pretensions to the crown of England, and of the will which Edward intended to make in his favour. He desired the assistance of Harold in perfecting that design; he made professions of the utmost gratitude in return for so great an obligation; he promised that the present grandeur of Harold's family, which supported itself with difficulty under the jealousy and hatred of Edward, should receive new increase from a successor, who would be so greatly beholden to him for his advancement. Harold was surprised at this declaration of the duke; but being sensible that he should never recover his own liberty, much less that of his brother and nephew, if he refused the demand, he feigned a compliance with William, renounced all hopes of the crown for himself, and professed his sincere intention of supporting the will of Edward, and seconding the pretensions of the duke of Normandy. William, to bind him faster to his interests, besides offering him one of his daughters in marriage, required him to take an oath that he would fulfil his promises; and in order to render the oath more obligatory, he employed an artifice well-suited to the ignorance and superstition of the age. He secretly conveyed under the altar, on which Harold agreed to swear, the relics of some of the most reverend martyrs; and when Harold had taken the oath, he showed him the relics, and admonished him to observe religiously an engagement which had been ratified by so tremendous a sanction. The English nobleman was astonished; but dissembling his concern, he renewed the same professions, and was dismissed with all the marks of mutual confidence by the duke of Normandy.

When Harold found himself at liberty, his ambition suggested casuistry sufficient to justify to him the violation of an oath, which had been extorted from him by fear, and which, if fulfilled, might be attended with the subjection of his native country to a foreign power. He continued still to practise every art of popularity; to increase the number of his partisans; to reconcile the minds of the English to the idea of his succession; to revive their hatred of the Normans; and, by an ostentation of his power and influence, to deter the timorous Edward from executing his intended destination in favour of William. Fortune, about this time, threw two incidents in his way, by which he was enabled to acquire general favour, and to increase the character which he had already attained, of virtue and abilities.

The Welsh, though a less formidable enemy than the Danes, had long been accustomed to infest the western borders; and after committing spoil on the low countries, they usually made a hasty retreat into their mountains, where they were sheltered from the pursuit of their enemies, and were ready to seize the first favourable opportunity of renewing their depredations. Griffith, the reigning prince, had greatly distinguished himself in those incursions; and his name had become so terrible to the English, that Harold found he could do nothing more acceptable to the public, and more honourable for himself, than the suppressing of so dangerous an enemy. He formed the plan of an expedition against Wales; and having prepared some light-armed foot to pursue the natives into their fastnesses, some cavalry to scour the open country, and a squadron of ships to attack the sea-coast, he employed at once all these forces against the Welsh, prosecuted his advantages with vigour, made no intermission in his assaults, and at last reduced the enemy to such distress, that, in order to prevent their total destruction, they made a sacrifice of their prince, whose head they cut off, and sent to Harold; and they were content to receive as their sovereigns two Welsh noblemen appointed by Edward to rule over them. The other incident was no less honourable to Harold.

Tosti, brother of this nobleman, who had been created duke of Northumberland, being of a violent, tyrannical temper, had acted with such cruelty and injustice, that the inhabitants rose in rebellion, and chased him from his government. Morcar and Edwin, two brothers, who possessed great power in those parts, and who were grandsons of the great duke Leofric, concurred in the insurrection; and the former, being elected duke, advanced with an army to oppose Harold, who was commissioned by the king to reduce and chastise the Northumbrians. Before the armies came to action, Morcar, well acquainted with the generous disposition of the English commander, endeavoured to justify his own conduct. He represented to Harold, that Tosti had behaved in a manner unworthy of the station to which he was advanced, and no one, not even a brother, could support such tyranny, without participating, in some degree, of the infamy attending it; that the Northumbrians, accustomed to a legal administration, and regarding it as their birthright, were willing to submit to the king, but required a governor who would pay regard to their rights and privileges; that they had been taught by their ancestors, that death was preferable to servitude, and had taken the field, determined to perish, rather than suffer a renewal of those indignities to which they had so long been exposed; and they trusted that Harold, on reflection, would not defend in another that violent conduct, from which he himself, in his own government, had always kept at so great a distance. This vigorous remonstrance was accompanied with such a detail of facts, so well supported, that Harold found it prudent to abandon his brother's cause; and returning to Edward, he persuaded him to pardon the Northumbrians, and to confirm Morcar in the government. He even married the sister of that nobleman; and by his interest, procured Edwin, the younger brother, to be elected into the government of Mercia. Tosti in a rage departed the kingdom, and took shelter in Flanders with earl Baldwin, his father-in-law.

By this marriage Harold broke all measures with the duke of Normandy; and William clearly perceived that he could no longer rely on the oaths and promises which he had extorted from him. But the English nobleman was now in such a situation, that he deemed it no longer necessary to dissemble. He had, in his conduct towards the Northumbrians, given such a specimen of his moderation as had gained him the affections of his countrymen. He saw that almost all England was engaged in his interests; while he himself possessed the government of Wessex, Morcar that of Northumberland, and Edwin that of Mercia. He now openly aspired to the succession; and insisted, that since it was necessary, by the confession of all, to set aside the royal family, on account of the imbecility of Edgar, the sole surviving heir, there was no one so capable of filling the throne as a nobleman of great power, of mature age, of long experience, of approved courage and abilities, who, being a native of the kingdom, would effectually secure it against the dominion and tyranny of foreigners. Edward, broken with age and infirmities, saw the difficulties too great for him to encounter; and though his inveterate prepossessions kept him from seconding the pretensions of Harold, he took but feeble and irresolute steps for securing the succession to the duke of Normandy. [*See note* F, *at the end of this Vol.*] While he continued in this uncertainty, he was surprised by sickness, which brought him to his grave, on the fifth of January 1066, in the sixty-fifth year of his age, and twenty-fifth of his reign.

This prince, to whom the monks gave the title of Saint and Confessor, was the last of the Saxon line that ruled in England. Though his reign was peace-

able and fortunate, he owed his prosperity less to his own abilities than to the conjectures of the times. The Danes, employed in other enterprises, attempted not those incursions which had been so troublesome to all his predecessors, and fatal to some of them. The facility of his disposition made him acquiesce under the government of Godwin and his son Harold; and the abilities, as well as the power, of these noblemen enabled them, while they were entrusted with authority, to preserve domestic peace and tranquillity. The most commendable circumstance of Edward's government, was his attention to the administration of justice, and his compiling, for that purpose, a body of laws, which he collected from the laws of Ethelbert, Ina, and Alfred. This compilation, though now lost, (for the laws that pass under Edward's name were composed afterwards,) was long the object of affection to the English nation.

Edward the Confessor was the first that touched for the king's evil: the opinion of his sanctity procured belief to this cure among the people: his successors regarded it as a part of their state and grandeur to uphold the same opinion. It has been continued down to our time; and the practice was first dropped by the present royal family, who observed, that it could no longer give amazement even to the populace, and was attended with ridicule in the eyes of all men of understanding.

HAROLD. 1066.

Harold had so well prepared matters before the death of Edward, that he immediately stepped into the vacant throne; and his accession was attended with as little opposition and disturbance as if he had succeeded by the most undoubted hereditary title. The citizens of London were his zealous partisans; the bishops and clergy had adopted his cause; and all the powerful nobility, connected with him by alliance or friendship, willingly seconded his pretensions. The title of Edgar Atheling was scarcely mentioned; much less the claim of the duke of Normandy: and Harold, assembling his partisans, received the crown from their hands, without waiting for the free deliberation of the states, or regularly submitting the question to their determination.* If any were averse to this measure, they were obliged to conceal their sentiments: and the new prince, taking a general silence for consent, and founding his title on the supposed suffrages of the people, which appeared unanimous, was, on the day immediately succeeding Edward's death, crowned and anointed king, by Aldred, archbishop of York. The whole nation seemed joyfully to acquiesce in his elevation.

The first symptoms of danger which the king discovered came from abroad, and from his own brother, Tosti, who had submitted to a voluntary banishment in Flanders. Enraged at the successful ambition of Harold, to which he himself had fallen a victim, he filled the court of Baldwin with complaints of the injustice which he had suffered: he engaged the interest of that family against his brother: he endeavoured to form intrigues with some of the discontented nobles in England: he sent his emissaries to Norway, in order to rouse to arms the freebooters of that kingdom, and to excite their hopes of reaping advantage from the unsettled state of affairs on the usurpation of the new king: and, that he might render the combination more formidable, he made a journey to Normandy, in expectation that the duke, who had married Matilda, another daughter of Baldwin, would, in revenge of his own wrongs, as well as those of Tosti, second, by his counsels and forces, the projected invasion of England.

The duke of Normandy, when he first received intelligence of Harold's intrigues and accession, had been moved to the highest pitch of indignation; but that he might give the better colour to his pretensions, he sent an embassy to England, upbraiding that prince with his breach of faith, and summoning him to resign immediately possession of the kingdom. Harold replied to the Norman ambassadors, that the oath, with which he was reproached, had been extorted by the well-grounded fear of violence, and could never, for that reason, be regarded as obligatory: that he had had no commission, either from the late king or the states of England, who alone could dispose of the crown, to make any tender of the succession to the duke of Normandy; and if he, a private person, had assumed so much authority, and had even voluntarily sworn to support the duke's pretensions, the oath was unlawful, and it was his duty to seize the first opportunity of breaking it: that he had obtained the crown by the unanimous suffrages of the people; and should prove himself totally unworthy of their favour, did he not strenuously maintain those national liberties, with whose protection they had entrusted him: and that the duke, if he made any attempt by force of arms, should experience the power of an united nation, conducted by a prince, who, sensible of the obligations imposed on him by his royal dignity, was determined that the same moment should put a period to his life and to his government.

This answer was no other than William expected; and he had previously fixed his resolution of making an attempt upon England. Consulting only his courage, his resentment, and his ambition, he overlooked all the difficulties inseparable from an attack on a great kingdom by such inferior force, and he saw only the circumstances which would facilitate his enterprise. He considered that England, ever since the accession of Canute, had enjoyed profound tranquillity, during a period of near fifty years; and it would require time for its soldiers, enervated by long peace, to learn discipline, and its generals experience. He knew that it was entirely unprovided with fortified towns, by which it could prolong the war; but must venture its whole fortune in one decisive action against a veteran enemy, who, being once master of the field, would be in a condition to overrun the kingdom. He saw that Harold, though he had given proofs of vigour and bravery, had newly mounted a throne, which he had acquired by faction, from which he had excluded a very ancient royal family, and which was likely to totter under him by its own instability, much more if shaken by any violent external impulse. And he hoped, that the very circumstance of his crossing the sea, quitting his own country, and leaving himself no hopes of retreat; as it would astonish the enemy by the boldness of the enterprise, would inspirit his soldiers by despair, and rouse them to sustain the reputation of the Norman arms.

The Normans, as they had long been distinguished by valour among all the European nations, had at this time attained to the highest pitch of military glory. Besides acquiring by arms such a noble territory in France, besides defending it against continual attempts of the French monarch and all its neighbours, besides exerting many acts of vigour under their present sovereign; they had, about this very time, revived their ancient fame, by the most hazardous exploits, and the most wonderful successes, in the other extremity of Europe. A few Norman adventurers in Italy had acquired such an ascendant not only over the Italians and Greeks, but the Germans and Saracens, that they expelled those foreigners, procured to themselves ample establishments, and laid the foundation of the opulent kingdom of Naples and Sicily. These enterprises of men who were all of them vassals in Normandy, many of them banished for faction and rebellion, excited the ambition of the haughty William; who disdained, after such examples of fortune and valour, to be deterred from making an attack on a neighbouring

* Many of the historians say that Harold was regularly elected by the states: some that Edward left him his successor by will.

country, where he could be supported by the whole force of his principality.

The situation also of Europe inspired William with hopes, that, besides his brave Normans, he might employ against England the flower of the military force which was dispersed in all the neighbouring states. France, Germany, and the Low Countries, by the progress of the feudal institutions, were divided and subdivided into many principalities and baronies; and the possessors, enjoying the civil jurisdiction within themselves, as well as the right of arms, acted, in many respects, as independent sovereigns, and maintained their properties and privileges less by the authority of laws than by their own force and valour. A military spirit had universally diffused itself throughout Europe; and the several leaders, whose minds were elevated by their princely situation, greedily embraced the most hazardous enterprises; and being accustomed to nothing from their infancy but recitals of the success attending wars and battles, they were prompted by a natural ambition to imitate those adventures which they heard so much celebrated, and which were so much exaggerated by the credulity of the age. United, however loosely, by their duty to one superior lord, and by their connexions with the great body of the community to which they belonged, they desired to spread their fame each beyond his own district; and in all assemblies, whether instituted for civil deliberations, for military exhibitions, or merely for show and entertainment, to outshine each other by the reputation of strength and prowess. Hence their genius for chivalry; hence their impatience of peace and tranquillity; and hence their readiness to embark in any dangerous enterprise, how little soever interested in its failure or success.

William, by his power, his courage, and his abilities, had long maintained a pre-eminence among those haughty chieftains; and every one who desired to signalize himself by his address in military exercises, or his valour in action, had been ambitious of acquiring a reputation in the court and in the armies of Normandy. Entertained with that hospitality and courtesy which distinguished the age, they had formed attachments with the prince, and greedily attended to the prospects of the signal glory and elevation which he promised them in return for their concurrence in an expedition against England. The more grandeur there appeared in the attempt, the more it suited their romantic spirit: the fame of the intended invasion was already diffused everywhere: multitudes crowded to tender to the duke their service, with that of their vassals and retainers: and William found less difficulty in completing his levies, than in choosing the most veteran forces, and in rejecting the offers of those who were impatient to acquire fame under so renowned a leader.

Besides these advantages, which William owed to his personal valour and good conduct; he was indebted to fortune for procuring him some assistance, and also for removing many obstacles which it was natural for him to expect in an undertaking in which all his neighbours were so deeply interested. Conan, count of Britanny, was his mortal enemy: in order to throw a damp upon the duke's enterprise, he chose this conjuncture for reviving his claim to Normandy itself; and he required that in case of William's success against England, the possession of that dutchy should devolve to him. But Conan died suddenly after making this demand; and Hoel, his successor, instead of adopting the malignity, or, more properly speaking, the prudence of his predecessor, zealously seconded the duke's views, and sent his eldest son, Alain Fergant, to serve under him with a body of five thousand Britons. The counts of Anjou and of Flanders encouraged their subjects to engage in the expedition; and even the court of France, though it might justly fear the aggrandizement of so dangerous a vassal, pursued not its interests on this occasion with sufficient vigour and resolution. Philip I. the reigning monarch, was a minor; and William, having communicated his project to the council, having desired assistance, and offered to do homage, in case of his success, for the crown of England, was indeed openly ordered to lay aside all thoughts of the enterprise; but the earl of Flanders, his father-in-law, being at the head of the regency, favoured under-hand his levies, and secretly encouraged the adventurous nobility to enlist under the standard of the duke of Normandy.

The emperor, Henry IV. besides openly giving all his vassals permission to embark in this expedition, which so much engaged the attention of Europe, promised his protection to the dutchy of Normandy during the absence of the prince, and thereby enabled him to employ his whole force in the invasion of England. But the most important ally, whom William gained by his negociations, was the pope, who had a mighty influence over the ancient barons, no less devout in their religious principles, than valorous in their military enterprises. The Roman pontiff, after an insensible progress during several ages of darkness and ignorance, began now to lift his head openly above all the princes of Europe; to assume the office of a mediator, or even an arbiter in the quarrels of the greatest monarchs; to interpose in all secular affairs; and to obtrude his dictates as sovereign laws on his obsequious disciples. It was a sufficient motive to Alexander II., the reigning pope, for embracing William's quarrel, that he alone had made an appeal to his tribunal, and rendered him umpire of the dispute between him and Harold; but there were other advantages which that pontiff foresaw must result from the conquest of England by the Norman arms. That kingdom, though at first converted by Romish missionaries, though it had afterwards advanced some further steps towards subjection to Rome, maintained still a considerable independence in its ecclesiastical administration; and forming a world within itself, entirely separated from the rest of Europe, it had hitherto proved inaccessible to those exorbitant claims which supported the grandeur of the papacy. Alexander therefore hoped that the French and Normon barons, if successful in their enterprise, might import into that country a more devoted reverence to the holy see, and bring the English churches to a nearer conformity with those of the continent. He declared immediately in favour of William's claim; pronounced Harold a perjured usurper; denounced excommunication against him and his adherents; and the more to encourage the duke of Normandy in his enterprise, he sent him a consecrated banner, and a ring with one of St. Peter's hairs in it. Thus were all the ambition and violence of that invasion covered over safely with the broad mantle of religion.

The greatest difficulty which William had to encounter in its preparations, arose from his own subjects in Normandy. The states of the dutchy were assembled at Lislebonne; and supplies being demanded for the intended enterprise, which promised so much glory and advantage to their country, there appeared a reluctance in many members, both to grant sums so much beyond the common measure of taxes in that age, and to set a precedent of performing their military service at a distance from their own country. The duke, finding it dangerous to solicit them in a body, conferred separately with the richest individuals in the province; and beginning with those on whose affections he most relied, he gradually engaged all of them to advance the sums demanded. The count of Longueville seconded him in this negociation; as did the count of Mortaigne, Odo bishop of Baieux, and especially William Fitz-Osborne, count of Breteüil, and constable of the dutchy. Every person, when he himself was once engaged, endeavoured to bring over others; and at last the states themselves, after stipulating that this concession should be no precedent, voted that they would assist their prince to the utmost his intended enterprise.

William had now assembled a fleet of three thousand vessels, great and small, and had selected an army of sixty thousand men from among those numerous supplies which from every quarter solicited to be received into his service. The camp bore a splendid yet a martial appearance, from the discipline of the men, the beauty and vigour of the horses, the lustre of the arms, and the accoutrements of both, but above all, from the high names of nobility who engaged under the banners of the duke of Normandy. The most celebrated were Eustace count of Boulogne, Aimeri de Thouars, Hugh d'Estaples, William d'Evreux, Geoffrey de Rotrou, Roger de Beaumont, William de Warenne, Roger de Montgomery, Hugh de Grantmesnil, Charles Martel, and Geoffrey Giffard. To these bold chieftains William held up the spoils of England as the prize of their valour; and pointing to the opposite shore, called to them, that *there* was the field on which they must erect trophies to their name, and fix their establishments.

While he was making these mighty preparations, the duke, that he might increase the number of Harold's enemies, excited the inveterate rancour of Tosti, and encouraged him, in concert with Harold Halfager, king of Norway, to infest the coasts of England. Tosti, having collected about sixty vessels in the ports of Flanders, put to sea; and after committing some depredations on the south and east coasts, he sailed to Northumberland, and was there joined by Halfager, who came over with a great armament of three hundred sail. The combined fleets entered the Humber, and disembarked the troops, who began to extend their depredations on all sides; when Morcar, earl of Northumberland, and Edwin, earl of Mercia, the king's brother-in-law, having hastily collected some forces, ventured to give them battle. The action ended in the defeat and flight of these two noblemen.

Harold, informed of this defeat, hastened with an army to the protection of his people; and expressed the utmost ardour to show himself worthy of the crown which had been conferred upon him. This prince, though he was not sensible of the full extent of his danger, from the great combination against him, had employed every art of popularity to acquire the affections of the public; and he gave so many proofs of an equitable and prudent administration, that the English found no reason to repent the choice which they had made of a sovereign. They flocked from all quarters to join his standard; and as soon as he reached the enemy at Standford, he found himself in a condition to give them battle. [Sept. 25.] The action was bloody; but the victory was decisive on the side of Harold, and ended in the total route of the Norvegians, together with the death of Tosti and Halfager. Even the Norvegian fleet fell into the hands of Harold; who had the generosity to give prince Olave, the son of Halfagar, his liberty, and allow him to depart with twenty vessels. But he had scarcely time to rejoice for this victory, when he received the intelligence that the duke of Normandy was landed with a great army in the south of England.

The Norman fleet and army had been assembled early in the summer, at the mouth of the small river Dive, and all the troops had been instantly embarked; but the winds proved long contrary, and detained them in that harbour. The authority, however, of the duke, the good discipline maintained among the seamen and soldiers, and the great care in supplying them with provisions, had prevented any disorder; when at last the wind became favourable, and enabled them to sail along the coast till they reached St. Valori. There were, however, several vessels lost in this short passage; and as the wind again proved contrary, the army began to imagine that Heaven had declared against them, and that, notwithstanding the pope's benediction, they were destined to certain destruction. These bold warriors, who despised real dangers, were very subject to the dread of imaginary ones; and many of them began to mutiny, some of them even to desert their colours; when the duke, in order to support their drooping hopes, ordered a procession to be made with the relics of St. Valori, and prayers to be said for more favourable weather. The wind instantly changed; and as this incident happened on the eve of the feast of St. Michael, the tutelar saint of Normandy, the soldiers, fancying they saw the hand of Heaven in all these concurring circumstances, set out with the greatest alacrity. They met with no opposition on their passage: a great fleet, which Harold had assembled, and which had cruised all summer off the Isle of Wight, had been dismissed, on his receiving false intelligence that William, discouraged by contrary winds and other accidents, had laid aside his preparations. The Norman armament, proceeding in great order, arrived, without any material loss, at Pevensey in Sussex; and the army quietly disembarked. The duke himself, as he leaped on shore, happened to stumble and fall; but had the presence of mind, it is said, to turn the omen to his advantage, by calling aloud that he had taken possession of the country. And a soldier, running to a neighbouring cottage, plucked some thatch, which, as if giving him seizine of the kingdom, he presented to his general. The joy and alacrity of William and his whole army was so great, that they were nowise discouraged, even when they heard of Harold's great victory over the Norvegians: they seemed rather to wait with impatience the arrival of the enemy.

The victory of Harold, though great and honourable, had proved in the main prejudicial to his interests, and may be regarded as the immediate cause of his ruin: he lost many of his bravest officers and soldiers in the action; and he disgusted the rest by refusing to distribute the Norvegian spoils among them: a conduct which was little agreeable to his usual generosity of temper; but which his desire of sparing the people, in the war that impended over him from the duke of Normandy, had probably occasioned: he hastened, by quick marches, to reach this new invader; but though he was re-enforced at London and other places with fresh troops, he found himself also weakened by the desertion of his old soldiers, who from fatigue and discontent secretly withdrew from their colours. His brother, Gurth, a man of bravery and conduct, began to entertain apprehensions of the event; and remonstrated with the king, that it would be better policy to prolong the war; at least, to spare his own person in the action: he urged to him, that the desperate situation of the duke of Normandy made it requisite for that prince to bring matters to a speedy decision, and put his whole fortune on the issue of a battle; but that the king of England, in his own country, beloved by his subjects, provided with every supply, had more certain, and less dangerous means of ensuring to himself the victory: that the Norman troops, elated on the one hand with the highest hopes, and seeing, on the other, no resource in case of a discomfiture, would fight to the last extremity; and being the flower of all the warriors of the continent, must be regarded as formidable to the English: that if their first fire, which is always the most dangerous, were allowed to languish for want of action; if they were harassed with small skirmishes, straitened in provisions, and fatigued with the bad weather and deep roads during the winter season, which was approaching, they must fall an easy and a bloodless prey to their enemy: that if a general action were delayed, the English, sensible of the imminent danger to which their properties, as well as liberties, were exposed from those rapacious invaders, would hasten from all quarters to his assistance, and would render his army invincible: that at least, if he thought it necessary to hazard a battle, he ought not to expose his own person, but reserve, in case of disastrous accident, some resource to the liberty and independence of the kingdom: and that having once been so unfortunate as to be constrained to swear, and that upon

the holy reliks, to support the pretensions of the duke of Normandy, it were better that the command of the army should be entrusted to another, who, not being bound by those sacred ties, might give the soldiers more assured hopes of a prosperous issue to the combat.

Harold was deaf to all these remonstrances: elated with his past prosperity, as well as stimulated by his native courage, he resolved to give battle in person; and for that purpose he drew near to the Normans, who had removed their camp and fleet to Hastings, where they fixed their quarters. He was so confident of success, that he sent a message to the duke, promising him a sum of money if he would depart the kingdom without effusion of blood: but his offer was rejected with disdain; and William, not to be behind with his enemy in vaunting, sent him a message by some monks, requiring him either to resign the kingdom, or to hold it of him in feality, or to submit their cause to the arbitration of the pope, or to fight him in single combat. Harold replied, that the God of battles would soon be the arbiter of all their differences.

The English and Normans now prepared themselves for this important decision; but the aspect of things, on the night before the battle, 14th October, was very different in the two camps. The English spent the time in riot, and jollity, and disorder; the Normans in silence, and in prayer, and in the other functions of their religion. On the morning, the duke called together the most considerable of his commanders, and made them a speech suitable to the occasion. He represented to them, that the event which they and he had long wished for, was approaching; the whole fortune of the war now depended on their swords, and would be decided in a single action; that never army had greater motives for exerting a vigorous courage, whether they considered the prize which would attend their victory, or the inevitable destruction which must ensue upon their discomfiture: that if their martial and veteran bands could once break those raw soldiers, who had rashly dared to approach them, they conquered a kingdom at one blow, and were justly entitled to all its possessions as the reward of their prosperous valour: that, on the contrary, if they remitted in the least their wonted prowess, an enraged enemy hung upon their rear, the sea met them in their retreat, and an ignominious death was the certain punishment of their imprudent cowardice: that, by collecting so numerous and brave a host, he had ensured every human means of conquest; and the commander of the enemy, by his criminal conduct, had given him just cause to hope for the favour of the Almighty, in whose hands alone lay the event of wars and battles: and that a perjured usurper, anathematized by the sovereign pontiff, and conscious of his own breach of faith, would be struck with terror on their appearance, and would prognosticate to himself that fate which his multiplied crimes had so justly merited. The duke next divided his army into three lines: the first, led by Montgomery, consisted of archers and light-armed infantry: the second, commanded by Martel, was composed of his bravest battalions, heavy armed, and ranged in close order: his cavalry, at whose head he placed himself, formed the third line; and were so disposed, that they stretched beyond the infantry, and flanked each wing of the army. He ordered the signal of battle to be given; and the whole army, moving at once, and singing the hymn or song of Roland, the famous peer of Charlemagne, advanced in order and with alacrity towards the enemy.

Harold had seized the advantage of a rising ground, and having likewise drawn some trenches to secure his flanks, he resolved to stand upon the defensive, and to avoid all action with the cavalry, in which he was inferior. The Kentish men were placed in the van; a post which they had always claimed as their due; the Londoners guarded the standard: and the king himself, accompanied by his two valiant brothers, Gurth and Leofwin, dismounting, placed himself at the head of his infantry, and expressed his resolution to conquer, or to perish in the action. The first attack of the Normans was desperate, but was received with equal valour by the English; and after a furious combat, which remained long undecided, the former, overcome by the difficulty of the ground, and hard pressed by the enemy, began first to relax their vigour, then to retreat; and confusion was spreading among the ranks, when William who found himself on the brink of destruction, hastened with a select band to the relief of his dismayed forces: his presence restored the action; the English were obliged to retire with loss; and the duke, ordering his second line to advance, renewed the attack with fresh forces, and with redoubled courage. Finding that the enemy, aided by the advantage of ground, and animated by the example of their prince, still made a vigorous resistance, he tried a stratagem, which was very delicate in its management, but which seemed advisable in his desperate situation, where, if he gained not a decisive victory, he was totally undone: he commanded his troops to make a hasty retreat, and to allure the enemy from their ground by the appearance of flight. The artifice succeeded against those unexperienced soldiers, who, heated by the action, and sanguine in their hopes, precipitately followed the Normans into the plain. William gave orders, that at once the infantry should face about upon their pursuers, and the cavalry make an assault upon their wings, and both of them pursue the advantage, which the surprise and terror of the enemy must give them in that critical and decisive moment. The English were repulsed with great slaughter, and driven back to the hill; where, being rallied by the bravery of Harold, they were able, notwithstanding their loss, to maintain the post, and continue the combat. The duke tried the same stratagem a second time with the same success; but even after this double advantage, he still found a great body of the English, who, maintaining themselves in firm array, seemed determined to dispute the victory to the last extremity. He ordered his heavy-armed infantry to make an assault upon them; while his archers, placed behind, should gall the enemy, who were exposed by the situation of the ground, and who were intent in defending themselves against the swords and spears of the assailants. By this disposition he at last prevailed: Harold was slain by an arrow, while he was combating with great bravery at the head of his men: his two brothers shared the same fate: and the English, discouraged by the fall of those princes, gave ground on all sides, and were pursued with great slaughter by the victorious Normans. A few troops, however, of the vanquished had still the courage to turn upon their pursuers; and attacking them in deep and miry ground, obtained some revenge for the slaughter and dishonour of the day. But the appearance of the duke obliged them to seek their safety by flight; and darkness saved them from any further pursuit by the enemy.

Thus was gained by William, duke of Normandy, the great and decisive victory of Hastings, after a battle which was fought from morning till sunset, and which seemed worthy, by the heroic valour displayed by both armies, and by both commanders, to decide the fate of a mighty kingdom. William had three horses killed under him; and there fell near fifteen thousand men on the side of the Normans: the loss was still more considerable on that of the vanquished; besides the death of the king and his two brothers. The dead body of Harold was brought to William, and was generously restored without ransom to his mother. The Norman army left not the field of battle without giving thanks to Heaven in the most solemn manner for their victory: and the prince, having refreshed his troops, prepared to push to the utmost his advantage against the divided, dismayed, and discomfited English.

APPENDIX I.

ANGLO-SAXON GOVERNMENT AND MANNERS.

First Saxon Government——Succession of the Kings——The Wittenagemot ——The Aristocracy——The several Orders of Men——Courts of Justice ——Criminal Law——Rules of Proof——Military Force——Public Revenue——Value of Money——Manners.

THE government of the Germans, and that of all the northern nations, who established themselves on the ruins of Rome, was always extremely free; and those fierce people, accustomed to independence and inured to arms, were more guided by persuasion than authority, in the submission which they paid to their princes. The military despotism, which had taken place in the Roman empire, and which, previously to the irruption of those conquerors, had sunk the genius of men, and destroyed every noble principle of science and virtue, was unable to resist the vigorous efforts of a free people; and Europe, as from a new epoch, rekindled her ancient spirit, and shook off the base servitude to arbitrary will and authority, under which she had so long laboured. The free constitutions then established, however impaired by the encroachments of succeeding princes, still preserve an air of independence and legal administration, which distinguish the European nations; and if that part of the globe maintain sentiments of liberty, honour, equity, and valour, superior to the rest of mankind, it owes these advantages chiefly to the seeds implanted by those generous barbarians.

FIRST SAXON GOVERNMENT.

The Saxons, who subdued Britain, as they enjoyed great liberty in their own country, obstinately retained that invaluable possession in their new settlement; and they imported into this island the same principles of independence, which they had inherited from their ancestors. The chieftains (for such they were, more properly than kings or princes) who commanded them in those military expeditions, still possessed a very limited authority; and as the Saxons exterminated, rather than subdued, the ancient inhabitants, they were indeed transplanted into a new territory, but preserved unaltered all their civil and military institutions. The language was pure Saxon; even the names of places, which often remain while the tongue entirely changes, were almost all affixed by the conquerors; the manners and customs were wholly German; and the same picture of a fierce and bold liberty, which is drawn by the masterly pencil of Tacitus, will suit those founders of the English government. The king, so far from being invested with arbitrary power, was only considered as the first among the citizens; his authority depended more on his personal qualities than on his station; he was even so far on a level with the people, that a stated price was fixed for his head, and a legal fine was levied upon his murderer, which, though proportionate to his station, and superior to that paid for the life of a subject, was a sensible mark of his subordination to the community.

SUCCESSION OF THE KINGS

It is easy to imagine, that an independent people, so little restrained by law and cultivated by science, would not be very strict in maintaining a regular succession of their princes. Though they paid great regard to the royal family, and ascribed to it an undisputed superiority, they either had no rule, or none that was steadily observed, in filling the vacant throne; and present convenience, in that emergency, was more attended to than general principles. We are not, however, to suppose that the crown was considered as altogether elective; and that a regular plan was traced by the constitution for supplying, by the suffrages of the people, every vacancy made by the demise of the first magistrate. If any king left a son of an age and capacity fit for government, the young prince naturally stepped into the throne: if he was a minor, his uncle, or the next prince of the blood, was promoted to the government, and left the sceptre to his posterity: any sovereign, by taking previous measures with the leading men, had it greatly in his power to appoint his successor: all these changes, and indeed the ordinary administration of government, required the express concurrence, or at least the tacit acquiescence of the people; but possession, however obtained, was extremely apt to secure their obedience, and the idea of any right, which was once excluded, was but feeble and imperfect. This is so much the case in all barbarous monarchies, and occurs so often in the history of the Anglo-Saxons, that we cannot consistently entertain any other notion of their government. The idea of an hereditary succession in authority is so natural to men, and is so much fortified by the usual rule in transmitting private possessions, that it must retain a great influence on every society, which does not exclude it by the refinements of a republican constitution. But as there is a material difference between government and private possessions, and every man is not as much qualified for exercising the one, as for enjoying the other, a people, who are not sensible of the general advantages attending a fixed rule, are apt to make great leaps in the succession, and frequently to pass over the person, who, had he possessed the requisite years and abilities, would have been thought entitled to the sovereignty. Thus, these monarchies are not, strictly speaking, either elective or hereditary; and though the destination of a prince may often be followed in appointing his successor, they can as little be regarded as wholly testamentary. The states by their suffrage may sometimes establish a sovereign; but they more frequently recognise the person whom they find established: a few great men take the lead; the people, overawed and influenced, acquiesce in the government; and the reigning prince, provided he be of the royal family, passes undisputedly for the legal sovereign.

THE WITTENAGEMOT.

It is confessed that our knowledge of the Anglo-Saxon history and antiquities is too imperfect to afford us means of determining, with certainty, all the prerogatives of the crown and privileges of the people, or of giving an exact delineation of that government. It is probable also, that the constitution might be somewhat different in the different kingdoms of the Heptarchy, and that it changed considerably during the course of six centuries, which elapsed from the first invasion of the Saxons till the Norman conquest.* But most of these differences and changes, with their causes and effects, are unknown to us; it only appears, that at all times, and in all the kingdoms, there was a national council, called a Wittenagemot, or assembly of the wise men, (for that is the import of the term,) whose consent was requisite for enacting laws and for ratifying the chief acts of public administration. The preambles to all the laws of Ethelbert, Ina, Alfred, Edward

* We know of one change, not inconsiderable, in the Saxon constitution. The Saxon Annals (p. 49) inform us, that it was in early times the prerogative of the king to name the dukes, earls, aldermen, and sheriffs of the counties. Asser, a contemporary writer, informs us, that Alfred deposed all the ignorant aldermen, and appointed men of more capacity in their place: yet the laws of Edward the Confessor (§ 35) say expressly, that the heretoghs or dukes, and the sheriffs, were chosen by the freeholders in the folkmote, a county court, which was assembled once a year, and where all the freeholders swore allegiance to the king.

the Elder, Athelstan, Edmond, Edgar, Ethelred, and Edward the Confessor, even those to the laws of Canute, though a kind of conqueror, put this matter beyond controversy, and carry proofs everywhere of a limited and legal government. But who were the constituent members of this Wittenagemot has not been determined with certainty by antiquaries. It is agreed, that the bishops and abbots * were an essential part; and it is also evident, from the tenor of those ancient laws, that the Wittenagemot enacted statutes which regulated the ecclesiastical as well as civil government, and that those dangerous principles, by which the church is totally severed from the state, were hitherto unknown to the Anglo-Saxons. It also appears, that the aldermen, or governors of counties, who, after the Danish times, were often called earls, [*See note G, at the end of this Vol.*,] were admitted into this council, and gave their consent to the public statutes. But besides the prelates and aldermen, there is also mention of the wites, or wise men, as a component part of the Wittenagemot; but who *these* were, is not so clearly ascertained by the laws or the history of that period. The matter would probably be of difficult discussion, even were it examined impartially; but as our modern parties have chosen to divide on this point, the question has been disputed with the greater obstinacy, and the arguments on both sides have become, on that account, the more captious and deceitful. Our monarchical faction maintain, that these *wites*, or *sapientes*, were the judges, or men learned in the law: the popular faction assert them to be representatives of the boroughs, or what we now call the commons.

The expressions employed by all ancient historians, in mentioning the Wittenagemot, seem to contradict the latter supposition. The members are almost always called the *principes*, *satrapæ*, *optimates*, *magnates*, *proceres*; terms which seem to suppose an aristocracy, and to exclude the commons. The boroughs also, from the low state of commerce, were so small and so poor, and the inhabitants lived in such dependence on the great men, that it seems nowise probable they would be admitted as a part of the national councils. The commons are well known to have had no share in the governments established by the Franks, Burgundians, and other northern nations; and we may conclude that the Saxons, who remained longer barbarous and uncivilized than those tribes, would never think of conferring such an extraordinary privilege on trade and industry. The military profession alone was honourable among all those conquerors: the warriors subsisted by their possessions in land: they became considerable by their influence over their vassals, retainers, tenants, and slaves: and it requires strong proof to convince us that they would admit any of a rank so much inferior as the burgesses, to share with them in the legislative authority. Tacitus indeed affirms, that, among the ancient Germans, the consent of all the members of the community was required in every important deliberation; but he speaks not of representatives; and this ancient practice, mentioned by the Roman historian, could only have place in small tribes, where every citizen might, without inconvenience, be assembled upon any extraordinary emergency. After principalities became extensive; after the difference of property had formed distinctions more important than those which arose from personal strength and valour, we may conclude that the national assemblies must have been more limited in their number, and composed only of the more considerable citizens.

But though we must exclude the burgesses, or commons, from the Saxon Wittenagemot, there is some necessity for supposing that this assembly consisted of other members than the prelates, abbots, aldermen, and the judges or privy-council. For as all these, excepting some of the ecclesiastics,† were anciently appointed by the king, had there been no other legislative authority, the royal power had been in a great measure absolute, contrary to the tenor of all the historians, and to the practice of all the northern nations. We may therefore conclude, that the more considerable proprietors of land were, without any election, constituent members of the national assembly: there is reason to think that forty hydes, or between four or five thousand acres, was the estate requisite for entitling the possessor to this honourable privilege. We find a passage in an ancient author, by which it appears, that a person of very noble birth, even one allied to the crown, was not esteemed a *princeps* (the term usually employed by ancient historians when the Wittenagemot is mentioned) till he had acquired a fortune of that amount. Nor need we imagine that the public council would become disorderly or confused by admitting so great a multitude. The landed property of England was probably in few hands during the Saxon times; at least during the latter part of that period: and as men had hardly any ambition to attend those public councils, there was no danger of the assembly's becoming too numerous for the dispatch of the little business which was brought before them.

THE ARISTOCRACY.

It is certain that whatever we may determine concerning the constituent members of the Wittenagemot, in whom, with the king, the legislature resided, the Anglo-Saxon government, in the period preceding the Norman conquest, was become extremely aristocratical: the royal authority was very limited; the people, even if admitted to that assembly, were of little or no weight and consideration. We have hints given us in historians, of the great power and riches of particular noblemen: and it could not but happen, after the abolition of the Heptarchy, when the king lived at a distance from the provinces, that those great proprietors, who resided on their estates, would much augment their authority over their vassals and retainers, and over all the inhabitants of the neighbourhood. Hence the immeasurable power assumed by Harold, Godwin, Leofric, Siward, Morcar, Edwin, Edric, and Alfric, who controlled the authority of the kings, and rendered themselves quite necessary in the government. The two latter, though detested by the people, on account of their joining a foreign enemy, still preserved their power and influence; and we may therefore conclude that their authority was founded, not on popularity, but on family rights and possessions. There is one Athelstan mentioned in the reign of the king of that name, who is called alderman of all England, and is said to be half-king; though the monarch himself was a prince of valour and abilities. And we find, that in the latter Saxon times, and in these alone, the great offices went from father to son, and became in a manner hereditary in the families.‡

The circumstances attending the invasions of the Danes would also serve much to increase the power of the principal nobility. Those freebooters made unexpected inroads on all quarters; and there was a necessity that each county should resist them by its own force, and under the conduct of its own nobility and its own magistrates. For the same reason that a general war, managed by the united efforts of the whole state, commonly augments the power of the crown, those private wars and inroads turned to the advantage of the aldermen and nobles.

Among that military and turbulent people, so averse

* Sometimes abbesses were admitted; at least, they often sign the king's charters or grants. Spelm. Gloss. *in verbo* Parliamentum.

† There is some reason to think that the bishops were sometimes chosen by the Wittenagemot, and confirmed by the king. Eddius, cap. 2. The abbots in the monasteries of royal foundation were anciently named by the king: though Edgar gave the monks the election, and only reserved to himself the ratification. This destination was afterwards frequently violated; and the abbots, as well as bishops, were afterwards all appointed by the king: as we learn from Ingulf, a writer contemporary to the conquest.

‡ Roger Hoveden, giving the reason why William the Conqueror made Cospatric earl of Northumberland, says, *Nam ex materno sanguine attinebat ad eum honor ipius comitatus. Erat enim ex matre, Algitha, filia Uhtred comitis.* See also Sim. Dun. p. 205. We see in those instances the same tendency towards rendering offices hereditary, which took place, during a more early period, on the continent; and which had already produced there its full effect.

to commerce and the arts, and so little inured to industry, justice was commonly very ill administered, and great oppression and violence seem to have prevailed. These disorders would be increased by the exorbitant power of the aristocracy; and would, in their turn, contribute to increase it. Men, not daring to rely on the guardianship of the laws, were obliged to devote themselves to the service of some chieftain, whose orders they followed, even to the disturbance of the government, or the injury of their fellow-citizens, and who afforded them, in return, protection from any insult or injustice by strangers. Hence we find, by the extracts which Dr. Brady has given us from Domesday, that almost all the inhabitants, even of towns, had placed themselves under the clientship of some particular nobleman, whose patronage they purchased by annual payments, and whom they were obliged to consider as their sovereign, more than the king himself, or even the legislature.* A client, though a freeman, was supposed so much to belong to his patron, that his murderer was obliged by law to pay a fine to the latter, as a compensation for his loss; in like manner as he paid a fine to the master for the murder of his slave. Men who were of a more considerable rank, but not powerful enough, each to support himself by his own independent authority, entered into formal confederacies with each other, and composed a kind of separate community, which rendered itself formidable to all aggressors. Dr. Hickes has preserved a curious Saxon bond of this kind, which he calls a *Sodalitium*, and which contains many particulars characteristical of the manners and customs of the times. All the associates are there said to be gentlemen of Cambridgeshire; and they swear before the holy relics to observe their confederacy, and to be faithful to each other: they promise to bury any of the associates who dies, in whatever place he had appointed; to contribute to his funeral charges, and to attend at his interment; and whoever is wanting in this last duty, binds himself to pay a measure of honey. When any of the associates is in danger, and calls for the assistance of his fellows, they promise, besides flying to his succour, to give information to the sheriff; and if he be negligent in protecting the person exposed to danger, they engage to levy a fine of one pound upon him: if the president of the society himself be wanting in this particular, he binds himself to pay one pound; unless he has the reasonable excuse of sickness, or of duty to his superior. When any of the associates is murdered, they are to exact eight pounds from the murderer; and if he refuse to pay it, they are to prosecute him for the sum at their joint expense. If any of the associates who happens to be poor kill a man, the society are to contribute, by a certain proportion, to pay his fine: a mark a-piece if the fine be seven hundred shillings; less if the person killed be a clown or ceorle; the half of that sum again if he be a Welshman. But where any of the associates kills a man, wilfully and without provocation, he must himself pay the fine. If any of the associates kill any of his fellows, in a like criminal manner, besides paying the usual fine to the relations of the deceased, he must pay eight pounds to the society, or renounce the benefit of it: in which case, they bind themselves, under the penalty of one pound, never to eat or drink with him, except in the presence of the king, bishop, or alderman. There are other regulations to protect themselves and their servants from all injuries, to revenge such as are committed, and to prevent their giving abusive language to each other; and the fine, which they engage to pay for this last offence, is a measure of honey.

It is not to be doubted but a confederacy of this kind must have been a great source of friendship and attachment; when men lived in perpetual danger from enemies, robbers, and oppressors, and received protection chiefly from their personal valour, and from the assistance of their friends or patrons. As animosities were then more violent, connexions were also more intimate, whether voluntary or derived from blood: the most remote degree of propinquity was regarded: an indelible memory of benefits was preserved: severe vengeance was taken for injuries, both from a point of honour and as the best means of future security: and the civil union being weak, many private engagements were contracted in order to supply its place, and to procure men that safety which the laws and their own innocence were not alone able to insure to them.

On the whole, notwithstanding the seeming liberty, or rather licentiousness of the Anglo-Saxons, the great body even of the free citizens, in those ages, really enjoyed much less true liberty than where the execution of the laws is the most severe, and where subjects are reduced to the strictest subordination and dependence on the civil magistrate. The reason is derived from the excess itself of that liberty. Men must guard themselves at any price against insults and injuries; and where they receive not protection from the laws and magistrate, they will seek it by submission to superiors, and by herding in some private confederacy which acts under the direction of a powerful leader. And thus all anarchy is the immediate cause of tyranny, if not over the state, at least over many of the individuals.

Security was provided by the Saxon laws to all members of the Wittenagemot, both in going and returning, *except they were notorious thieves and robbers.*

THE SEVERAL ORDERS OF MEN.

The German Saxons, as the other nations of that continent, were divided into three ranks of men, the noble, the free, and the slaves. This distinction they brought over with them into Britain.

The nobles were called thanes; and were of two kinds, the king's thanes and lesser thanes. The latter seem to have been dependent on the former; and to have received lands, for which they paid rent, services, or attendance in peace and war. We know of no title which raised any one to the rank of thane, except noble birth and the possession of land. The former was always much regarded by all the German nations, even in their most barbarous state; and as the Saxon nobility, having little credit, could scarcely burthen their estates with much debt, and as the commons had little trade or industry by which they could accumulate riches, these two ranks of men, even though they were not separated by positive laws, might remain long distinct, and the noble families continue many ages in opulence and splendour. There were no middle ranks of men that could gradually mix with their superiors, and insensibly procure to themselves honour and distinction. If by any extraordinary accident a mean person acquired riches, a circumstance so singular made him be known and remarked: he became the object of envy, as well as of indignation, to all the nobles; he would have great difficulty to defend what he had acquired; and he would find it impossible to protect himself from oppression, except by courting the patronage of some great chieftain, and paying a large price for his safety.

There are two statutes among the Saxon laws which seem calculated to confound those different ranks of men—that of Athelstan, by which a merchant, who had made three long sea-voyages on his own account, was entitled to the quality of thane; and that of the same prince, by which a ceorle or husbandman, who had been able to purchase five hides of land, and had a chapel, a kitchen, a hall, and a bell, was raised to the same distinction. But the opportunities were so few, by which a merchant or ceorle could thus exalt himself above his rank, that the law could never overcome the reigning prejudices; the distinction between noble and base blood would still be indelible; and the

* Brady's Treatise of Boroughs, 3, 4, 5, &c. The case was the same with the freemen in the country. See Pref. to his Hist. p. 8—10, &c.

well-born thanes would entertain the highest contempt for those legal and factitious ones. Though we are not informed of any of these circumstances by ancient historians, they are so much founded on the nature of things, that we may admit them as a necessary and infallible consequence of the situation of the kingdom during those ages.

The cities appear by Domesday-book to have been at the conquest little better than villages.* York itself, though it was always the second, at least the third city in England,† and was the capital of a great province, which never was thoroughly united with the rest, contained then but one thousand four hundred and eighteen families.‡ Malmesbury tells us, that the great distinction between the Anglo-Saxon nobility and the French or Norman, was, that the latter built magnificent and stately castles; whereas the former consumed their immense fortunes in riot and hospitality, and in mean houses. We may thence infer, that the arts in general were much less advanced in England than in France: a greater number of idle servants and retainers lived about the great families; and as these, even in France, were powerful enough to disturb the execution of the laws, we may judge of the authority acquired by the aristocracy in England. When earl Godwin besieged the Confessor in London, he summoned from all parts his huscarles, or houseceorles and retainers, and thereby constrained his sovereign to accept of the conditions which he was pleased to impose upon him.

The lower rank of freemen were denominated ceorles among the Anglo-Saxons; and, where they were industrious, they were chiefly employed in husbandry: whence a ceorle and a husbandman became in a manner synonymous terms. They cultivated the farms of the nobility or thanes, for which they paid rent; and they seem to have been removable at pleasure. For there is little mention of leases among the Anglo-Saxons; the pride of the nobility, together with the general ignorance of writing, must have rendered those contracts very rare, and must have kept the husbandmen in a dependent condition. The rents of farms were then chiefly paid in kind.§

But the most numerous rank by far in the community seems to have been the slaves or villains, who were the property of their lords, and were consequently incapable themselves of possessing any property. Dr. Brady assures us, from a survey of Domesday-book, that in all the counties of England, the far greater part of the land was occupied by them, and that the husbandmen, and still more the socmen, who were tenants that could not be removed at pleasure, were very few in comparison. This was not the case with the German nations, as far as we can collect from the account given us by Tacitus. The perpetual wars in the Heptarchy, and the depredations of the Danes, seem to have been the cause of this great alteration with the Anglo-Saxons. Prisoners taken in battle, or carried off in the frequent inroads, were then reduced to slavery; and became, by right of war, entirely at the disposal of their lords. Great property in the nobles, especially if joined to an irregular administration of justice, naturally favours the power of the aristocracy; but still more so, if the practice of slavery be admitted, and has become very common. The nobility not only possess the influence which always attends riches, but also the power which the laws give them over their slaves and villains. It then becomes difficult, and almost impossible, for a private man to remain altogether free and independent.

There were two kinds of slaves among the Anglo-Saxons—household slaves, after the manner of the ancients, and prædial or rustic, after the manner of the Germans. These latter resembled the serfs, which are at present to be met with in Poland, Denmark, and some parts of Germany. The power of a master over his slaves was not unlimited among the Anglo-Saxons, as it was among their ancestors. If a man beat out his slave's eye or teeth, the slave recovered his liberty: if he killed him, he paid a fine to the king; provided the slave died within a day after the wound or blow: otherwise it passed unpunished. The selling of themselves or children to slavery was always the practice among the German nations, and was continued by the Anglo-Saxons.

The great lords and abbots among the Anglo-Saxons possessed a criminal jurisdiction within their territories, and could punish, without appeal, any thieves or robbers whom they caught there. This institution must have had a very contrary effect to that which was intended, and must have procured robbers a sure protection on the lands of such noblemen as did not sincerely mean to discourage crimes and violence.

COURTS OF JUSTICE

But though the general strain of the Anglo-Saxon government seems to have become aristocratical, there were still considerable remains of the ancient democracy, which were not indeed sufficient to protect the lowest of the people, without the patronage of some great lord, but might give security, and even some degree of dignity, to the gentry or inferior nobility. The administration of justice, in particular, by the courts of the decennary, the hundred, and the county, was well calculated to defend general liberty, and to restrain the power of the nobles. In the county courts, or shiremotes, all the freeholders were assembled twice a year, and received appeals from the inferior courts. They there decided all causes, ecclesiastical as well as civil; and the bishop, together with the alderman or earl, presided over them. The affair was determined in a summary manner, without much pleading, formality, or delay, by a majority of voices; and the bishop and alderman had no further authority than to keep order among the freeholders, and interpose with their opinion. Where justice was denied during three sessions by the hundred, and then by the county court, there lay an appeal to the king's court; but this was not practised on slight occasions. The aldermen received a third of the fines levied in those courts; and as most of the punishments were then pecuniary, this perquisite formed a considerable part of the profits belonging to his office. The two-thirds also, which went to the king, made no contemptible part of the public revenue. Any freeholder was fined who absented himself thrice from these courts.

As the extreme ignorance of the age made deeds and writings very rare, the county or hundred court was the place where the most remarkable civil transactions were finished, in order to preserve the memory of them, and prevent all future disputes. Here testaments were promulgated, slaves manumitted, bargains of sale concluded; and sometimes, for greater security, the most considerable of these deeds were inserted in the blank leaves of the parish Bible, which thus became a kind of register too sacred to be falsified. It was not unusual to add to the deed an imprecation on all such as should be guilty of that crime.

Among a people who lived in so simple a manner as the Anglo-Saxons, the judicial power is always of greater importance than the legislative. There were few or no taxes imposed by the states: there were few statutes enacted; and the nation was less governed by laws than by customs, which admitted a great latitude of interpretation.

Though it should, therefore, be allowed that the

* Winchester, being the capital of the West Saxon monarchy, was anciently a considerable city. Gul. Pict. p. 210.

† Norwich contained 738 houses, Exeter, 315, Ipswich, 538, Northampton, 60, Hertford, 146, Canterbury, 262, Bath, 64, Southampton, 84, Warwick, 225. See Brady of Boroughs, p. 3, 4, 5, 6, &c. These are the most considerable he mentions. The account of them is extracted from Domesday-book.

‡ There were six wards, besides the archbishop's palace; and five of these wards contained the number of families here mentioned, which, at the rate of five persons to a family, makes about 7000 souls. The sixth ward was laid waste.

§ These laws fixed the rents for a hyde; but it is difficult to convert it into modern measures.

Wittenagemot was altogether composed of the principal nobility, the county courts, where all the freeholders were admitted, and which regulated all the daily occurrences of life, formed a wide basis for the government, and were no contemptible checks on the aristocracy. But there is another power, still more important than either the judicial or legislative; to wit, the power of injuring or serving by immediate force and violence, for which it is difficult to obtain redress in courts of justice. In all extensive governments, where the execution of the laws is feeble, this power naturally falls into the hands of the principal nobility; and the degree of it which prevails cannot be determined so much by the public statutes, as by small incidents in history, by particular customs, and sometimes by the reason and nature of things. The Highlands of Scotland have long been entitled by law to every privilege of British subjects; but it was not till very lately that the common people could in fact enjoy these privileges.

The powers of all the members of the Anglo-Saxon government are disputed among historians and antiquaries: the extreme obscurity of the subject, even though faction had never entered into the question, would naturally have begotten those controversies. But the great influence of the lords over their slaves and tenants, the clientship of the burghers, the total want of a middling rank of men, the extent of the monarchy, the loose execution of the laws, the continued disorders and convulsions of the state; all these circumstances evince that the Anglo-Saxon government became at last extremely aristocratical; and the events, during the period immediately preceding the conquest, confirm this inference or conjecture.

CRIMINAL LAW.

Both the punishments inflicted by the Anglo-Saxon courts of judicature, and the methods of proof employed in all causes, appear somewhat singular, and are very different from those which prevail at present among all civilized nations.

We must conceive that the ancient Germans were little removed from the original state of nature: the social confederacy among them was more martial than civil: they had chiefly in view the means of attack or defence against public enemies, not those of protection against their fellow-citizens: their possessions were so slender and so equal, that they were not exposed to great danger: and the natural bravery of the people made every man trust to himself, and to his particular friends, for his defence or vengeance. This defect in the political union drew much closer the knot of particular confederacies: an insult upon any man was regarded by all his relations and associates as a common injury: they were bound by honour, as well as by a sense of common interest, to revenge his death, or any violence which he had suffered: they retaliated on the aggressor by like acts of violence; and if he were protected, as was natural and usual, by his own clan, the quarrel was spread still wider, and bred endless disorders in the nation.

The Frisians, a tribe of the Germans, had never advanced beyond this wild and imperfect state of society; and the right of private revenge still remained among them unlimited and uncontrolled. But the other German nations, in the age of Tacitus, had made one step further towards completing the political or civil union. Though it still continued to be an indispensable point of honour for every clan to revenge the death or injury of a member, the magistrate had acquired a right of interposing in the quarrel, and of accommodating the difference. He obliged the person maimed or injured, and the relations of one killed, to accept of a present from the aggressor and his relations, as a compensation for the injury,* and to drop all further prosecution of revenge. That the accommodation of one quarrel might not be the source of more, this present was fixed and certain, according to the rank of the person killed or injured, and was commonly paid in cattle; the chief property of those rude and uncultivated nations. A present of this kind gratified the revenge of the injured family, by the loss which the aggressor suffered: it satisfied their pride, by the submission which it expressed: it diminished their regret for the loss or injury of a kinsman, by their acquisition of new property: and thus general peace was for a moment restored to the society.*

But when the German nations had been settled some time in the provinces of the Roman empire, they made still another step towards a more cultivated life, and their criminal justice gradually improved and refined itself. The magistrate, whose office it was to guard public peace, and to suppress private animosities, conceived himself to be injured by every injury done to any of his people; and besides the compensation to the person who suffered, or to his family, he thought himself entitled to exact a fine called the Fridwit, as an atonement for the breach of peace, and as a reward for the pains which he had taken in accommodating the quarrel. When this idea, which is so natural, was once suggested, it was willingly received both by sovereign and people. The numerous fines which were levied, augmented the revenue of the king: and the people were sensible that he would be more vigilant in interposing with his good offices, when he reaped such immediate advantage from them; and that injuries would be less frequent, when, besides compensation to the person injured, they were exposed to this additional penalty.†

This short abstract contains the history of the criminal jurisprudence of the northern nations for several centuries. The state of England in this particular, during the period of the Anglo-Saxons, may be judged of by the collection of ancient laws, published by Lambard and Wilkins. The chief purport of these laws is not to prevent or entirely suppress private quarrels, which the legislator knew to be impossible, but only to regulate and moderate them. The laws of Alfred enjoin, that if any one know that his enemy or aggressor, after doing him an injury, resolves to keep within his own house, *and his own lands*,‡ he shall not fight him till he require compensation for the injury. If he be strong enough to besiege him in his house, he may do it for seven days without attacking him; and if the aggressor be willing, during that time, to surrender himself and his arms, his adversary may detain him thirty days; but is afterwards obliged to restore him safe to his kindred; *and be content with the compensation.* If the criminal fly to the temple, that sanctuary must not be violated. Where the assailant has not force sufficient to besiege the criminal in his house, he must apply to the alderman for assistance; and if the alderman refuse aid, the assailant must have recourse to the king; and he is not allowed to assault the house, till after this supreme magistrate has refused assistance. If any one meet with his enemy, and be ignorant that he was resolved to keep within his own lands, he must, before he attack him, require him to surrender himself prisoner, and deliver up his arms; in which case he may detain him thirty days: but if he refuse to deliver up his arms, it is then lawful to fight him. A slave may fight in his master's quarrel: a father may fight in his son's with any one, except with his master.

It was enacted by king Ina, that no man should

* Called by the Saxons *mægbota*.

* Tacit. de Morib. Germ. The author says, that the price of the composition was fixed; which must have been by the laws and the interposition of the magistrates.

† Besides paying money to the relations of the deceased and to the king, the murderer was also obliged to pay the master of a slave or vassal a sum as the compensation for his loss. This was called the *Manbote*. See Spel. Gloss. *voc. b.* Fredum, Manbor.

‡ The addition of these last words in Italics appears necessary from what follows in the same law.

take revenge for an injury till he had first demanded compensation, and had been refused it.

King Edmond, in the preamble to his laws, mentions the general misery occasioned by the multiplicity of private feuds and battles; and he establishes several expedients for remedying this grievance. He ordains, that if any one commit murder, he may, with the assistance of his kindred, pay within a twelvemonth the fine of his crime; and if they abandon him, he shall alone sustain the deadly feud or quarrel with the kindred of the murdered person: his own kindred are free from the feud, but on condition that they neither converse with the criminal, nor supply him with meat or *other necessaries:* if any of them, after renouncing him, receive him into their house, *or give him assistance,* they are finable to the king, and are involved in the feud. If the kindred of the murdered person take revenge on any but the criminal himself, *after he is abandoned by his kindred,* all their property is forfeited, and they are declared to be enemies to the king and all his friends. It is also ordained, that the fine for murder shall never be remitted by the king; and that no criminal shall be killed who flies to the church, or any of the king's towns; and the king himself declares, that his house shall give no protection to murderers, till they have satisfied the church by their penance, and the kindred of the deceased, by making compensation. The method appointed for transacting this composition is found in the same law.

These attempts of Edmond, to contract and diminish the feuds, were contrary to the ancient spirit of the northern barbarians, and were a step towards a more regular administration of justice. By the Salic law, any man might, by a public declaration, exempt himself from his family quarrels: but then he was considered by the law as no longer belonging to the family; and he was deprived of all right of succession, as the punishment of his cowardice.

The price of the king's head, or his weregild, as it was then called, was by law thirty thousand thrismas, near one thousand three hundred pounds of present money. The price of the prince's head was fifteen thousand thrismas; that of a bishop's or alderman's eight thousand; a sheriff's four thousand; a thane's or clergyman's two thousand; a ceorle's two hundred and sixty-six. These prices were fixed by the laws of the Angles. By the Mercian law, the price of a ceorle's head was two hundred shillings; that of a thane's six times as much; that of a king's six times more. By the laws of Kent, the price of the archbishop's head was higher than that of the king's. Such respect was then paid to the ecclesiastics. It must be understood, that where a person was unable or unwilling to pay the fine; he was put out of the protection of law, and the kindred of the deceased had liberty to punish him as they thought proper.

Some antiquarians have thought that these compensations were only given for manslaughter, not for wilful murder; but no such distinction appears in the laws; and it is contradicted by the practice of all the other barbarous nations, by that of the ancient Germans, and by that curious monument above mentioned, of Saxon antiquity, preserved by Hickes. There is indeed a law of Alfred's, which makes wilful murder capital;* but this seems only to have been an attempt of that great legislator towards establishing a better police in the kingdom, and it probably remained without execution. By the laws of the same prince, a conspiracy against the life of the king might be redeemed by a fine.

The price of all kinds of wounds was likewise fixed by the Saxon laws: a wound of an inch long under the hair, was paid with one shilling; one of a like size in the face two shillings; thirty shillings for the loss of an ear, and so forth. There seems not to have been any difference made, according to the dignity of the person.

* It is probable, that by wilful murder Alfred means a treacherous murder, committed by one who has no declared feud with another.

By the law of Ethelbert, any one who committed adultery with his neighbour's wife was obliged to pay him a fine, and buy him another wife.

These institutions are not peculiar to the ancient Germans. They seem to be the necessary progress of criminal jurisprudence among every free people, where the will of the sovereign is not implicitly obeyed. We find them among the ancient Greeks during the time of the Trojan war. Compositions for murder are mentioned in Nestor's speech to Achilles in the ninth Iliad, and are called *ποινην*. The Irish, who never had any connexions with the German nations, adopted the same practice till very lately; and the price of a man's head was called among them his *eric,* as we learn from Sir John Davis. The same custom seems also to have prevailed among the Jews.

Theft and robbery were frequent among the Anglo-Saxons. In order to impose some check upon these crimes, it was ordained that no man should sell or buy anything above twenty-pence value, except in open market; and every bargain of sale must be executed before witnesses. Gangs of robbers much disturbed the peace of the country; and the law determined, that a tribe of banditti, consisting of between seven and thirty-five persons, was to be called a *urma,* or troop: any greater company was denominated an army. The punishments for this crime were various, but none of them capital. If any man could track his stolen cattle into another's ground, the latter was obliged to show the tracks out of it, or pay their value.

Rebellion, to whatever excess it was carried, was not capital, but might be redeemed by a sum of money. The legislators, knowing it impossible to prevent all disorders, only imposed a higher fine on breaches of the peace committed in the king's court, or before an alderman or bishop. An alehouse too seems to have been considered as a privileged place; and any quarrels that arose there were more severely punished than elsewhere.

RULES OF PROOF.

If the manner of punishing crimes among the Anglo-Saxons appear singular, the proofs were not less so; and were also the natural result of the situation of those people. Whatever we may imagine concerning the usual truth and sincerity of men who live in a rude and barbarous state, there is much more falsehood, and even perjury, among them, than among civilized nations: virtue, which is nothing but a more enlarged and more cultivated reason, never flourishes to any degree, nor is founded on steady principles of honour, except where a good education becomes general; and where men are taught the pernicious consequences of vice, treachery, and immorality. Even superstition, though more prevalent among ignorant nations, is but a poor supply for the defects in knowledge and education: our European ancestors, who employed every moment the expedient of swearing on extraordinary crosses and relics, were less honourable in all engagements than their posterity, who, from experience, have omitted those ineffectual securities. This general proneness to perjury was much increased by the usual want of discernment in judges, who could not discuss an intricate evidence, and were obliged to number, not weigh the testimony of the witnesses.* Hence the ridiculous practice of obliging men to bring compurgators, who, as they did not pretend to know anything of the fact, expressed upon oath, that they believed the person spoke true; and these compurgators were in some cases multiplied to the number of three hundred. The practice also of single-combat was employed by most nations on the continent as a remedy

* Sometimes the laws fixed easy general rules for weighing the credibility of witnesses. A man whose life was estimated at 120 shillings, counterbalanced six ceorles, each of whose lives was only valued at twenty shillings, and his oath was esteemed equivalent to that of all the six. See Wilkins, p. 72.

against false evidence; and though it was frequently dropped, from the opposition of the clergy, it was continually revived from experience of the falsehood attending the testimony of witnesses. It became at last a species of jurisprudence: the cases were determined by law, in which the party might challenge his adversary, or the witnesses, or the judge himself: and though these customs were absurd, they were rather an improvement on the methods of trial which had formerly been practised among those barbarous nations, and which still prevailed among the Anglo-Saxons.

When any controversy about a fact became too intricate for those ignorant judges to unravel, they had recourse to what they called the judgment of God; that is, to fortune: their methods of consulting this oracle were various. One of them was the decision by the *cross:* and it was practised in this manner: when a person was accused of any crime, he first cleared himself by oath, and he was attended by eleven compurgators. He next took two pieces of wood, one of which was marked with the sign of the cross, and wrapping both up in wood, he placed them on the altar, or on some celebrated relic. After solemn prayers for the success of the experiment, a priest, or, in his stead, some unexperienced youth, took up one of the pieces of wood, and if he happened upon that which was marked with the figure of a cross, the person was pronounced innocent; if otherwise, guilty. This practice, as it arose from superstition, was abolished by it in France. The emperor, Lewis the Debonnaire, prohibited that method of trial, not because it was uncertain, but lest that sacred figure, says he, of the cross, should be prostituted in common disputes and controversies.

The ordeal was another established method of trial among the Anglo-Saxons. It was practised either by boiling water or red-hot iron. The former was appropriated to the common people; the latter to the nobility. The water or iron was consecrated by many prayers, masses, fastings, and exorcisms;* after which the person accused either took up a stone sunk in the water to a certain depth, or carried the iron to a certain distance; and his hand being wrapped up, and the covering sealed for three days, if there appeared, on examining it, no marks of burning, he was pronounced innocent; if otherwise, guilty. The trial by cold water was different: the person was thrown into consecrated water; if he swam, he was guilty; if he sunk, innocent. It is difficult for us to conceive how any innocent person could ever escape by the one trial, or any criminal be convicted by the other. But there was another usage admirably calculated for allowing every criminal to escape who had confidence enough to try it. A consecrated cake, called a corsned, was produced; which if the person could swallow and digest, he was pronounced innocent.

MILITARY FORCE.

The feudal law, if it had place at all among the Anglo-Saxons, which is doubtful, was not certainly extended over all the landed property, and was not attended with those consequences of homage, reliefs,† worship, marriage, and other burthens, which were inseparable from it in the kingdoms of the continent. As the Saxons expelled, or almost entirely destroyed the ancient Britons, they planted themselves in this island on the same footing with their ancestors in Germany, and found no occasion for the feudal institutions, which were calculated to maintain a kind of standing army, always in readiness to suppress any insurrection among the conquered people. The trouble and expense of defending the state in England lay equally upon all the land; and it was usual for every five hides to equip a man for the service. The *trinoda necessitas*, as it was called, or the burthen of military expeditions, of repairing highways, and of building and supporting bridges, was inseparable from landed property, even though it belonged to the church or monasteries, unless exempted by a particular charter. The ceorles or husbandmen were provided with arms, and were obliged to take their turn in military duty. There were computed to be 243,600 hydes in England; consequently the ordinary military force of the kingdom consisted of 48,720 men; though no doubt, on extraordinary occasions, a greater number might be assembled. The king and nobility had some military tenants, who were called Sithcun-men. And there were some lands annexed to the office of alderman, and to other offices; but these probably were not of great extent, and were possessed only during pleasure, as in the commencement of the feudal law in other countries of Europe.

PUBLIC REVENUE.

The revenue of the king seems to have consisted chiefly in his demesnes, which were large; and in the tolls and imposts which he probably levied at discretion on the boroughs and seaports that lay within his demesnes. He could not alienate any part of the crown lands, even to religious uses, without the consent of the states. Danegelt was a land-tax of a shilling a hide, imposed by the states, either for payment of the sums exacted by the Danes, or for putting the kingdom in a posture of defence against those invaders.

VALUE OF MONEY.

The Saxon pound, as likewise that which was coined for some centuries after the conquest, was near three times the weight of our present money: there were forty-eight shillings in the pound, and five pence in a shilling; consequently a Saxon shilling was near a fifth heavier than ours, and a Saxon penny near three times as heavy. As to the value of money in those times, compared to commodities, there are some, though not very certain means of computation. A sheep, by the laws of Athelstan, was estimated at a shilling; that is, fifteen pence of our money. The fleece was two-fifths of the value of the whole sheep; much above its present estimation; and the reason probably was, that the Saxons, like the ancients, were little acquainted with any clothing but what was made of wool. Silk and cotton were quite unknown: linen was not much used. An ox was computed at six times the value of a sheep; a cow at four. If we suppose that the cattle in that age, from the defects in husbandry, were not so large as they are at present in England, we may compute that money was then near ten times of greater value. A horse was valued at about thirty-six shillings of our money, or thirty Saxon shillings; a mare a third less. A man at three pounds. The board-wages of a child the first year was eight shillings, together with a cow's pasture in summer, and an ox's in winter. William of Malmesbury mentions it as a remarkably high price that William Rufus gave fifteen marks for a horse, or about thirty pounds of our present money. Between the years 900 and 1000, Ednoth bought a hide of land for about one hundred and eighteen shillings of present money. This was little more than a shilling an acre, which indeed appears to have been the usual price, as we may learn from other accounts. A palfrey was sold for twelve shillings about the year 966. The value of an ox in king Ethelred's time was between seven and eight shillings; a cow about six shillings. Gervas of Tilbury says, that in Henry the First's time, bread which would suffice a hundred men for a day was rated at three shillings, or a shilling of that age; for it is

* Sometimes the person accused walked barefoot over red hot iron.

† On the death of an alderman, a greater or lesser thane, there was a payment to the king of his best arms: and this was called his heriot: but this was not of the nature of a relief. See Spelm. of Tenures, p. 2. The value of this heriot was fixed by Canute's laws, § 69.

thought that, soon after the conquest, a pound sterling was divided into twenty shillings: a sheep was rated at a shilling, and so of other things in proportion. In Athelstan's time a ram was valued at a shilling, or fourpence Saxon. The tenants of Shireburn were obliged, at their choice, to pay either sixpence, or four hens. About 1232, the abbot of St. Albans, going on a journey, hired seven handsome stout horses; and agreed, if any of them died on the road, to pay the owner thirty shillings apiece of our present money. It is to be remarked, that in all ancient times the raising of corn, especially wheat, being a species of manufactory, that commodity always bore a higher price, compared to cattle, than it does in our times. The Saxon Chronicle tells us, that in the reign of Edward the Confessor there was the most terrible famine ever known; insomuch that a quarter of wheat rose to sixty pennies, or fifteen shillings of our present money. Consequently it was as dear as if it now cost seven pounds ten shillings. This much exceeds the great famine in the end of queen Elizabeth, when a quarter of wheat was sold for four pounds. Money in this last period was nearly of the same value as in our time. These severe famines are a certain proof of bad husbandry.

On the whole, there are three things to be considered, wherever a sum of money is mentioned in ancient times: First, the change of denomination, by which a pound has been reduced to the third part of its ancient weight in silver. Secondly, the change in value by the greater plenty of money, which has reduced the same weight of silver to ten times less value, compared to commodities; and consequently a pound sterling to the thirtieth part of the ancient value. Thirdly, the fewer people and less industry, which were then to be found in every European kingdom. This circumstance made even the thirtieth part of the sum more difficult to levy, and caused any sum to have more than thirty times greater weight and influence, both abroad and at home, than in our times; in the same manner that a sum, a hundred thousand pounds, for instance, is at present more difficult to levy in a small state, such as Bavaria, and can produce greater effects on such a small community, than on England. This last difference is not easy to be calculated: but allowing that England has now six times more industry, and three times more people than it had at the conquest, and for some reigns after that period, we are upon that supposition to conceive, taking all circumstances together, every sum of money mentioned by historians, as if it were multiplied more than a hundredfold above a sum of the same denomination at present.

In the Saxon times, land was divided equally among all the male children of the deceased, according to the custom of Gavelkind. The practice of entails is to be found in those times Land was chiefly of two kinds—bockland, or land held by book or charter, which was regarded as full property, and descended to the heirs of the possessor; and folkland, or the land held by the ceorles and common people, who were movable at pleasure, and were indeed only tenants during the will of their lords.

The first attempt which we find in England to separate the ecclesiastical from the civil jurisdiction, was that law of Edgar, by which all disputes among the clergy were ordered to be carried before the bishop. The penances were then very severe; but as a man could buy them off with money, or might substitute others to perform them, they lay easy upon the rich.

MANNERS.

With regard to the manners of the Anglo-Saxons we can say little, but that they were in general a rude, uncultivated people, ignorant of letters, unskilled in the mechanical arts, untamed to submission under law and government, addicted to intemperance, riot, and disorder. Their best quality was their military courage, which yet was not supported by discipline or conduct. Their want of fidelity to the prince, or to any trust reposed in them, appears strongly in the history of their later period; and their want of humanity in all their history. Even the Norman historians, notwithstanding the low state of the arts in their own country, speak of them as barbarians, when they mention the invasion made upon them by the duke of Normandy. The conquest put the people in a situation of receiving slowly from abroad the rudiments of science and cultivation, and of correcting their rough and licentious manners.

CHAPTER IV.

WILLIAM THE CONQUEROR.

Consequences of the Battle of Hastings—Submission of the English—Settlement of the Government—King's Return to Normandy—Discontents of the English—Their Insurrections—Rigours of the Norman Government—New Insurrections—New Rigours of the Government—Introduction of the Feudal Law—Innovation in Ecclesiastical Government—Insurrection of the Norman Barons—Dispute about Investitures—Revolt of Prince Robert—Domesday-book—The New Forest—War with France—Death and Character of William the Conqueror.

CONSEQUENCES OF THE BATTLE OF HASTINGS. 1066.

NOTHING could exceed the consternation which seized the English, when they received intelligence of the unfortunate battle of Hastings, the death of their king, the slaughter of their principal nobility and of their bravest warriors, and the rout and dispersion of the remainder. But though the loss which they had sustained in that fatal action was considerable, it might have been repaired by a great nation, where the people were generally armed, and where there resided so many powerful noblemen in every province, who could have assembled their retainers, and have obliged the duke of Normandy to divide his army, and probably to waste it in a variety of actions and rencounters. It was thus that the kingdom had formerly resisted, for many years, its invaders, and had been gradually subdued, by the continued efforts of the Romans, Saxons, and Danes; and equal difficulties might have been apprehended by William in this bold and hazardous enterprise. But there were several vices in the Anglo-Saxon constitution, which rendered it difficult for the English to defend their liberties in so critical an emergency. The people had in a great measure lost all national pride and spirit, by their recent and long subjection to the Danes; and as Canute had, in the course of his administration, much abated the rigours of conquest, and had governed them equitably by their own laws, they regarded with the less terror the ignominy of a foreign yoke, and deemed the inconveniencies of submission less formidable than those of bloodshed, war, and resistance. Their attachment also to the ancient royal family had been much weakened, by their habits of submission to the Danish princes, and by their late election of Harold, or their acquiescence in his usurpation. And as they had long been accustomed to regard Edgar Atheling, the only heir of the Saxon line, as unfit to govern them even in times of order and tranquillity, they could entertain small hopes of his being able to repair such great losses as they had sustained, or to withstand the victorious arms of the duke of Normandy.

That they might not, however, be altogether wanting to themselves in this extreme necessity, the English took some steps towards adjusting their disjointed government, and uniting themselves against the common enemy. The two potent earls, Edwin and Morcar, who had fled to London with the remains of the broken army, took the lead on this occasion: in concert with Stigand, archbishop of Canterbury, a man possessed of great authority and of ample revenues, they proclaimed Edgar, and endeavoured to put the people in a posture of defence, and encourage them to resist the Normans. But the terror of the late defeat, and the near neighbourhood of the invaders, increased the confusion inseparable from great revolutions; and every resolution proposed was hasty, fluctuating, tumultuary, disconcerted by fear or faction, ill planned, and worse executed.

William, that his enemies might have no leisure to recover from their consternation, or unite their counsels, immediately put himself in motion after his victory, and resolved to prosecute an enterprise, which nothing but celerity and vigour could render finally successful. His first attempt was against Romney, whose inhabitants he severely punished, on account of their cruel treatment of some Norman seamen and soldiers, who had been carried thither by stress of weather, or by a mistake in their course: and foreseeing that his conquest of England might still be attended with many difficulties and with much opposition, he deemed it necessary, before he should advance further into the country, to make himself master of Dover, which would both secure him a retreat in case of adverse fortune, and afford him a safe landing-place for such supplies as might be requisite for pushing his advantages. The terror diffused by his victory at Hastings was so great, that the garrison of Dover, though numerous and well provided, immediately capitulated; and as the Normans, rushing in to take possession of the town, hastily set fire to some of the houses, William, desirous to conciliate the minds of the English by an appearance of lenity and justice, made compensation to the inhabitants for their losses.

The Norman army, being much distressed with a dysentery, was obliged to remain here eight days; but the duke, on their recovery, advanced with quick marches, towards London, and by his approach increased the confusions which were already so prevalent in the English counsels. The ecclesiastics in particular, whose influence was great over the people, began to declare in his favour; and as most of the bishops and dignified clergymen were even then Frenchmen or Normans, the pope's bull, by which his enterprise was avowed and hallowed, was now openly insisted on as a reason for general submission. The superior learning of those prelates, which, during the Confessor's reign, had raised them above the ignorant Saxons, made their opinions be received with implicit faith; and a young prince like Edgar, whose capacity was deemed so mean, was but ill qualified to resist the impression which they made on the minds of the people. A repulse which a body of Londoners received from five hundred Norman horse, renewed in the city the terror of the great defeat at Hastings; the easy submission of all the inhabitants of Kent was an additional discouragement to them; the burning of Southwark before their eyes, made them dread a like fate to their own city; and no man any longer entertained thoughts but of immediate safety and of self-preservation. Even the earls Edwin and Morcar, in despair of making effectual resistance, retired with their troops to their own provinces; and the people thenceforth disposed themselves unanimously to yield to the victor.

SUBMISSION OF THE ENGLISH.

As soon as he passed the Thames at Wallingford, and reached Berkhamstead, Stigand the primate made submissions to him: before he came within sight of the city, all the chief nobility, and Edgar Atheling himself, the new-elected king, came into his camp, and declared their intention of yielding to his authority. They requested him to mount their throne, which they now considered as vacant; and declared to him, that as they had always been ruled by regal power, they desired to follow, in this particular, the example of their ancestors, and knew of no one more worthy than himself to hold the reins of government.

Though this was the great object to which the duke's enterprise tended, he feigned to deliberate on the offer; and being desirous, at first, of preserving the appearance of a legal administration, he wished to obtain a more explicit and formal consent of the English nation: but Aimar of Aquitain, a man equally respected for valour in the field and for prudence in council, remonstrating with him on the danger of delay in so critical a conjuncture, he laid aside all further scruples, and accepted of the crown which was tendered him. Orders were immediately issued to prepare everything for the ceremony of his coronation; but as he was yet afraid to place entire confidence in the Londoners, who were numerous and warlike, he meanwhile commanded fortresses to be erected, in order to curb the inhabitants, and to secure his person and government.

Stigand was not much in the duke's favour, both because he had intruded into the see on the expulsion of Robert the Norman, and because he possessed such influence and authority over the English as might be dangerous to a new-established monarch. William, therefore, pretending that the primate had obtained his pall in an irregular manner from pope Benedict IX., who was himself an usurper, refused to be consecrated by him, and conferred this honour on Aldred, archbishop of York. Westminster Abbey was the place appointed for that magnificent ceremony; the most considerable of the nobility, both English and Norman, attended the duke on this occasion: [Dec. 26, 1066:] Aldred, in a short speech, asked the former, whether they agreed to accept of William as their king; the bishop of Constance put the same question to the latter; and both being answered with acclamations, Aldred administered to the duke the usual coronation oath, by which he bound himself to protect the church, to administer justice, and to repress violence: he then anointed him, and put the crown upon his head.* There appeared nothing but joy in the countenance of the spectators: but in that very moment there burst forth the strongest symptoms of the jealousy and animosity which prevailed between the nations, and which continually increased during the reign of this prince. The Norman soldiers, who were placed without, in order to guard the church, hearing the shouts within, fancied that the English were offering violence to their duke; and they immediately assaulted the populace, and set fire to the neighbouring houses. The alarm was conveyed to the nobility who surrounded the prince; both English and Normans, full of apprehensions, rushed out to secure themselves from the present danger; and it was with difficulty that William himself was able to appease the tumult.

SETTLEMENT OF THE GOVERNMENT. 1067.

The king, thus possessed of the throne by a pretended destination of king Edward, and by an irregular election of the people, but still more by force of arms, retired from London to Berking in Essex; and there received the submissions of all the nobility who had not attended his coronation. Edric, surnamed the Forester, grand-nephew to that Edric so noted for his

* Malmesbury, p. 271, says, that he always promised to govern the Normans and English by equal laws; and this addition to the usual oath seems not improbable, considering the circumstances of the times.

repeated acts of perfidy during the reigns of Ethelred and Edmond; earl Coxo, a man famous for bravery; even Edwin and Morcar, earls of Mercia and Northumberland; with the other principal noblemen of England, came and swore fealty to him; were received into favour, and were confirmed in the possession of their estates and dignities. Everything bore the appearance of peace and tranquillity; and William had no other occupation than to give contentment to the foreigners who had assisted him to mount the throne, and to his new subjects, who had so readily submitted to him.

He had got possession of the treasure of Harold, which was considerable; and being also supplied with rich presents from the opulent men in all parts of England, who were solicitous to gain the favour of their new sovereign, he distributed great sums among his troops, and by this liberality gave them hopes of obtaining at length those more durable establishments which they had expected from his enterprise. The ecclesiastics, both at home and abroad, had much forwarded his success; and he failed not, in return, to express his gratitude and devotion in the manner which was most acceptable to them. He sent Harold's standard to the pope, accompanied with many valuable presents: all the considerable monasteries and churches in France, where prayers had been put up for his success, now tasted of his bounty: the English monks found him well disposed to favour their order: and he built a new convent near Hastings, which he called *Battle Abbey*, and which, on pretence of supporting monks to pray for his own soul, and for that of Harold, served as a lasting memorial of his victory.*

He introduced into England that strict execution of justice for which his administration had been much celebrated in Normandy; and even during this violent revolution, every disorder or oppression met with rigorous punishment. His army, in particular, was governed with severe discipline; and notwithstanding the insolence of victory, care was taken to give as little offence as possible to the jealousy of the vanquished. The king appeared solicitous to unite, in an amicable manner, the Normans and the English, by intermarriages and alliances; and all his new subjects who approached his person were received with affability and regard. No signs of suspicion appeared, not even towards Edgar Atheling, the heir of the ancient royal family, whom William confirmed in the honours of earl of Oxford, conferred on him by Harold, and whom he affected to treat with the highest kindness, as nephew to the Confessor, his great friend and benefactor. Though he confiscated the estates of Harold, and of those who had fought in the battle of Hastings on the side of that prince, whom he represented as an usurper, he seemed willing to admit of every plausible excuse for past opposition to his pretensions, and he received many into favour who had carried arms against him. He confirmed the liberties and immunities of London and the other cities of England; and appeared desirous of replacing everything on ancient establishments. In his whole administration he bore the semblance of the lawful prince, not of the conqueror; and the English began to flatter themselves that they had changed, not the form of their government, but the succession only of their sovereigns, a matter which gave them small concern. The better to reconcile his new subjects to his authority, William made a progress through some parts of England; and besides a splendid court and majestic presence, which overawed the people, already struck with his military fame, the appearance of his clemency and justice gained the approbation of the wise, attentive to the first steps of their new sovereign.

But amidst this confidence and friendship which he expressed for the English, the king took care to place all real power in the hands of his Normans, and still to keep possession of the sword, to which he was sensible he had owed his advancement to sovereign authority. He disarmed the city of London and other places, which appeared most warlike and populous; and building citadels in that capital, as well as in Winchester, Hereford, and the cities best situated for commanding the kingdom, he quartered Norman soldiers in all of them, and left nowhere any power able to resist or oppose him. He bestowed the forfeited estates on the most eminent of his captains, and established funds for the payment of his soldiers. And thus, while his civil administration carried the face of a legal magistrate, his military institutions were those of a master and tyrant; at least of one who reserved to himself, whenever he pleased, the power of assuming that character.

* This convent was freed by him from all episcopal jurisdiction. Monast. tom. i. p. 311, 312.

KING'S RETURN TO NORMANDY. 1067.

By this mixture, however, of vigour and lenity, he had so soothed the minds of the English, that he thought he might safely revisit his native country, and enjoy the triumph and congratulations of his ancient subjects. He left the administration in the hands of his uterine brother, Odo, bishop of Baieux, and of William Fitz-Osberne. [March, 1067.] That their authority might be exposed to less danger, he carried over with him all the most considerable nobility of England, who, while they served to grace his court by their presence and magnificent retinues, were in reality hostages for the fidelity of the nation. Among these were Edgar Atheling, Stigand the primate, the earls Edwin and Morcar, Waltheof, the son of the brave earl Siward, with others, eminent for the greatness of their fortunes and families, or for their ecclesiastical and civil dignities. He was visited at the abbey of Fescamp, where he resided during some time, by Rodulph, uncle to the king of France, and by many powerful princes and nobles, who, having contributed to his enterprise, were desirous of participating in the joy and advantages of its success. His English courtiers, willing to ingratiate themselves with their new sovereign, out-vied each other in equipages and entertainments; and made a display of riches which struck the foreigners with astonishment. William of Poictiers, a Norman historian, who was present, speaks with admiration of the beauty of their persons, the size and workmanship of their silver plate, the costliness of their embroideries, an art in which the English then excelled; and he expresses himself in such terms, as tend much to exalt our idea of the opulence and cultivation of the people.* But though everything bore the face of joy and festivity, and William himself treated his new courtiers with great appearance of kindness, it was impossible altogether to prevent the insolence of the Normans; and the English nobles derived little satisfaction from those entertainments, where they considered themselves as led in triumph by their ostentatious conqueror.

DISCONTENTS OF THE ENGLISH.

In England affairs took still a worse turn during the absence of the sovereign. Discontents and complaints multiplied everywhere; secret conspiracies were entered into against the government; hostilities were already begun in many places; and everything seemed to menace a revolution as rapid as that which had placed William on the throne. The historian above mentioned, who is a panegyrist of his master, throws the blame entirely on the fickle and mutinous disposition of the English, and highly celebrates the justice and lenity of Odo's and Fitz-Osberne's administration. But other historians, with more probability, impute

* As the historian chiefly insists on the silver plate, his panegyric on the English magnificence shows only how incompetent a judge he was of the matter. Silver was then of ten times the value, and was more than twenty times more rare than at present; and consequently, of all species of luxurious plate must have been the rarest.

the cause chiefly to the Normans, who, despising a people that had so easily submitted to the yoke, envying their riches, and grudging the restraints imposed upon their own rapine, were desirous of provoking them to a rebellion, by which they expected to acquire new confiscations and forfeitures, and to gratify those unbounded hopes which they had formed in entering on this enterprise.

It is evident, that the chief reason of this alteration in the sentiments of the English, must be ascribed to the departure of William, who was alone able to curb the violence of his captains, and to overawe the mutinies of the people. Nothing indeed appears more strange, than that this prince, in less than three months after the conquest of a great, warlike, and turbulent nation, should absent himself, in order to revisit his own country, which remained in profound tranquillity, and was not menaced by any of its neighbours; and should so long leave his jealous subjects at the mercy of an insolent and licentious army. Were we not assured of the solidity of his genius, and the good sense displayed in all other circumstances of his conduct, we might ascribe this measure to a vain ostentation, which rendered him impatient to display his pomp and magnificence among his ancient subjects. It is therefore more natural to believe, that in so extraordinary a step he was guided by a concealed policy; and that, though he had thought proper at first to allure the people to submission by the semblance of a legal administration, he found that he could neither satisfy his rapacious captains, nor secure his unstable government, without further exerting the rights of conquest, and seizing the possessions of the English. In order to have a pretext for this violence, he endeavoured, without discovering his intentions, to provoke and allure them into insurrections, which, he thought, could never prove dangerous, while he detained all the principal nobility in Normandy, while a great and victorious army was quartered in England, and while he himself was so near to suppress any tumult or rebellion. But as no ancient writer as ascribed this tyrannical purpose to William, it scarcely seems allowable, from conjecture alone, to throw such an imputation upon him.

THEIR INSURRECTIONS.

But whether we are to account for that measure from the king's vanity or from his policy, it was the immediate cause of all the calamities which the English endured during this and the subsequent reigns, and gave rise to those mutual jealousies and animosities between them and the Normans, which were never appeased till a long tract of time had gradually united the two nations, and made them one people. The inhabitants of Kent, who had first submitted to the Conqueror, were the first that attempted to throw off the yoke; and in confederacy with Eustace, count of Bologne, who had also been disgusted by the Normans, they made an attempt, though without success, on the garrison of Dover. Edric the Forester, whose possessions lay on the banks of the Severn, being provoked at the depredations of some Norman captains in his neighbourhood, formed an alliance with Blethyn and Rowallan, two Welsh princes; and endeavoured, with their assistance, to repel force by force. But though these open hostilities were not very considerable, the disaffection was general among the English, who had become sensible, though too late, of their defenceless condition, and began already to experience those insults and injuries which a nation must always expect that allows itself to be reduced to that abject situation. A secret conspiracy was entered into to perpetrate in one day a general massacre of the Normans, like that which had formerly been executed upon the Danes; and the quarrel was become so general and national, that the vassals of earl Coxo, having desired him to head them in an insurrection, and finding him resolute in maintaining his fidelity to William, put him to death as a traitor to his country.

The king, informed of these dangerous discontents, hastened over to England; (December 6;) and by his presence, and the vigorous measures which he pursued, disconcerted all the schemes of the conspirators. Such of them as had been more violent in their mutiny, betrayed their guilt by flying, or concealing themselves; and the confiscation of their estates, while it increased the number of malcontents, both enabled William to gratify further the rapacity of his Norman captains, and gave them the prospect of new forfeitures and attainders. The king began to regard all his English subjects as inveterate and irreclaimable enemies; and thenceforth either embraced, or was more fully confirmed in the resolution of seizing their possessions, and of reducing them to the most abject slavery. Though the natural violence and severity of his temper made him incapable of feeling any remorse in the execution of this tyrannical purpose, he had art enough to conceal his intention, and to preserve still some appearance of justice in his oppressions. He ordered all the English, who had been arbitrarily expelled by the Normans during his absence, to be restored to their estates:* but at the same time he imposed a general tax on the people, that of Danegelt, which had been abolished by the Confessor, and which had always been extremely odious to the nation.

1068. As the vigilance of William overawed the malcontents, their insurrections were more the result of an impatient humour in the people, than of any regular conspiracy, which could give them a rational hope of success against the established power of the Normans. The inhabitants of Exeter, instigated by Githa, mother to king Harold, refused to admit a Norman garrison, and betaking themselves to arms, were strengthened by the accession of the neighbouring inhabitants of Devonshire and Cornwall. The king hastened with his forces to chastise this revolt; and on his approach, the wiser and more considerable citizens, sensible of the unequal contest, persuaded the people to submit, and to deliver hostages for their obedience. A sudden mutiny of the populace broke this agreement; and William, appearing before the walls, ordered the eyes of one of the hostages to be put out, as an earnest of that severity which the rebels must expect if they persevered in their revolt. The inhabitants were anew seized with terror, and surrendering at discretion, threw themselves at the king's feet, and supplicated his clemency and forgiveness. William was not destitute of generosity, when his temper was not hardened either by policy or passion: he was prevailed on to pardon the rebels, and he set guards on all the gates, in order to prevent the rapacity and insolence of his soldiery. Githa escaped with her treasures to Flanders. The malcontents of Cornwall imitated the example of Exeter, and met with like treatment: and the king, having built a citadel in that city, which he put under the command of Baldwin, son of earl Gilbert, returned to Winchester, and dispersed his army into their quarters. He was here joined by his wife, Matilda, who had not before visited England, and whom he now ordered to be crowned by archbishop Aldred. Soon after, she brought him an accession to his family by the birth of a fourth son, whom he named Henry. His three elder sons, Robert, Richard, and William, still resided in Normandy.

But though the king appeared thus fortunate, both in public and domestic life, the discontents of his English subjects augmented daily; and the injuries committed and suffered on both sides, rendered the quarrel between them and the Normans absolutely incurable. The insolence of victorious masters, dispersed throughout the kingdom, seemed intolerable to the natives; and wherever they found the Normans, separate or assembled in small bodies, they secretly

* This fact is a full proof that the Normans had committed great injustice, and were the real cause of the insurrection of the English.

set upon them, and gratified their vengeance by the slaughter of their enemies. But an insurrection in the north drew thither the general attention, and seemed to threaten more important consequences. Edwin and Morcar appeared at the head of this rebellion; and these potent noblemen, before they took arms, stipulated for foreign succours, from their nephew, Blethyn, prince of North Wales, from Malcolm, king of Scotland, and from Sweyn, king of Denmark. Besides the general discontent which had seized the English, the two earls were incited to this revolt by private injuries. William, in order to insure them to his interests, had, on his accession, promised his daughter in marriage to Edwin; but either he had never seriously intended to perform this engagement, or, having changed his plan of administration in England from clemency to rigour, he thought it was to little purpose, if he gained one family, while he enraged the whole nation. When Edwin, therefore, renewed his applications, he gave him an absolute denial; and this disappointment, added to so many other reasons of disgust, induced that nobleman and his brother to concur with their incensed countrymen, and to make one general effort for the recovery of their ancient liberties. William knew the importance of celerity in quelling an insurrection, supported by such powerful leaders, and so agreeable to the wishes of the people; and having his troops always in readiness, he advanced by great journeys to the north. On his march he gave orders to fortify the castle of Warwic, of which he left Henry de Beaumont governor, and that of Nottingham, which he committed to the custody of William Peverill, another Norman captain. He reached York before the rebels were in any condition for resistance, or were joined by any of the foreign succours which they expected, except a small re-enforcement from Wales; and the two earls found no means of safety, but having recourse to the clemency of the victor. Archil, a potent nobleman in those parts, imitated their example, and delivered his son as a hostage for his fidelity; nor were the people, thus deserted by their leaders, able to make any further resistance. But the treatment which William gave the chiefs was very different from that which fell to the share of their followers. He observed religiously the terms which he had granted to the former, and allowed them for the present to keep possession of their estates; but he extended the rigours of his confiscations over the latter, and gave away their lands to his foreign adventurers. These, planted throughout the whole country, and in possession of the military power, left Edwin and Morcar, whom he pretended to spare, destitute of all support, and ready to fall, whenever he should think proper to command their ruin. A peace which he made with Malcolm, who did him homage for Cumberland, seemed at the same time to deprive them of all prospect of foreign assistance.

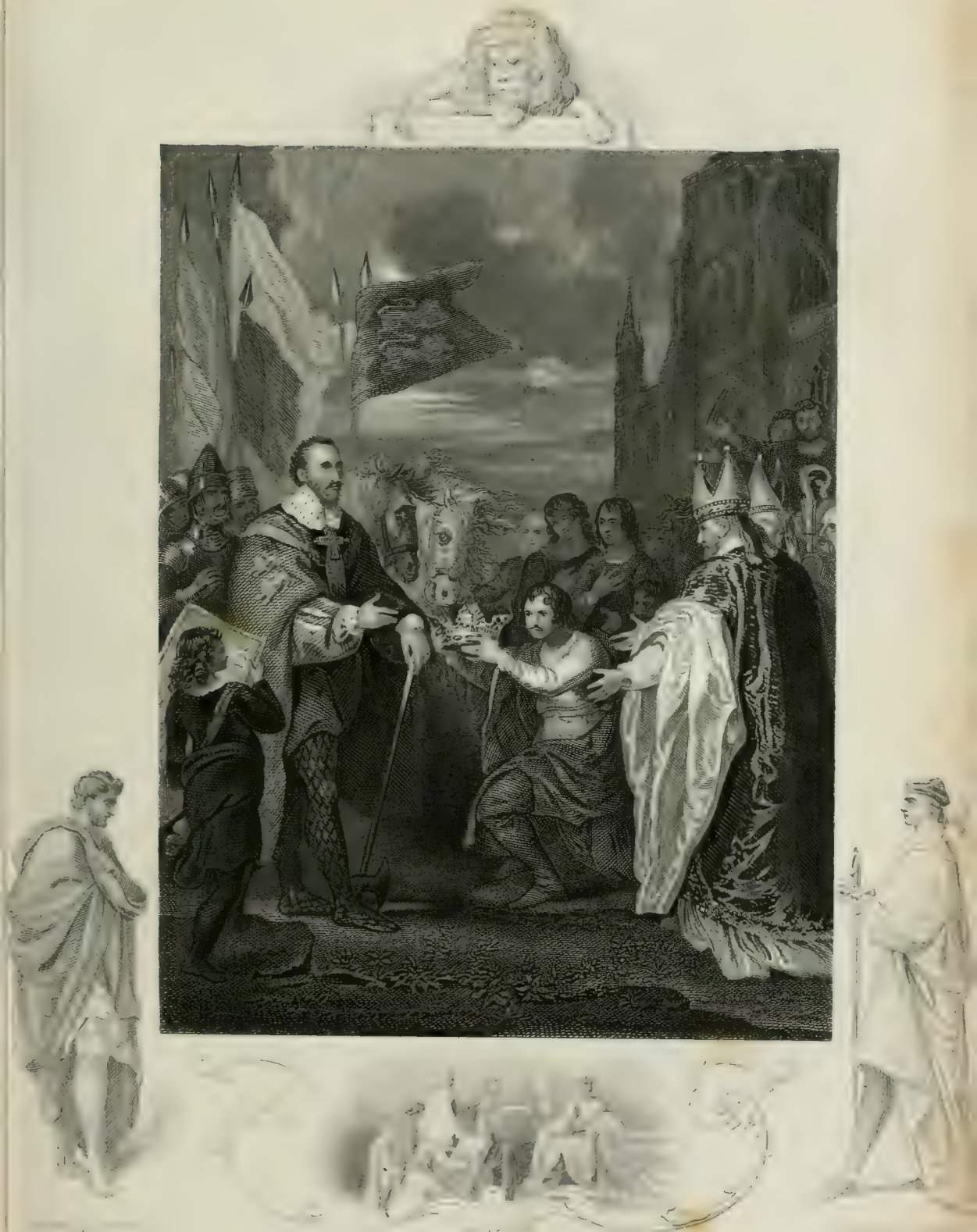
RIGOURS OF THE NORMAN GOVERNMENT. 1068.

The English were now sensible that their final destruction was intended; and that instead of a sovereign whom they had hoped to gain by their submissions, they had tamely surrendered themselves, without resistance, to a tyrant and a conqueror. Though the early confiscation of Harold's followers might seem iniquitous; being inflicted on men who had never sworn fealty to the duke of Normandy, who were ignorant of his pretensions, and who only fought in a defence of the government which they themselves had established in their own country: yet were these rigours, however contrary to the ancient Saxon laws, excused, on account of the urgent necessities of the prince; and those who were not involved in the present ruin, hoped that they should thenceforth enjoy, without molestation, their possessions and their dignities. But the successive destruction of so many other families convinced them, that the king intended to rely entirely on the support and affections of foreigners; and they foresaw new forfeitures, attainders, and acts of violence, as the necessary result of this destructive plan of administration. They observed that no Englishman possessed his confidence, or was entrusted with any command or authority; and that the strangers, whom a rigorous discipline could but have ill restrained, were encouraged in their insolence and tyranny against them. The easy submission of the kingdom on its first invasion had exposed the natives to contempt; the subsequent proofs of their animosity and resentment had made them the object of hatred; and they were now deprived of every expedient by which they could hope to make themselves either regarded or beloved by their sovereign. Impressed with the sense of this dismal situation, many Englishmen fled into foreign countries, with an intention of passing their lives abroad, free from oppression, or of returning on a favourable opportunity to assist their friends in the recovery of their native liberties. Edgar Atheling himself, dreading the insidious caresses of William, was persuaded by Cospatric, a powerful Northumbrian, to escape with him into Scotland; and he carried thither his two sisters, Margaret and Christina. They were well received by Malcolm, who soon after espoused Margaret the eldest sister; and partly with a view of strengthening his kingdom by the accession of so many strangers, partly in hopes of employing them against the growing power of William, he gave great countenance to all the English exiles. Many of them settled there; and laid the foundation of families which afterwards made a figure in that country.

While the English suffered under these oppressions, even the foreigners were not much at their ease; but finding themselves surrounded on all hands by enraged enemies, who took every advantage against them, and menaced them with still more bloody effects of the public resentment, they began to wish again for the tranquillity and security of their native country. Hugh de Grentmesnil, and Humphry de Teliol, though entrusted with great commands, desired to be dismissed the service; and some others imitated their example: a desertion which was highly resented by the king, and which he punished by the confiscation of all their possessions in England. But William's bounty to his followers could not fail of alluring many new adventurers into his service; and the rage of the vanquished English served only to excite the attention of the king and those warlike chiefs, and keep them in readiness to suppress every commencement of domestic rebellion or foreign invasion.

NEW INSURRECTIONS. 1069.

It was not long before they found occupation for their prowess and military conduct. Godwin, Edmond, and Magnus, three sons of Harold, had, immediately after the defeat at Hastings, sought a retreat in Ireland; where, having met with a kind reception from Dermot and other princes of that country, they projected an invasion on England, and they hoped that all the exiles from Denmark, Scotland, and Wales, assisted by forces from these several countries, would at once commence hostilities, and rouse the indignation of the English against their haughty conquerors. They landed in Devonshire, but found Brian, son of the count of Britanny, at the head of some foreign troops, ready to oppose them; and being defeated in several actions, they were obliged to retreat to their ships, and to return with great loss to Ireland. The efforts of the Normans were now directed to the north, where affairs had fallen into the utmost confusion. The more impatient of the Northumbrians had attacked Robert de Comyn, who was appointed governor of Durham; and gaining the advantage over him from his negligence, they put him to death in that city, with seven hundred of his followers. This success animated the inhabitants of York, who rising in arms, slew Robert Fitz-Richard their governor; and besieged in the castle William



Mallet, on whom the command now devolved. A little after, the Danish troops landed from three hundred vessels: Osberne, brother to king Sweyn, was entrusted with the command of these forces, and he was accompanied by Harold and Canute, two sons of that monarch. Edgar Atheling appeared from Scotland, and brought along with him Cospatrick, Waltheof, Siward, Bearne, Merleswain, Adelin, and other leaders, who, partly from the hopes which they gave of Scottish succours, partly from their authority in those parts, easily persuaded the warlike and discontented Northumbrians to join the insurrection. Mallet, that he might better provide for the defence of the citadel of York, set fire to some houses which lay contiguous; but this expedient proved the immediate cause of his destruction. The flames, spreading into the neighbouring streets, reduced the whole city to ashes: the enraged inhabitants, aided by the Danes, took advantage of the confusion to attack the castle, which they carried by assault; and the garrison, to the number of three thousand men, was put to the sword without mercy.

This success proved a signal to many other parts of England, and gave the people an opportunity of showing their malevolence to the Normans. Hereward, a nobleman in East-Anglia, celebrated for valour, assembled his followers, and taking shelter in the Isle of Ely, made inroads on all the neighbouring country. The English in the counties of Somerset and Dorset rose in arms, and assaulted Montacute, the Norman governor; while the inhabitants of Cornwall and Devon invested Exeter, which, from the memory of William's clemency, still remained faithful to him. Edric the Forester, calling in the assistance of the Welsh, laid siege to Shrewsbury, and made head against earl Briant and Fitz-Osberne, who commanded in those quarters. The English, everywhere repenting their former easy submission, seemed determined to make by concert one great effort for the recovery of their liberties, and for the expulsion of their oppressors.

William, undismayed amidst this scene of confusion, assembled his forces, and animating them with the prospect of new confiscations and forfeitures, he marched against the rebels in the north, whom he regarded as the most formidable, and whose defeat he knew would strike a terror into all the other malcontents. Joining policy to force, he tried before his approach to weaken the enemy, by detaching the Danes from them; and he engaged Osberne, by large presents, and by offering him the liberty of plundering the sea-coast, to retire, without committing further hostilities, into Denmark. Cospatric also, in despair of success, made his peace with the king, and paying a sum of money as an atonement for his insurrection, was received into favour, and even invested with the earldom of Northumberland. Waltheof, who long defended York with great courage, was allured with this appearance of clemency; and as William knew how to esteem valour, even in an enemy, that nobleman had no reason to repent of this confidence. Even Edric, compelled by necessity, submitted to the Conqueror, and received forgiveness, which was soon after followed by some degree of trust and favour. Malcolm, coming too late to support his confederates, was constrained to retire; and all the English rebels in other parts, except Hereward, who still kept in his fastnesses, dispersed themselves, and left the Normans undisputed masters of the kingdom. Edgar Atheling, with his followers, sought again a retreat in Scotland from the pursuit of his enemies.

NEW RIGOURS OF THE GOVERNMENT. 1070.

But the seeming clemency of William towards the English leaders proceeded only from artifice, or from his esteem of individuals: his heart was hardened against all compassion towards the people; and he scrupled no measure, however violent or severe, which seemed requisite to support his plan of tyrannical administration. Sensible of the restless disposition of the Northumbrians, he determined to incapacitate them ever after from giving disturbance, and he issued orders for laying entirely waste that fertile country, which for the extent of sixty miles lies between the Humber and the Tees. The houses were reduced to ashes by the merciless Normans; the cattle seized and driven away; the instruments of husbandry destroyed; and the inhabitants compelled either to seek for a subsistence in the southern parts of Scotland, or if they lingered in England, from a reluctance to abandon their ancient habitations, they perished miserably in the woods from cold and hunger. The lives of a hundred thousand persons are computed to have been sacrificed to this stroke of barbarous policy, which, by seeking a remedy for a temporary evil, thus inflicted a lasting wound on the power and populousness of the nation.

But William, finding himself entirely master of a people who had given him such sensible proofs of their impotent rage and animosity, now resolved to proceed to extremities against all the natives of England, and to reduce them to a condition in which they should no longer be formidable to his government. The insurrections and conspiracies in so many parts of the kingdom had involved the bulk of the landed proprietors, more or less, in the guilt of treason; and the king took advantage of executing against them, with the utmost rigour, the laws of forfeiture and attainder. Their lives were indeed commonly spared; but their estates were confiscated, and either annexed to the royal demesnes, or conferred with the most profuse bounty on the Normans and other foreigners. While the king's declared intention was to depress, or rather entirely extirpate, the English gentry, it is easy to believe that scarcely the form of justice would be observed in these violent proceedings; [*See note* H, *at the end of this Vol.*;] and that any suspicions served as the most undoubted proofs of guilt against a people thus devoted to destruction. It was crime sufficient in an Englishman to be opulent, or noble, or powerful; and the policy of the king, concurring with the rapacity of foreign adventurers, produced almost a total revolution in the landed property of the kingdom. Ancient and honourable families were reduced to beggary; the nobles themselves were everywhere treated with ignominy and contempt; they had the mortification of seeing their castles and manors possessed by Normans of the meanest birth and lowest stations; and they found themselves carefully excluded from every road which led either to riches or preferment. [*See note* I, *at the end of this Vol.*]

INTRODUCTION OF THE FEUDAL LAW.

As power naturally follows property, this revolution alone gave great security to the foreigners; but William, by the new institutions which he established, took also care to retain for ever the military authority in those hands which had enabled him to subdue the kingdom. He introduced into England the feudal law, which he found established in France and Normandy, and which, during that age, was the foundation both of the stability and of the disorders in most of the monarchical governments of Europe. He divided all the lands of England, with very few exceptions, besides the royal demesnes, into baronies; and he conferred these, with the reservation of stated services and payments, on the most considerable of his adventurers. These great barons, who held immediately of the crown, shared out a great part of their lands to other foreigners, who were denominated knights or vassals, and who paid their lord the same duty and submission in peace and war, which he himself owed to his sovereign. The whole kingdom contained about seven hundred chief tenants, and sixty thousand two hundred and fifteen knights-fees; and as none of

the native English were admitted into the first rank, the few who retained their landed property were glad to be received into the second, and, under the protection of some powerful Norman, to load themselves and their posterity with this grievous burthen, for estates which they had received free from their ancestors. The small mixture of English which entered into this civil and military fabric (for it partook of both species) was so restrained by subordination under the foreigners, that the Norman dominion seemed now to be fixed on the most durable basis, and to defy all the efforts of its enemies.

The better to unite the parts of the government, and to bind them into one system, which might serve both for defence against foreigners, and for the support of domestic tranquillity, William reduced the ecclesiastical revenues under the same feudal law; and though he had courted the church on his invasion and accession, he now subjected it to services which the clergy regarded as a grievous slavery, and as totally unbefitting their profession. The bishops and abbots were obliged, when required, to furnish to the king, during war, a number of knights or military tenants, proportioned to the extent of property possessed by each see or abbey; and they were liable, in case of failure, to the same penalties which were exacted from the laity. The pope and the ecclesiastics exclaimed against this tyranny, as they called it; but the king's authority was so well established over the army, who held everything from his bounty, that superstition itself, even in that age, when it was most prevalent, was constrained to bend under his superior influence.

But as the great body of the clergy were still natives, the king had much reason to dread the effects of their resentment: he therefore used the precaution of expelling the English from all the considerable dignities, and of advancing foreigners in their place. The partiality of the Confessor towards the Normans had been so great, that, aided by their superior learning, it had promoted them to many of the sees of England; and even before the period of the conquest, scarcely more than six or seven of the prelates were natives of the country. But among these was Stigand, archbishop of Canterbury; a man who, by his address and vigour, by the greatness of his family and alliances, by the extent of his possessions, as well as by the dignity of his office, and his authority among the English, gave jealousy to the king. Though William had on his accession affronted this prelate, by employing the archbishop of York to officiate at his consecration, he was careful on other occasions to load him with honours and caresses, and to avoid giving him further offence till the opportunity should offer of effecting his final destruction. The suppression of the late rebellions, and the total subjection of the English, made him hope that an attempt against Stigand, however violent, would be covered by his great successes, and be overlooked amidst the other important revolutions which affected so deeply the property and liberty of the kingdom. Yet, notwithstanding these great advantages, he did not think it safe to violate the reverence usually paid to the primate, but under cover of a new superstition, which he was the great instrument of introducing into England.

INNOVATION IN ECCLESIASTICAL GOVERNMENT.

The doctrine which exalted the papacy above all human power, had gradually diffused itself from the city and court of Rome; and was, during that age, much more prevalent in the southern than in the northern kingdoms of Europe. Pope Alexander, who had assisted William in his conquests, naturally expected that the French and Normans would import into England the same reverence for his sacred character with which they were impressed in their own country; and would break the spiritual as well as civil independency of the Saxons, who had hitherto conducted their ecclesiastical government with an acknowledgment indeed of primacy in the see of Rome, but without much idea of its title to dominion or authority. As soon, therefore, as the Norman prince seemed fully established on the throne, the pope dispatched Ermenfroy, bishop of Sion, as his legate into England; and this prelate was the first that had ever appeared with that character in any part of the British islands. The king, though he was probably led by principle to pay this submission to Rome, determined, as is usual, to employ the incident as a means of serving his political purposes, and of degrading those English prelates who were become obnoxious to him. The legate submitted to become the instrument of his tyranny; and thought that the more violent the exertion of power, the more certainly did it confirm the authority of that court from which he derived his commission. He summoned, therefore, a council of the prelates and abbots at Winchester; and being assisted by two cardinals, Peter and John, he cited before him Stigand, archbishop of Canterbury, to answer for his conduct. The primate was accused of three crimes; the holding of the see of Winchester, together with that of Canterbury; the officiating in the pall of Robert his predecessor; and the having received his own pall from Benedict IX., who was afterwards deposed for simony, and for intrusion into the papacy. These crimes of Stigand were mere pretences; since the first has been a practice not unusual in England, and was never anywhere subjected to a higher penalty than a resignation of one of the sees; the second was a pure ceremonial; and as Benedict was the only pope who then officiated, and his acts were never repealed, all the prelates of the church, especially those who lay at a distance, were excusable for making their applications to him. Stigand's ruin, however, was resolved on, and was prosecuted with great severity. The legate degraded him from his dignity: the king confiscated his estate, and cast him into prison, where he continued in poverty and want during the remainder of his life. Like rigour was exercised against the other English prelates: Agelric, bishop of Selesey, and Agelmare of Elmham, were deposed by the legate, and imprisoned by the king. Many considerable abbots shared the same fate: Egelwin, bishop of Durham, fled the kingdom: Wulstan of Worcester, a man of an inoffensive character, was the only English prelate that escaped this general proscription,* and remained in possession of his dignity. Aldred, archbishop of York, who had set the crown on William's head, had died a little before of grief and vexation, and had left his malediction to that prince, on account of the breach of his coronation oath, and of the extreme tyranny with which he saw he was determined to treat his English subjects.

It was a fixed maxim in this reign, as well as in some of the subsequent, that no native of the island should ever be advanced to any dignity, ecclesiastical, civil, or military. The king, therefore, upon Stigand's deposition, promoted Lanfranc, a Milanese monk, celebrated for his learning and piety, to the vacant see. This prelate was rigid in defending the prerogatives of his station; and after a long process before the pope, he obliged Thomas, a Norman monk, who had been appointed to the see of York, to acknowledge the primacy of the archbishop of Canterbury. Where ambition can be so happy as to cover its enterprises, even to the person himself, under the appearance of principle, it is the most incurable and inflexible of all human passions. Hence Lanfranc's zeal in promoting the interests of the papacy, by which he himself augmented his own authority, was indefatigable; and met

* Brompton relates, that Wulstan was also deprived by the synod; but refusing to deliver his pastoral staff and ring to any but the person from whom he first received it, he went immediately to king Edward's tomb, and struck the staff so deeply into the stone, that none but himself was able to pull it out: upon which he was allowed to keep his bishopric. This instance may serve, instead of many, as a specimen of the monkish miracles. See also the Annals of Burton, p. 264.

with proportionable success. The devoted attachment to Rome continually increased in England; and being favoured by the sentiments of the conquerors, as well as by the monastic establishments formerly introduced by Edred and by Edgar, it soon reached the same height at which it had, during some time stood in France and Italy.* It afterwards went much further; being favoured by that very remote situation which had at first obstructed its progress; and being less checked by knowledge and a liberal education, which were still somewhat more common in the southern countries.

The prevalence of this superstitious spirit became dangerous to some of William's successors, and incommodious to most of them: but the arbitrary sway of this king over the English, and his extensive authority over the foreigners, kept him from feeling any immediate inconveniencies from it. He retained the church in great subjection, as well as his lay subjects; and would allow none, of whatever character, to dispute his sovereign will and pleasure. He prohibited his subjects from acknowledging any one for pope whom he himself had not previously received: he required that all the ecclesiastical canons, voted in any synod, should first be laid before him, and be ratified by his authority: even bulls or letters from Rome could not legally be produced, till they received the same sanction: and none of his ministers or barons, whatever offences they were guilty of, could be subjected to spiritual censures till he himself had given his consent to their excommunication. These regulations were worthy of a sovereign, and kept united the civil and ecclesiastical powers, which the principles introduced by this prince himself had an immediate tendency to separate.

But the English had the cruel mortification to find that their king's authority, however acquired or however extended, was all employed in their oppression; and that the scheme of their subjection, attended with every circumstance of insult and indignity, was deliberately formed by the prince, and wantonly prosecuted by his followers. William had even entertained the difficult project of totally abolishing the English language; and for that purpose, he ordered that in all schools throughout the kingdom the youth should be instructed in the French tongue; a practice which was continued from custom till after the reign of Edward III., and was never indeed totally discontinued in England. The pleadings in the supreme courts of judicature were in French: the deeds were often drawn in the same language: the laws were composed in that idiom: no other tongue was used at court: it became the language of all fashionable company; and the English themselves, ashamed of their own country, affected to excel in that foreign dialect. From this attention of William, and from the extensive foreign dominions long annexed to the crown of England, proceeded that mixture of French which is at present to be found in the English tongue, and which composes the greatest and best part of our language. But amidst those endeavours to depress the English nation, the king, moved by the remonstrances of some of his prelates, and by the earnest desires of the people, restored a few of the laws of king Edward; which, though seemingly of no great importance towards the protection of general liberty, gave them extreme satisfaction, as a memorial of their ancient government, and an unusual mark of complaisance in their imperious conquerors. [*See note* K, *at the end of this Vol.*]

1071. The situation of the two great earls, Morcar and Edwin, became now very disagreeable. Though they had retained their allegiance during this general insurrection of their countrymen, they had not gained the king's confidence, and they found themselves exposed to the malignity of the courtiers, who envied them on account of their opulence and greatness, and at the same time involved them in that general contempt which they entertained for the English. Sensible that they had entirely lost their dignity, and could not even hope to remain long in safety; they determined, though too late, to share the same fate with their countrymen. While Edwin retired to his estate in the north, with a view of commencing an insurrection, Morcar took shelter in the Isle of Ely with the brave Hereward, who, secured by the inaccessible situation of the place, still defended himself against the Normans. But this attempt served only to accelerate the ruin of the few English who had hitherto been able to preserve their rank or fortune during the past convulsions. William employed all his endeavours to subdue the Isle of Ely; and having surrounded it with flat-bottomed boats, and made a causeway through the morasses to the extent of two miles, he obliged the rebels to surrender at discretion. Hereward alone forced his way, sword in hand, through the enemy; and still continued his hostilities by sea against the Normans, till at last William, charmed with his bravery, received him into favour, and restored him to his estate. Earl Morcar, and Egelwin, bishop of Durham, who had joined the malcontents, were thrown into prison, and the latter soon after died in confinement. Edwin, attempting to make his escape into Scotland, was betrayed by some of his followers, and was killed by a party of Normans, to the great affliction of the English, and even to that of William, who paid a tribute of generous tears to the memory of this gallant and beautiful youth. The king of Scotland, in hopes of profiting by these convulsions, had fallen upon the northern counties: but on the approach of William he retired; and when the king entered his country, he was glad to make peace, and to pay the usual homage to the English crown. To complete the king's prosperity, Edgar Atheling himself, despairing of success, and weary of a fugitive life, submitted to his enemy; and receiving a decent pension for his subsistence, was permitted to live in England unmolested. But these acts of generosity towards the leaders were disgraced, as usual, by William's rigour against the inferior malcontents. He ordered the hands to be lopt off, and the eyes to be put out, of many of the prisoners whom he had taken in the Isle of Ely: and he dispersed them in that miserable condition throughout the country, as monuments of his severity.

1073. The province of Maine in France had, by the will of Herbert the last count, fallen under the dominion of William some years before his conquest of England; but the inhabitants, dissatisfied with the Norman government, and instigated by Fulk, count of Anjou, who had some pretensions to the succession, now rose in rebellion, and expelled the magistrates whom the king had placed over them. The full settlement of England afforded him leisure to punish this insult on his authority; but being unwilling to remove his Norman forces from this island, he carried over a considerable army, composed almost entirely of English; and joining them to some troops levied in Normandy, he entered the revolted province. The English appeared ambitious of distinguishing themselves on this occasion, and of retrieving that character of valour which had long been national among them; but which their late easy subjection under the Normans had somewhat degraded and obscured. Perhaps too they hoped that, by their zeal and activity, they might recover the confidence of their sovereign, as their ancestors had formerly, by like means, gained the affections of Canute; and might conquer his inveterate prejudices in favour of his own countrymen. The king's military conduct, seconded by these brave troops, soon overcame all opposition in Maine: the inhabitants were obliged to submit, and the count of Anjou relinquished his pretensions.

* Lantranc wrote in defence of the real presence against Berengarius; and in those ages of stupidity and ignorance, he was greatly applauded for that performance

INSURRECTION OF THE NORMAN BARONS. 1074.

But during these transactions the government of England was greatly disturbed; and that too by those very foreigners who owed everything to the king's bounty, and who were the sole object of his friendship and regard. The Norman barons, who had engaged with their duke in the conquest of England, were men of the most independent spirit; and though they obeyed their leader in the field, they would have regarded with disdain the richest acquisitions, had they been required in return to submit, in their civil government, to the arbitrary will of one man. But the imperious character of William, encouraged by his absolute dominion over the English, and often impelled by the necessity of his affairs, had prompted him to stretch his authority over the Normans themselves beyond what the free genius of that victorious people could easily bear. The discontents were become general among those haughty nobles; and even Roger, earl of Hereford, son and heir of Fitz-Osberne, the king's chief favourite, was strongly infected with them. This nobleman, intending to marry his sister to Ralph de Guader, earl of Norfolk, had thought it his duty to inform the king of his purpose, and to desire the royal consent; but meeting with a refusal, he proceeded nevertheless to complete the nuptials, and assembled all his friends, and those of Guader, to attend the solemnity. The two earls, disgusted by the denial of their request, and dreading William's resentment for their disobedience, here prepared measures for a revolt; and during the gaiety of the festival, while the company was heated with wine, they opened the design to their guests. They inveighed against the arbitrary conduct of the king; his tyranny over the English, whom they affected on this occasion to commiserate; his imperious behaviour to his barons of the noblest birth; and his apparent intention of reducing the victors and the vanquished to a like ignominious servitude. Amidst their complaints, the indignity of submitting to a bastard was not forgotten;* the certain prospect of success in a revolt, by the assistance of the Danes and the discontented English, was insisted on; and the whole company, inflamed with the same sentiments, and warmed by the jollity of the entertainment, entered, by a solemn engagement, into the design of shaking off the royal authority. Even earl Waltheof, who was present, inconsiderately expressed his approbation of the conspiracy, and promised his concurrence towards its success.

This nobleman, the last of the English who, for some generations, possessed any power or authority, had, after his capitulation at York, been received into favour by the Conqueror; had even married Judith, niece to that prince; and had been promoted to the earldoms of Huntingdon and Northampton. Cospatric, earl of Northumberland, having, on some new disgust from William, retired into Scotland, where he received the earldom of Dunbar from the bounty of Malcolm, Waltheof was appointed his successor in that important command, and seemed still to possess the confidence and friendship of his sovereign. But as he was a man of generous principles, and loved his country, it is probable that the tyranny exercised over the English lay heavy upon his mind, and destroyed all the satisfaction which he could reap from his own grandeur and advancement. When a prospect, therefore, was opened of retrieving their liberty, he hastily embraced it; while the fumes of the liquor, and the ardour of the company, prevented him from reflecting on the consequences of that rash attempt. But after his cool judgment returned, he foresaw that the conspiracy of those discontented barons was not likely to prove successful against the established power of William; or if it did, that the slavery of the English, instead of being alleviated by that event, would become more grievous under a multitude of foreign leaders, factious and ambitious, whose union and whose discord would be equally oppressive to the people. Tormented with these reflections, he opened his mind to his wife Judith, of whose fidelity he entertained no suspicion; but who, having secretly fixed her affections on another, took this opportunity of ruining her easy and credulous husband. She conveyed intelligence of the conspiracy to the king, and aggravated every circumstance which she believed would tend to incense him against Waltheof, and render him absolutely implacable. Meanwhile the earl, still dubious with regard to the part which he should act, discovered the secret in confession to Lanfranc, on whose probity and judgment he had a great reliance: he was persuaded by the prelate that he owed no fidelity to those rebellious barons, who had by surprise gained his consent to a crime; that his first duty was to his sovereign and benefactor; his next to himself and his family; and that, if he seized not the opportunity of making atonement for his guilt by revealing it, the temerity of the conspirators was so great, that they would give some other persons the means of acquiring the merit of the discovery. Waltheof, convinced by these arguments, went over to Normandy; but though he was well received by the king, and thanked for his fidelity, the account, previously transmitted by Judith, had sunk deep into William's mind, and had destroyed all the merit of her husband's repentance.

The conspirators, hearing of Waltheof's departure, immediately concluded their design to be betrayed; and they flew to arms before their schemes were ripe for execution, and before the arrival of the Danes, in whose aid they placed their chief confidence. The earl of Hereford was checked by Walter de Lacy, a great baron in those parts, who, supported by the bishop of Worcester and the abbot of Evesham, raised some forces, and prevented the earl from passing the Severn, or advancing into the heart of the kingdom. The earl of Norfolk was defeated at Fagadun, near Cambridge, by Odo, the regent, assisted by Richard de Bienfaite and William de Warrenne, the two justiciaries. The prisoners taken in this action had their right foot cut off, as a punishment of their treason: the earl himself escaped to Norwich, thence to Denmark; where the Danish fleet, which had made an unsuccessful attempt upon the coast of England, soon after arrived, and brought him intelligence, that all his confederates were suppressed, and were either killed, banished, or taken prisoners.* Ralph retired in despair to Britanny, where he possessed a large estate and extensive jurisdictions.

The king, who hastened over to England in order to suppress the insurrection, found that nothing remained but the punishment of the criminals, which he executed with great severity. Many of the rebels were hanged; some had their eyes put out; others their hands cut off. But William, agreeably to his usual maxims, showed more lenity to their leader, the earl of Hereford, who was only condemned to a forfeiture of his estate, and to imprisonment during pleasure. The king seemed even disposed to remit this last part of the punishment; had not Roger, by a fresh insolence, provoked him to render his confinement perpetual. But Waltheof, being an Englishman, was not treated with so much humanity; though his guilt, always much inferior to that of the other conspirators, was atoned for by an early repentance and return to his duty. [1075.] William, instigated by his niece, as well as by his rapacious courtiers, who longed for so rich a forfeiture, ordered him to be tried, condemned, and executed on the 29th of April. The English, who considered this nobleman as the last

* William was so little ashamed of his birth, that he assumed the appellation of Bastard in some of his letters and charters. Spel. Glos. in verb. Bastardus. Camden in Richmondshire.

* Many of the fugitive Normans are supposed to have fled into Scotland, where they were protected, as well as the fugitive English, by Malcolm. Whence come the many French and Norman families, which are found at present in that country.

resource of their nation, grievously lamented his fate, and fancied that miracles were wrought by his relics, as a testimony of his innocence and sanctity. The infamous Judith, falling soon after under the king's displeasure, was abandoned by all the world, and passed the rest of her life in contempt, remorse, and misery.

Nothing remained to complete William's satisfaction but the punishment of Ralph de Guader; and he hastened over to Normandy, in order to gratify his vengeance on that criminal. But though the contest seemed very unequal between a private nobleman and the king of England, Ralph was so well supported both by the earl of Britanny and the king of France, that William, after besieging him for some time in Dol, was obliged to abandon the enterprise, and make with those powerful princes a peace, in which Ralph himself was included. England, during his absence, remained in tranquillity; and nothing remarkable occurred, except two ecclesiastical synods, which were summoned, one at London, another at Winchester. In the former, the precedency among the episcopal sees was settled, and the seat of some of them was removed from small villages to the most considerable town within the diocese. In the second was transacted a business of more importance.

DISPUTE ABOUT INVESTITURES. 1076.

The industry and perseverance are surprising with which the popes had been treasuring up powers and pretensions during so many ages of ignorance; while each pontiff employed every fraud for advancing purposes of imaginary piety, and cherished all claims which might turn to the advantage of his successors, though he himself could not expect ever to reap any benefit from them. All this immense store of spiritual and civil authority was now devolved on Gregory VII., of the name of Hildebrand, the most enterprising pontiff that had ever filled that chair, and the least restrained by fear, decency, or moderation. Not content with shaking off the yoke of the emperors, who had hitherto exercised the power of appointing the pope on every vacancy, at least of ratifying his election, he undertook the arduous task of entirely disjoining the ecclesiastical from the civil power, and of excluding profane laymen from the right which they had assumed, of filling the vacancies of bishoprics, abbeys, and other spiritual dignities. The sovereigns, who had long exercised this power, and who had acquired it, not by encroachments on the church, but on the people, to whom it originally belonged, made great opposition to this claim of the court of Rome; and Henry IV., the reigning emperor, defended this prerogative of his crown with a vigour and resolution suitable to its importance. The few offices, either civil or military, which the feudal institutions left the sovereign the power of bestowing, made the prerogative of conferring the pastoral ring and staff the most valuable jewel of the royal diadem; especially as the general ignorance of the age bestowed a consequence on the ecclesiastical offices, even beyond the great extent of power and property which belonged to them. Superstition, the child of ignorance, invested the clergy with an authority almost sacred; and as they engrossed the little learning of the age, their interposition became requisite in all civil business; and a real usefulness in common life was thus superadded to the spiritual sanctity of their character.

When the usurpations, therefore, of the church had come to such maturity as to embolden her to attempt extorting the right of investitures from the temporal power, Europe, especially Italy and Germany, was thrown into the most violent convulsions, and the pope and the emperor waged implacable war on each other. Gregory dared to fulminate the sentence of excommunication against Henry and his adherents, to pronounce him rightfully deposed, to free his subjects from their oaths of allegiance; and instead of shocking mankind by this gross encroachment on the civil authority, he found the stupid people ready to second his most exorbitant pretensions. Every minister, servant, or vassal of the emperor, who received any disgust, covered his rebellion under the pretence of principle; and even the mother of this monarch, forgetting all the ties of nature, was seduced to countenance the insolence of his enemies. Princes themselves, not attentive to the pernicious consequences of those papal claims, employed them for their present purposes: and the controversy spreading into every city of Italy, engendered the parties of Guelf and Ghibbelin, the most durable and most inveterate factions that ever arose from the mixture of ambition and religious zeal. Besides numberless assassinations, tumults, and convulsions to which they gave rise, it is computed that the quarrel occasioned no less than sixty battles in the reign of Henry IV., and eighteen in that of his successor, Henry V., when the claims of the sovereign pontiff finally prevailed.

But the bold spirit of Gregory, not dismayed with the vigorous opposition which he met with from the emperor, extended his usurpations all over Europe; and well knowing the nature of mankind, whose blind astonishment ever inclines them to yield to the most impudent pretensions, he seemed determined to set no bounds to the spiritual, or rather temporal monarchy which he had undertaken to erect. He pronounced the sentence of excommunication against Nicephorus, emperor of the East; Robert Guiscard, the adventurous Norman who had acquired the dominion of Naples, was attacked by the same dangerous weapon: he degraded Boleslas, king of Poland, from the rank of king; and even deprived Poland of the title of a kingdom: he attempted to treat Philip, king of France, with the same rigour which he had employed against the emperor: he pretended to the entire property and dominion of Spain; and he parcelled it out amongst adventurers, who undertook to conquer it from the Saracens, and to hold it in vassalage under the see of Rome: even the Christian bishops, on whose aid he relied for subduing the temporal princes, saw that he was determined to reduce them to servitude; and by assuming the whole legislative and judicial power of the church, to centre all authority in the sovereign pontiff.

William the Conqueror, the most potent, the most haughty, and the most vigorous prince in Europe, was not, amidst all his splendid successes, secure from the attacks of this enterprising pontiff. Gregory wrote him a letter, requiring him to fulfil his promise in doing homage for the kingdom of England to the see of Rome, and to send him over that tribute which all his predecessors had been accustomed to pay to the vicar of Christ. By the tribute, he meant Peter's pence; which, though at first a charitable donation of the Saxon princes, was interpreted, according to the usual practice of the Romish court, to be a badge of subjection acknowledged by the kingdom. William replied, that the money should be remitted as usual; but that neither had he promised to do homage to Rome, nor was it in the least his purpose to impose that servitude on his state. And the better to show Gregory his independence, he ventured, notwithstanding the frequent complaints of the pope, to refuse to the English bishops the liberty of attending a general council which that pontiff had summoned against his enemies.

But though the king displayed this vigour in supporting the royal dignity, he was infected with the general superstition of the age, and he did not perceive the ambitious scope of those institutions, which under colour of strictness in religion, were introduced or promoted by the court of Rome. Gregory, while he was throwing all Europe into combustion by his violence and impostures, affected an anxious care for the purity of manners; and even the chaste pleasures of the marriage-bed were inconsistent, in his opinion,

with the sanctity of the sacerdotal character. He had issued a decree prohibiting the marriage of priests, excommunicating all clergymen who retained their wives, declaring such unlawful commerce to be fornication, and rendering it criminal in the laity to attend divine worship when such profane priests officiated at the altar. This point was a great object in the politics of the Roman pontiffs; and it cost them infinitely more pains to establish it, than the propagation of any speculative absurdity which they had ever attempted to introduce. Many synods were summoned in different parts of Europe before it was finally settled; and it was there constantly remarked, that the younger clergymen complied cheerfully with the pope's decrees in this particular, and that the chief reluctance appeared in those who were more advanced in years: an event so little consonant to men's natural expectations, that it could not fail to be glossed on, even in that blind and superstitious age. William allowed the pope's legate to assemble, in his absence, a synod at Winchester, in order to establish the celibacy of the clergy; but the church of England could not yet be carried the whole length expected. The synod was content with decreeing that the bishops should not thenceforth ordain any priests or deacons without exacting from them a promise of celibacy; but they enacted that none, except those who belonged to collegiate or cathedral churches, should be obliged to separate from their wives

REVOLT OF PRINCE ROBERT.

The king passed some years in Normandy; but his long residence there was not entirely owing to his declared preference of that dutchy: his presence was also necessary for composing those disturbances which had arisen in that favourite territory, and which had even originally proceeded from his own family. Robert, his eldest son, surnamed Gambaron or Courthose, from his short legs, was a prince who inherited all the bravery of his family and nation; but without that policy and dissimulation, by which his father was so much distinguished, and which, no less than his military valour, had contributed to his great successes. Greedy of fame, impatient of contradiction, without reserve in his friendships, declared in his enmities, this prince could endure no control even from his imperious father, and openly aspired to that independence, to which his temper, as well as some circumstances in his situation, strongly invited him. When William first received the submissions of the province of Maine, he had promised the inhabitants that Robert should be their prince; and before he undertook the expedition against England, he had, on the application of the French court, declared him his successor in Normandy, and had obliged the barons of that dutchy to do him homage as their future sovereign. By this artifice he had endeavoured to appease the jealousy of his neighbours, as affording them a prospect of separating England from his dominions on the continent; but when Robert demanded of him the execution of those engagements, he gave him an absolute refusal, and told him, according to the homely saying, that he never intended to throw off his clothes till he went to bed. Robert openly declared his discontent; and was suspected of secretly instigating the king of France and the earl of Britanny to the opposition which they made to William, and which had formerly frustrated his attempts upon the town of Dol. And as the quarrel still augmented, Robert proceeded to entertain a strong jealousy of his two surviving brothers, William and Henry, (for Richard was killed in hunting, by a stag,) who, by a greater submission and complaisance, had acquired the affections of their father In this disposition on both sides, the greatest trifle sufficed to produce a rupture between them.

The three princes, residing with their father in the castle of l'Aigle in Normandy, were one day engaged in sport together; and after some mirth and jollity, the two younger took a fancy of throwing over some water on Robert as he passed through the court on leaving their apartment; a frolic which he would naturally have regarded as innocent, had it not been for the suggestions of Alberic de Grentmesnil, son of that Hugh de Grentmesnil whom William had formerly deprived of his fortunes, when that baron deserted him during his greatest difficulties in England. The young man, mindful of the injury, persuaded the prince that this action was meant as a public affront, which it behoved him in honour to resent; and the choleric Robert, drawing his sword, ran up stairs, with an intention of taking revenge on his brothers. The whole castle was filled with tumult, which the king himself, who hastened from his apartment, found some difficulty to appease. But he could by no means appease the resentment of his eldest son, who complaining of his partiality, and fancying that no proper atonement had been made him for the insult, left the court that very evening, and hastened to Roüen, with an intention of seizing the citadel of that place. But being disappointed in this view by the precaution and vigilance of Roger de Ivery, the governor, he fled to Hugh de Neufchatel, a powerful Norman baron, who gave him protection in his castles; and he openly levied war against his father. The popular character of the prince, and a similarity of manners, engaged all the young nobility of Normandy and Maine, as well as of Anjou and Britanny, to take part with him; and it was suspected, that Matilda, his mother, whose favourite he was, supported him in his rebellion by secret remittances of money, and by the encouragement which she gave his partisans.

All the hereditary provinces of William, as well as his family, were, during several years, thrown into convulsions by this war; [1079;] and he was at last obliged to have recourse to England, where that species of military government which he had established gave him greater authority than the ancient feudal institutions permitted him to exercise in Normandy. He called over an army of English under his ancient captains, who soon expelled Robert and his adherents from their retreats, and restored the authority of the sovereign in all his dominions. The young prince was obliged to take shelter in the castle of Gerberoy in the Beauvoisis, which the king of France, who secretly fomented all these dissensions, had provided for him. In this fortress he was closely besieged by his father, against whom, having a strong garrison, he made an obstinate defence. There passed under the walls of this place many rencounters, which resembled more the single combats of chivalry, than the military actions of armies; but one of them was remarkable for its circumstances and its event. Robert happened to engage the king, who was concealed by his helmet; and both of them being valiant, a fierce combat ensued, till at last the young prince wounded his father in the arm, and unhorsed him. On his calling out for assistance, his voice discovered him to his son, who, struck with remorse for his past guilt, and astonished with the apprehensions of one much greater, which he had so nearly incurred, instantly threw himself at his father's feet, craved pardon for his offences, and offered to purchase forgiveness by any atonement. The resentment harboured by William was so implacable, that he did not immediately correspond to this dutiful submission of his son with like tenderness; but giving him his malediction, departed for his own camp on Robert's horse, which that prince had assisted him to mount. He soon after raised the siege, and marched with his army to Normandy; where the interposition of the queen, and other common friends, brought about a reconcilement, which was probably not a little forwarded by the generosity of the son's behaviour in this action, and by the returning sense of his past misconduct. The king seemed so fully appeased, that he even took Robert with him into England; where he

entrusted him with the command of an army, in order to repel an inroad of Malcolm, king of Scotland, and to retaliate by a like inroad into that country. The Welsh, unable to resist William's power, were, about the same time, necessitated to pay a compensation for their incursions; and everything was reduced to full tranquillity in this island.

DOMESDAY-BOOK. 1081.

This state of affairs gave William leisure to begin and finish an undertaking which proves his extensive genius, and does honour to his memory: it was a general survey of all the lands in the kingdom, their extent in each district, their proprietors, tenures, value; the quantity of meadow, pasture, wood, and arable land which they contained; and in some counties the number of tenants, cottagers, and slaves of all denominations, who lived upon them. He appointed commissioners for this purpose, who entered every particular in their register by the verdict of juries; and after a labour of six years (for the work was so long in finishing) brought him an exact account of all the landed property of his kingdom.* This monument, called Domesday-book, the most valuable piece of antiquity possessed by any nation, is still preserved in the Exchequer; and though only some extracts of it have hitherto been published, it serves to illustrate to us, in many particulars, the ancient state of England. The great Alfred had finished a like survey of the kingdom in his time, which was long kept at Winchester, and which probably served as a model to William in this undertaking.

The king was naturally a great economist; and though no prince had ever been more bountiful to his officers and servants, it was merely because he had rendered himself universal proprietor of England, and had a whole kingdom to bestow. He reserved an ample revenue for the crown; and in the general distribution of land among his followers, he kept possession of no less than fourteen hundred and twenty-two manors in different parts of England, which paid him rent, either in money, or in corn, cattle, and the usual produce of the soil. An ancient historian computes, that his annual fixed income, besides escheats, fines, reliefs, and other casual profits to a great value, amounted to near four hundred thousand pounds a year; a sum which, if all circumstances be attended to, will appear wholly incredible. A pound in that age, as we have already observed, contained three times the weight of silver that it does at present; and the same weight of silver, by the most probable computation, would purchase near ten times more of the necessaries of life, though not in the same proportion of the finer manufactures. This revenue, therefore, of William, would be equal to at least nine or ten millions at present; and as that prince had neither fleet nor army to support, the former being only an occasional expense, and the latter being maintained, without any charge to him, by his military vassals, we must thence conclude, that no emperor or prince, in any age or nation, can be compared to the Conqueror for opulence and riches. This leads us to suspect a great mistake in the computation of the historian; though, if we consider that avarice is always imputed to William, as one of his vices, and that having by the sword rendered himself master of all the lands in the kingdom, he would certainly in the partition retain a great proportion for his own share, we can scarcely be guilty of any error in asserting, that perhaps no king of England was ever more opulent, was more able to support, by his revenue, the splendour and magnificence of a court, or could bestow more on his pleasures, or in liberalities to his servants and favourites.

* The more northern counties were not comprehended in this survey; I suppose because of their wild, uncultivated state.

THE NEW FOREST.

There was one pleasure to which William, as well as all the Normans and ancient Saxons, was extremely addicted, and that was hunting: but this pleasure he indulged more at the expense of his unhappy subjects, whose interests he always disregarded, than to the loss or diminution of his own revenue. Not content with those large forests which former kings possessed in all parts of England, he resolved to make a new forest near Winchester, the usual place of his residence; and for that purpose he laid waste the country in Hampshire for an extent of thirty miles, expelled the inhabitants from their houses, seized their property, even demolished churches and convents, and made the sufferers no compensation for the injury. At the same time, he enacted new laws, by which he prohibited all his subjects from hunting in any of his forests, and rendered the penalties more severe than ever had been inflicted for such offences. The killing of a deer or boar or even a hare, was punished with the loss of the delinquent's eyes; and that at a time when the killing of a man could be atoned for by paying a moderate fine or composition.

The transactions recorded during the remainder of this reign, may be considered more as domestic occurrences, which concern the prince, than as national events, which regarded England. Odo, bishop of Baieux, the king's uterine brother, whom he had created earl of Kent, and entrusted with a great share or power during his whole reign, had amassed immense riches; and, agreeably to the usual progress of human wishes, he began to regard his present acquisitions but as a step to further grandeur. He had formed the chimerical project of buying the papacy; and though Gregory, the reigning pope, was not of advanced years, the prelate had confided so much in the predictions of an astrologer, that he reckoned upon the pontiff's death, and upon attaining, by his own intrigues and money, that envied state of greatness. Resolving, therefore, to remit all his riches to Italy, he had persuaded many considerable barons, and, among the rest, Hugh earl of Chester, to take the same course; in hopes that, when he should mount the papal throne, he would bestow on them more considerable establishments in that country. The king, from whom all these projects had been carefully concealed, at last got intelligence of the design, and ordered Odo to be arrested. [1082.] His officers, from respect to the immunities which the ecclesiastics now assumed, scrupled to execute the command, till the king himself was obliged in person to seize him; and when Odo insisted that he was a prelate, and exempt from all temporal jurisdiction, William replied, that he arrested him not as bishop of Baieux, but as earl of Kent. He was sent prisoner to Normandy; and, notwithstanding the remonstrances and menaces of Gregory, was detained in custody during the remainder of this reign.

1083. Another domestic event gave the king much more concern: it was the death of Matilda, his consort, whom he tenderly loved, and for whom he had ever preserved the most sincere friendship. Three years afterwards he passed into Normandy, and carried with him Edgar Atheling, to whom he willingly granted permission to make a pilgrimage to the Holy Land.

WAR WITH FRANCE. 1087.

He was detained on the continent by a misunderstanding, which broke out between him and the king of France, and which was occasioned by inroads made into Normandy by some French barons on the frontiers. It was little in the power of princes at that time to restrain their licentious nobility; but William suspected that these barons durst not have provoked his indignation, had they not been assured of the countenance and protection of Philip. His displeasure was increased by the account he received of some rail-

leries which that monarch had thrown out against him. William, who was become corpulent, had been detained in bed some time by sickness; upon which Philip expressed his surprise that his brother of England should be so long in being delivered of his big belly. The king sent him word, that, as soon as he was up, he would present so many lights at Notre-dame, as would perhaps give little pleasure to the king of France; alluding to the usual practice at that time of women after child-birth. Immediately on his recovery, he led an army into l'Isle de France, and laid everything waste with fire and sword. He took the town of Mante, which he reduced to ashes. But the progress of these hostilities was stopped by an accident, which soon after put an end to William's life. His horse starting aside of a sudden, he bruised his belly on the pommel of the saddle; and being in a bad habit of body, as well as somewhat advanced in years, he began to apprehend the consequences, and ordered himself to be carried in a litter to the monastery of St. Gervas. Finding his illness increase, and being sensible of the approach of death, he discovered at last the vanity of all human grandeur, and was struck with remorse for those horrible cruelties and acts of violence, which, in the attainment and defence of it, he had committed during the course of his reign over England. He endeavoured to make atonement by presents to churches and monasteries; and he issued orders, that earl Morcar, Siward Bearne, and other English prisoners should be set at liberty. He was even prevailed on, though not without reluctance, to consent, with his dying breath, to release his brother Odo, against whom he was extremely incensed. He left Normandy and Maine to his eldest son Robert: he wrote to Lanfranc, desiring him to crown William king of England; he bequeathed to Henry nothing but the possessions of his mother Matilda; but foretold that he would one day surpass both his brothers in power and opulence. He expired on the 9th of September, in the sixty-third year of his age, in the twenty-first year of his reign over England, and in the fifty-fourth of that over Normandy.

CHARACTER OF WILLIAM THE CONQUEROR.

Few princes have been more fortunate than this great monarch, or were better entitled to grandeur and prosperity, from the abilities and the vigour of mind which he displayed in all his conduct. His spirit was bold and enterprising, yet guided by prudence: his ambition, which was exorbitant, and lay little under the restraints of justice, still less under those of humanity, ever submitted to the dictates of sound policy. Born in an age when the minds of men were intractable and unacquainted with submission, he was yet able to direct them to his purposes; and, partly from the ascendant of his vehement character, partly from art and dissimulation, to establish an unlimited authority. Though not insensible to generosity, he was hardened against compassion; and he seemed equally ostentatious and equally ambitious of show and parade in his clemency and in his severity. The maxims of his administration were austere; but might have been useful, had they been solely employed to preserve order in an established government: they were ill calculated for softening the rigours which, under the most gentle management, are inseparable from conquest. His attempt against England was the last great enterprise of the kind which, during the course of seven hundred years, has fully succeeded in Europe; and the force of his genius broke through those limits which first the feudal institutions, then the refined policy of princes have fixed to the several states of Christendom. Though he rendered himself infinitely odious to his English subjects, he transmitted his power to his posterity, and the throne is still filled by his descendants: a proof that the foundations which he laid were firm and solid, and that, amidst all his violence, while he seemed only to gratify the present passion, he had still an eye towards futurity.

Some writers have been desirous of refusing to this prince the title of Conqueror, in the sense which that term commonly bears; and, on pretence that the word is sometimes in old books applied to such as make an acquisition of territory by any means, they are willing to reject William's title by right of war, to the crown of England. It is needless to enter into a controversy which, by the terms of it, must necessarily degenerate into a dispute of words. It suffices to say that the duke of Normandy's first invasion of the island was hostile; that his subsequent administration was entirely supported by arms; that in the very frame of his laws he made a distinction between the Normans and English, to the advantage of the former; that he acted in everything as absolute master over the natives, whose interests and affections he totally disregarded; and that if there was an interval when he assumed the appearance of a legal sovereign, the period was very short, and was nothing but a temporary sacrifice, which he, as has been the case with most conquerors, was obliged to make, of his inclination to his present policy. Scarce any of those revolutions which, both in history and in common language, have always been denominated conquests, appear equally violent, or were attended with so sudden an alteration both of power and property The Roman state, which spread its dominion over Europe, left the rights of individuals in a great measure untouched; and those civilized conquerors, while they made their own country the seat of empire, found that they could draw most advantage from the subjected provinces by securing to the natives the free enjoyment of their own laws and of their private possessions. The barbarians who subdued the Roman empire, though they settled in the conquered countries, yet being accustomed to a rude, uncultivated life, found a part only of the land sufficient to supply all their wants; and they were not tempted to seize extensive possessions; which they knew neither how to cultivate nor enjoy. But the Normans and other foreigners who followed the standard of William, while they made the vanquished kingdom the seat of government, were yet so far advanced in arts as to be acquainted with the advantages of a large property; and having totally subdued the natives, they pushed the rights of conquest (very extensive in the eyes of avarice and ambition, however narrow in those of reason) to the utmost extremity against them. Except the former conquest of England by the Saxons themselves, who were induced, by peculiar circumstances, to proceed even to the extermination of the natives, it would be difficult to find in all history a revolution more destructive, or attended with a more complete subjection of the ancient inhabitants. Contumely seems even to have been wantonly added to oppression; and the natives were universally reduced to such a state of meanness and poverty, that the English name became a term of reproach; and several generations elapsed before one family of Saxon pedigree was raised to any considerable honours, or could so much as attain the rank of baron of the realm.* These facts are so apparent from the whole tenor of the English history, that none would have been tempted to deny or elude them, were they not heated by the controversies of faction; while one party was *absurdly* afraid of those *absurd* consequences which they saw the other party inclined to draw from this event. But it is evident that the present rights and privileges of the people, who are a mixture of English and Normans, can never be affected by a transaction, which passed seven hundred years ago; and as all ancient authors [*See note L, at the end of this Vol.*] who lived nearest the time, and

* So late as the reign of king Stephen, the earl of Albemarle, before the battle of the Standard, addressed the officers of his army in these terms. *Proceres Angliæ clarissimi, et genere Normanni, &c.* Brompton, p. 1026. See further Abbas Rieval, p. 351, &c. All the barons and military men of England still called themselves Normans.



best knew the state of the country, unanimously speak of the Norman dominion as a conquest by war and arms, no reasonable man, from the fear of imaginary consequences, will ever be tempted to reject their concurring and undoubted testimony.

King William had issue, besides his three sons who survived him, five daughters; to wit, (1.) Cicily, a nun in the monastery of Feschamp, afterwards abbess in the Holy Trinity at Caen, where she died in 1127. (2.) Constantia, married to Alan Fergent, earl of Brittany. She died without issue. (3.) Alice, contracted to Harold. (4.) Adela, married to Stephen, earl of Blois, by whom she had four sons, William, Theobald, Henry, and Stephen: of whom the elder was neglected on account of the imbecility of his understanding. (5.) Agatha, who died a virgin, but was betrothed to the king of Gallicia. She died on her journey thither, before she joined her bridegroom.

CHAPTER V

WILLIAM RUFUS.

Accession of William Rufus—Conspiracy against the King—Invasion of Normandy—The Crusades—Acquisition of Normandy—Quarrel with Anselm the Primate—Death and Character of William Rufus.

ACCESSION OF WILLIAM RUFUS, 1087.

WILLIAM, surnamed *Rufus*, or the *Red*, from the colour of his hair, had no sooner procured his father's recommendatory letter to Lanfranc the primate, than he hastened to take measures for securing to himself the government of England. Sensible that a deed so unformal, and so little prepared, which violated Robert's right of primogeniture, might meet with great opposition, he trusted entirely for success to his own celerity: and having left St. Gervas while William was breathing his last, he arrived in England before intelligence of his father's death had reached that kingdom. Pretending orders from the king, he secured the fortresses of Dover, Pevensey, and Hastings, whose situation rendered them of the greatest importance: and he got possession of the royal treasure at Winchester, amounting to the sum of sixty thousand pounds, by which he hoped to encourage and increase his partisans. The primate, whose rank and reputation in the kingdom gave him great authority, had been entrusted with the care of his education, and had conferred on him the honour of knighthood; and being connected with him by these ties, and probably deeming his pretensions just, declared that he would pay a willing obedience to the last will of the Conqueror, his friend and benefactor. Having assembled some bishops, and some of the principal nobility, he instantly proceeded to the ceremony of crowning the new king; and by this dispatch endeavoured to prevent all faction and resistance. At the same time Robert, who had been already acknowledged successor to Normandy, took peaceable possession of that duchy.

CONSPIRACY AGAINST THE KING.

But though this partition appeared to have been made without any violence or opposition, there remained in England many causes of discontent, which seemed to menace that kingdom with a sudden revolution. The barons, who generally possessed large estates both in England and Normandy, were uneasy at the separation of those territories; and foresaw, that as it would be impossible for them to preserve long their allegiance to two masters, they must necessarily resign either their ancient patrimony or their new acquisitions. Robert's title to the duchy they esteemed incontestible; his claim to the kingdom plausible; and they all desired that this prince, who alone had any pretensions to unite these states, should be put in possession of both. A comparison also of the personal qualities of the two brothers led them to give the preference to the elder. The duke was brave, open, sincere, generous: even his predominant faults, his extreme indolence and facility, were not disagreeable to those haughty barons, who affected independence, and submitted with reluctance to a vigorous administration in their sovereign. The king, though equally brave, was violent, haughty, tyrannical, and seemed disposed to govern more by the fear than by the love of his subjects. Odo, bishop of Baieux, and Robert, earl of Mortaigne, maternal brothers of the Conqueror, envying the great credit of Lanfranc, which was increased by his late services, enforced all these motives with their partisans, and engaged them in a formal conspiracy to dethrone the king. They communicated their design to Eustace, count of Bologne, Roger, earl of Shrewsbury and Arundel, Robert de Belesme, his eldest son, William, bishop of Durham, Robert de Moubray, Roger Bigod, Hugh de Grentmesnil; and they easily procured the assent of these potent noblemen. The conspirators, retiring to their castles, hastened to put themselves in a military posture; and expecting to be soon supported by a powerful army from Normandy, they had already begun hostilities in many places.

The king, sensible of his perilous situation, endeavoured to engage the affections of the native English. As that people were now so thoroughly subdued that they no longer aspired to the recovery of their ancient liberties, and were content with the prospect of some mitigation in the tyranny of the Norman princes, they zealously embraced William's cause, upon receiving general promises of good treatment, and of enjoying the licence of hunting in the royal forests. The king was soon in a situation to take the field; and as he knew the danger of delay, he suddenly marched into Kent, where his uncles had already seized the fortresses of Pevensey and Rochester. These places he successively reduced by famine; and though he was prevailed on by the earl of Chester, William de Warrenne, and Robert Fitz-Hammon, who had embraced his cause, to spare the lives of the rebels, he confiscated all their estates, and banished them the kingdom. This success gave authority to his negociations with Roger, earl of Shrewsbury, whom he detached from the confederates; and as his powerful fleet, joined to the indolent conduct of Robert, prevented the arrival of the Norman succours, all the other rebels found no resource but in flight or submission. Some of them received a pardon; but the greater part were attainted; and the king bestowed their estates on the Norman barons who had remained faithful to him.

1089. William, freed from the danger of these insurrections, took little care of fulfilling his promises to the English, who still found themselves exposed to the same oppressions which they had undergone during the reign of the Conqueror, and which were rather augmented by the violent, impetuous temper of the present monarch. The death of Lanfranc, who retained great influence over him, gave soon after a full career to his tyranny; and all orders of men found reason to complain of an arbitrary and illegal administration. Even the privileges of the church, held sacred in those days, were a feeble rampart against his usurpations. He seized the temporalities of all the vacant bishoprics and abbeys; he delayed the appointing of successors to those dignities, that he might the longer enjoy the profits of their revenue; he bestowed some of the church lands in perpetuity on his captains and favourites; and he openly set to sale such sees and abbeys as he thought proper to dispose of. Though the murmurs of the ecclesiastics, which were quickly pro-

pagated to the nation, rose high against this grievance, the terror of William's authority, confirmed by the oppression of the late insurrections, retained every one in subjection, and preserved general tranquillity in England.

INVASION OF NORMANDY. 1090.

The king even thought himself enabled to disturb his brother in the possession of Normandy. The loose and negligent administration of that prince had emboldened the Norman barons to affect a great independency; and their mutual quarrels and devastations had rendered that whole territory a scene of violence and outrage. Two of them, Walter and Odo, were bribed by William to deliver the fortresses of St. Valori and Albemarle into his hands: others soon after imitated the example of revolt; while Philip, king of France, who ought to have protected his vassal in the possession of his fief, was, after making some efforts in his favour, engaged by large presents to remain neuter. The duke had also reason to apprehend danger from the intrigues of his brother Henry. This young prince, who had inherited nothing of his father's great possessions, but some of his money, had furnished Robert, while he was making his preparations against England, with the sum of three thousand marks; and, in return for so slender a supply, had been put in possession of the Cotentin, which comprehended near a third of the dutchy of Normandy. Robert afterwards, upon some suspicion, threw him into prison; but finding himself exposed to invasion from the king of England, and dreading the conjunction of the two brothers against him, he now gave Henry his liberty, and even made use of his assistance in suppressing the insurrections of his rebellious subjects. Conan, a rich burgess of Roüen, had entered into a conspiracy to deliver that city to William; but Henry, on the detection of his guilt, carried the traitor up to a high tower, and with his own hands flung him from the battlements.

The king appeared in Normandy at the head of an army; and affairs seemed to have come to extremity between the brothers; when the nobility on both sides, strongly connected by interest and alliances, interposed and mediated an accommodation. The chief advantage of this treaty accrued to William, who obtained possession of the territory of Eu, the towns of Aumale, Fescamp, and other places: but in return he promised that he would assist his brother in subduing Maine, which had rebelled; and that the Norman barons attainted in Robert's cause should be restored to their estates in England. The two brothers also stipulated, that on the demise of either without issue, the survivor should inherit all his dominions; and twelve of the most powerful barons on each side swore, that they would employ their power to insure the effectual execution of the whole treaty: a strong proof of the great independence and authority of the nobles in those ages!

Prince Henry, disgusted that so little care had been taken of his interests in this accommodation, retired to St. Michael's Mount, a strong fortress on the coast of Normandy, and infested the neighbourhood with his incursions. Robert and William, with their joint forces, besieged him in this place, and had nearly reduced him by the scarcity of water; when the elder hearing of his distress, granted him permission to supply himself, and also sent him some pipes of wine for his own table. Being reproved by William for this ill-timed generosity, he replied, *What, shall I suffer my brother to die of thirst? Where shall we find another when he is gone?* The king also, during this siege, performed an act of generosity which was less suitable to his character. Riding out one day alone, to take a survey of the fortress, he was attacked by two soldiers and dismounted. One of them drew his sword in order to dispatch him; when the king exclaimed, *Hold, knave! I am the king of England.* The soldier suspended his blow; and raising the king from the ground, with expressions of respect, received a handsome reward, and was taken into his service. Prince Henry was soon after obliged to capitulate; and being despoiled of all his patrimony, wandered about for some time with very few attendants, and often in great poverty.

1091. The continued intestine discord among the barons was alone in that age destructive: the public wars were commonly short and feeble, produced little bloodshed, and were attended with no memorable event. To this Norman war, which was so soon concluded, there succeeded hostilities with Scotland, which were not of longer duration. Robert here commanded his brother's army, and obliged Malcolm to accept of peace, and do homage to the crown of England. This peace was not more durable. Malcolm, two years after, [1093,] levying an army, invaded England; and after ravaging Northumberland, he laid siege to Alnwick, where a party of Earl Moubray's troops falling upon him by surprise, a sharp action ensued, in which Malcolm was slain. This incident interrupted for some years the regular succession to the Scottish crown. Though Malcolm left legitimate sons, his brother Donald, on account of the youth of these princes, was advanced to the throne; but kept not long possession of it. Duncan, natural son of Malcolm, formed a conspiracy against him; and being assisted by William with a small force, made himself master of the kingdom. New broils ensued with Normandy. The frank, open, remiss temper of Robert was ill fitted to withstand the interested rapacious character of William, who, supported by greater power, was still encroaching on his brother's possessions, and instigating his turbulent barons to rebellion against him. The king, having gone over to Normandy [1094] to support his partisans, ordered an army of twenty thousand men to be levied in England, and to be conducted to the sea-coast, as if they were instantly to be embarked. Here Ralph Flambard, the king's minister, and the chief instrument of his extortions, exacted ten shillings a-piece from them, in lieu of their service, and then dismissed them into their several counties. This money was so skilfully employed by William, that it rendered him better service than he could have expected from the army. He engaged the French king by new presents to depart from the protection of Robert; and he daily bribed the Norman barons to desert his service: but was prevented from pushing his advantages by an incursion of the Welsh, which obliged him to return to England. He found no difficulty in repelling the enemy; but was not able to make any considerable impression on a country guarded by its mountainous situation. A conspiracy of his own barons, [1095,] which was detected at this time, appeared a more serious concern, and engrossed all his attention. Robert Moubray, earl of Northumberland, was at the head of this combination; and he engaged in it the count d'Eu, Richard de Tunbridge, Roger de Lacey, and many others. The purpose of the conspirators was to dethrone the king, and to advance in his stead Stephen, count of Aumale, nephew to the Conqueror. William's dispatch prevented the design from taking effect, and disconcerted the conspirators. Moubray made some resistance; but being taken prisoner, was attainted, and thrown into confinement, [1096,] where he died about thirty years after. The count d'Eu denied his concurrence in the plot; and to justify himself, fought, in the presence of the court at Windsor, a duel with Geoffrey Bainard, who accused him. But being worsted in the combat, he was condemned to be castrated, and to have his eyes put out. William de Alderi, another conspirator, was supposed to be treated with more rigour when he was sentenced to be hanged.

THE CRUSADES.

But the noise of these petty wars and commotions

was quite sunk in the tumult of the crusades, which now engrossed the attention of Europe, and have ever since engaged the curiosity of mankind, as the most signal and most durable monument of human folly that has yet appeared in any age or nation. After Mahomet had, by means of his pretended revelations, united the dispersed Arabians under one head, they issued forth from their deserts in great multitudes; and being animated with zeal for their new religion, and supported by the vigour of their new government, they made deep impression on the Eastern empire, which was far in the decline, with regard both to military discipline and to civil policy. Jerusalem by its situation, became one of their most early conquests; and the Christians had the mortification to see the holy sepulchre, and the other places, consecrated by the presence of their religious founder, fallen into the possession of infidels. But the Arabians or Saracens were so employed in military enterprises, by which they spread their empire in a few years from the banks of the Ganges to the Straits of Gibraltar, that they had no leisure for theological controversy; and though the Alcoran, the original monument of their faith, seems to contain some violent precepts, they were much less infected with the spirit of bigotry and persecution, than the indolent and speculative Grecks, who were continually refining on the several articles of their religious system. They gave little disturbance to those zealous pilgrims who daily flocked to Jerusalem; and they allowed every man, after paying a moderate tribute, to visit the holy sepulchre, to perform his religious duties, and to return in peace. But the Turcomans or Turks, a tribe of Tartars, who had embraced Mahometanism, having wrested Syria from the Saracens, and having, in the year 1065, made themselves masters of Jerusalem, rendered the pilgrimage much more difficult and dangerous to the Christians. The barbarity of their manners, and the confusions attending their unsettled government, exposed the pilgrims to many insults, robberies, and extortions; and these zealots, returning from their meritorious fatigues and sufferings, filled all Christendom with indignation against the infidels, who profaned the holy city by their presence, and derided the sacred mysteries in the very place of their completion. Gregory VII., among other vast ideas which he entertained, had formed the design of uniting all the Western Christians against the Mahometans; but the egregious and violent invasions of that pontiff on the civil power of princes had created him so many enemies, and had rendered his schemes so suspicious, that he was not able to make great progress in this undertaking. The work was reserved for a meaner instrument, whose low condition in life exposed him to no jealousy, and whose folly was well calculated to coincide with the prevailing principles of the times.

Peter, commonly called the Hermit, a native of Amiens in Picardy, had made the pilgrimage to Jerusalem. Being deeply affected with the dangers to which that act of piety now exposed the pilgrims, as well as with the instances of oppression under which the Eastern Christians laboured, he entertained the bold, and in all appearance impracticable, project of leading into Asia, from the furthest extremities of the West, armies sufficient to subdue those potent and warlike nations which now held the holy city in subjection. He proposed his views to Martin II., who filled the papal chair, and who, though sensible of the advantages which the head of the Christian religion must reap from a religious war, and though he esteemed the blind zeal of Peter a proper means for effecting the purpose, resolved not to interpose his authority till he saw a greater probability of success. He summoned a council at Placentia, which consisted of four thousand ecclesiastics, and thirty thousand seculars; and which was so numerous that no hall could contain the multitude, and it was necessary to hold the assembly in a plain. The harangues of the pope, and of Peter himself, representing the dismal situation of their brethren in the East, and the indignity suffered by the Christian name, in allowing the holy city to remain in the hands of infidels, here found the minds of men so well prepared, that the whole multitude suddenly and violently declared for the war, and solemnly devoted themselves to perform this service, so meritorious, as they believed it, to God and religion.

But though Italy seemed thus to have zealously embraced the enterprise, Martin knew, that, in order to ensure success, it was necessary to enlist the greater and more warlike nations in the same engagements; and having previously exhorted Peter to visit the chief cities and sovereigns of Christendom, he summoned another council at Clermont in Auvergne. The fame of this great and pious design, being now universally diffused, procured the attendance of the greatest prelates, nobles, and princes; and when the pope and the hermit renewed their pathetic exhortations, the whole assembly, as if impelled by an immediate inspiration, not moved by their preceding impressions, exclaimed with one voice, *It is the will of God, It is the will of God!* words deemed so memorable, and so much the result of a divine influence, that they were employed as the signal of rendezvous and battle in all the future exploits of those adventurers. Men of all ranks flew to arms with the utmost ardour: and an exterior symbol, too, a circumstance of chief moment, was here chosen by the devoted combatants. The sign of the cross, which had been hitherto so much revered among Christians, and which, the more it was an object of reproach among the Pagan world, was the more passionately cherished by them, became the badge of union, and was affixed to their right shoulder, by all who enlisted themselves in this sacred warfare.

Europe was at this time sunk into profound ignorance and superstition: the ecclesiastics had acquired the greatest ascendant over the human mind: the people, who, being little restrained by honour, and less by law, abandoned themselves to the worst crimes and disorders, knew of no other expiation than the observances imposed on them by their spiritual pastors: and it was easy to represent the holy war as an equivalent for all penances, and an atonement for every violation of justice and humanity. But amidst the abject superstition which now prevailed, the military spirit also had universally diffused itself; and though not supported by art or discipline, was become the general passion of the nations governed by the feudal law. All the great lords possessed the right of peace and war: they were engaged in perpetual hostilities with each other: the open country was become a scene of outrage and disorder: the cities, still mean and poor, were neither guarded by walls nor protected by privileges, and were exposed to every insult; individuals were obliged to depend for safety on their own force, or their private alliances: and valour was the only excellence which was held in esteem, or gave one man the pre-eminence above another. When all the particular superstitions, therefore, were here united in one great object, the ardour for military enterprises took the same direction; and Europe, impelled by its two ruling passions, was loosened, as it were, from its foundations, and seemed to precipitate itself in one united body upon the East.

All orders of men, deeming the crusades the only road to heaven, enlisted themselves under these sacred banners, and were impatient to open the way with their sword to the holy city. Nobles, artisans, peasants, even priests, enrolled their names; and to decline this meritorious service was branded with the reproach of impiety, or what perhaps was esteemed still more disgraceful, of cowardice and pusillanimity. The infirm and aged contributed to the expedition by presents and money; and many of them, not satisfied with the merit of this atonement, attended it in person, and were determined, if possible, to breathe their last in sight of that city where their Saviour had died for

them. Women themselves, concealing their sex under the disguise of armour, attended the camp; and commonly forgot still more the duty of the sex by prostituting themselves, without reserve, to the army. The greatest criminals were forward in a service, which they regarded as a propitiation for all crimes; and the most enormous disorders were, during the course of those expeditions, committed by men inured to wickedness, encouraged by example, and impelled by necessity. The multitude of the adventurers soon became so great, that their more sagacious leaders, Hugh, count of Vermandois, brother to the French king, Raymond, count of Toulouse, Godfrey of Bouillon, prince of Brabant, and Stephen, count of Blois, became apprehensive lest the greatness itself of the armament should disappoint its purpose; and they permitted an undisciplined multitude, computed at 300,000 men, to go before them, under the command of Peter the Hermit, and Walter the Moneyless. These men took the road towards Constantinople, through Hungary and Bulgaria; and trusting that Heaven, by supernatural assistance, would supply all their necessities, they made no provision for subsistence on their march. They soon found themselves obliged to obtain by plunder what they had vainly expected from miracles; and the enraged inhabitants of the countries through which they passed, gathering together in arms, attacked the disorderly multitude, and put them to slaughter without resistance. The more disciplined armies followed after; and passing the straits at Constantinople, they were mustered in the plains of Asia, and amounted in the whole to the number of 700,000 combatants.

Amidst this universal frenzy, which spread itself by contagion throughout Europe, especially in France and Germany, men were not entirely forgetful of their present interests; and both those who went on this expedition, and those who stayed behind, entertained schemes of gratifying, by its means, their avarice or their ambition. The nobles who enlisted themselves were moved, from the romantic spirit of the age, to hope for opulent establishments in the East, the chief seat of arts and commerce during those ages; and in pursuit of these chimerical projects, they sold at the lowest price their ancient castles and inheritances, which had now lost all value in their eyes. The greater princes, who remained at home, besides establishing peace in their dominions by giving occupation abroad to the inquietude and martial disposition of their subjects, took the opportunity of annexing to their crown many considerable fiefs, either by purchase or by the extinction of heirs. The pope frequently turned the zeal of the crusades from the infidels against his own enemies, whom he represented as equally criminal with the enemies of Christ. The convents and other religious societies bought the possessions of the adventurers; and as the contributions of the faithful were commonly entrusted to their management, they often diverted to this purpose what was intended to be employed against the infidels. But no one was a more immediate gainer by this epidemic fury than the king of England, who kept aloof from all connexions with those fanatical and romantic warriors.

ACQUISITION OF NORMANDY.

Robert duke of Normandy, impelled by the bravery and mistaken generosity of his spirit, had early enlisted himself in the crusade; but being always unprovided with money, he found that it would be impracticable for him to appear in a manner suitable to his rank and station at the head of his numerous vassals and subjects, who, transported with the general rage, were determined to follow him into Asia. He resolved, therefore, to mortgage, or rather to sell his dominions, which he had not talents to govern; and he offered them to his brother William, for the very unequal sum of ten thousand marks. The bargain was soon concluded: the king raised the money by violent extortions on his subjects of all ranks, even on the convents, who were obliged to melt their plate in order to furnish the quota demanded of them. He was put in possession of Normandy and Maine, and Robert, providing himself with a magnificent train, set out for the Holy Land, in pursuit of glory, and in full confidence of securing his eternal salvation.

The smallness of this sum, with the difficulties which William found in raising it, suffices alone to refute the account which is heedlessly adopted by historians, of the enormous revenue of the Conqueror. Is it credible, that Robert would consign to the rapacious hands of his brother such considerable dominions, for a sum, which, according to that account, made not a week's income of his father's English revenue alone? Or that the king of England could not on demand, without oppressing his subjects, have been able to pay him the money? The Conqueror, it is agreed, was frugal as well as rapacious; yet his treasure, at his death, exceeded not sixty thousand pounds, which hardly amounted to his income for two months: another certain refutation of that exaggerated account.

The fury of the crusades during this age less infected England than the neighbouring kingdoms; probably because the Norman conquerors, finding their settlement in that kingdom still somewhat precarious, durst not abandon their homes in quest of distant adventures. The selfish, interested spirit also of the king, which kept him from kindling in the general flame, checked its progress among his subjects; and as he is accused of open profaneness, and was endued with a sharp wit, it is likely that he made the romantic chivalry of the crusades the object of his perpetual raillery. As an instance of his irreligion, we are told, that he once accepted of sixty marks from a Jew, whose son had been converted to Christianity, and who engaged him by that present to assist him in bringing back the youth to Judaism. William employed both menaces and persuasion for that purpose; but finding the convert obstinate in his new faith, he sent for the father and told him, that as he had not succeeded, it was not just that he should keep the present; but as he had done his utmost, it was but equitable that he should be paid for his pains; and he would therefore retain only thirty marks of the money. At another time, it is said, he sent for some learned Christian theologians and some rabbies, and bade them fairly dispute the question of their religion in his presence; he was perfectly indifferent between them; had his ears open to reason and conviction; and would embrace that doctrine which upon comparison should be found supported by the most solid arguments. If this story be true, it is probable that he meant only to amuse himself by turning both into ridicule: but we must be cautious of admitting everything related by the monkish historians to the disadvantage of this prince: he had the misfortune to be engaged in quarrels with the ecclesiastics, particularly with Anselm, commonly called St. Anselm, archbishop of Canterbury; and it is no wonder his memory should be blackened by the historians of that order.

QUARREL WITH ANSELM THE PRIMATE.

After the death of Lanfranc, the king for several years retained in his own hands the revenues of Canterbury, as he did those of many other vacant bishoprics; but falling into a dangerous sickness, he was seized with remorse, and the clergy represented to him, that he was in danger of eternal perdition, if before his death, he did not make atonement for those multiplied impieties and sacrileges of which he had been guilty. He resolved therefore to supply instantly the vacancy of Canterbury; and for that purpose he sent for Anselm, a Piedmontese by birth,

abbot of Bec in Normandy, who was much celebrated for his learning and piety. The abbot earnestly refused the dignity, fell on his knees, wept, and entreated the king to change his purpose; and when he found the prince obstinate in forcing the pastoral staff upon him, he kept his fist so fast clenched, that it required the utmost violence of the bystanders to open it, and force him to receive that ensign of spiritual dignity. William soon after recovered; and his passions regaining their wonted vigour, he returned to his former violence and rapine. He detained in prison several persons whom he had ordered to be freed during the time of his penitence; he still preyed upon the ecclesiastical benefices; the sale of spiritual dignities continued as open as ever; and he kept possession of a considerable part of the revenues belonging to the see of Canterbury. But he found in Anselm that persevering opposition which he had reason to expect from the ostentatious humility which that prelate had displayed in refusing his promotion.

The opposition made by Anselm was the more dangerous on account of the character of piety which he soon acquired in England, by his great zeal against all abuses, particularly those in dress and ornament. There was a mode, which, in that age, prevailed throughout Europe, both among men and women, to give an enormous length to their shoes, to draw the toe to a sharp point, and to affix to it the figure of a bird's bill, or some such ornament, which was turned upwards, and which was often sustained by gold or silver chains tied to the knee. The ecclesiastics took exception at this ornament, which they said was an attempt to belie the Scripture, where it is affirmed, that no man can add a cubit to his stature; and they declaimed against it with great vehemence, nay, assembled some synods, who absolutely condemned it. But, such are the strange contradictions in human nature! though the clergy, at that time, could overturn thrones, and had authority sufficient to send above a million of men on their errand to the deserts of Asia, they could never prevail against these long-pointed shoes; on the contrary that caprice, contrary to all other modes, maintained its ground during several centuries; and if the clergy had not at last desisted from their prosecution of it, it might still have been the prevailing fashion in Europe.

But Anselm was more fortunate in decrying the particular mode which was the object of his aversion, and which probably had not taken such fast hold of the affections of the people. He preached zealously against the long hair and curled locks which were then fashionable among the courtiers; he refused the ashes on Ash-Wednesday to those who were so accoutred; and his authority and eloquence had such influence, that the young men universally abandoned that ornament, and appeared in the cropped hair which was recommended to them by the sermons of the primate. The noted historian of Anselm, Eadmer, who was also his companion and secretary, celebrates highly this effort of his zeal and piety.

When William's profaneness therefore returned to him with his health, he was soon engaged in controversies with this austere prelate. There was at that time a schism in the church between Urban and Clement, who both pretended to the papacy; and Anselm, who, as abbot of Bec, had already acknowledged the former, was determined, without the king's consent, to introduce his authority into England. William, who, imitating his father's example, had prohibited his subjects from recognizing any pope whom he had not previously received, was enraged at this attempt; and summoned a synod at Rockingham, with an intention of deposing Anselm; but the prelate's suffragans declared, that, without the papal authority, they knew of no expedient for inflicting that punishment on their primate. The king was at last engaged by other motives to give the preference to Urban's title; Anselm received the pall from that pontiff; and matters seemed to be accommodated between the king and the primate, when the quarrel broke out afresh from a new cause. William had undertaken an expedition against Wales, and required the archbishop to furnish his quota of soldiers for that service; but Anselm, who regarded the demand as an oppression on the church, and yet durst not refuse compliance, sent them so miserably accoutred, that the king was extremely displeased, and threatened him with a prosecution. Anselm, on the other hand, demanded positively that all the revenues of his see should be restored to him; appealed to Rome against the king's injustice; and affairs came to such extremities, that the primate, finding it dangerous to remain in the kingdom, desired and obtained the king's permission to retire beyond sea. All his temporalities were seized; but he was received with great respect by Urban, who considered him as a martyr in the cause of religion, and even menaced the king, on account of his proceedings against the primate and the church, with the sentence of excommunication. Anselm assisted at the council of Bari, where, besides fixing the controversy between the Greek and Latin churches concerning the procession of the Holy Ghost, the right of election to church preferments was declared to belong to the clergy alone, and spiritual censures were denounced against all ecclesiastics who did homage to laymen for their sees or benefices, and against all laymen who exacted it. The rite of homage, by the feudal customs, was, that the vassal should throw himself on his knees, should put his joined hands between those of his superior, and should in that posture swear fealty to him. But the council declared it execrable, that pure hands, which could create God, and could offer him up as a sacrifice for the salvation of mankind, should be put, after this humiliating manner, between profane hands, which, besides being inured to rapine and bloodshed, were employed day and night in impure purposes, and obscene contacts. Such were the reasonings prevalent in that age; reasonings which, though they cannot be passed over in silence without omitting the most curious, and perhaps not the least instructive part of history, can scarcely be delivered with the requisite decency and gravity.

1097. The cession of Normandy and Maine by duke Robert increased the king's territories, but brought him no great increase of power, because of the unsettled state of those countries, the mutinous disposition of the barons, and the vicinity of the French king, who supported them in all their insurrections. Even Helie, lord of la Fleche, a small town in Anjou, was able to give him inquietude; and this great monarch was obliged to make several expeditions abroad, without being able to prevail over so petty a baron, who had acquired the confidence and affections of the inhabitants of Maine. He was, however, so fortunate as at last to take him prisoner in a rencounter; but having released him, at the intercession of the French king and the count of Anjou, he found the province of Maine still exposed to his intrigues and incursions. Helie, being introduced by the citizens into the town of Mans, besieged the garrison in the citadel: [1099:] William, who was hunting in the New Forest, when he received intelligence of this hostile attempt, was so provoked, that he immediately turned his horse, and galloped to the sea-shore at Dartmouth; declaring, that he would not stop a moment till he had taken vengeance for the offence. He found the weather so cloudy and tempestuous, that the mariners thought it dangerous to put to sea; but the king hurried on board, and ordered them to set sail instantly; telling them, that they never yet heard of a king that was drowned. By this vigour and celerity, he delivered the citadel of Mans from its present danger; and pursuing Helie into his own territories, he laid siege to Majol, a small castle in those parts: but a wound, which he received before this place obliged him to raise the siege; [1100;] and he returned to England.

The weakness of the greatest monarchs, during this age, in their military expeditions against their nearest neighbours, appears the more surprising, when we consider the prodigious numbers, which even petty princes, seconding the enthusiastic rage of the people, were able to assemble, and to conduct in dangerous enterprises to the remote provinces of Asia. William, earl of Poitiers and duke of Guienne, inflamed with the glory, and not discouraged by the misfortunes which had attended the former adventurers in the crusades, had put himself at the head of an immense multitude, computed by some historians to amount to sixty thousand horse, and a much greater number of foot, and he purposed to lead them into the Holy Land against the infidels. He wanted money to forward the preparations requisite for this expedition, and he offered to mortgage all his dominions to William, without entertaining any scruple on account of that rapacious and iniquitous hand to which he resolved to consign them. The king accepted the offer; and had prepared a fleet and an army, in order to escort the money, and take possession of the rich provinces of Guienne and Poictou, when an accident put an end to his life (Aug. 2.) and to all his ambitious projects. He was engaged in hunting, the sole amusement, and indeed the chief occupation of princes in those rude times, when society was little cultivated, and the arts afforded few objects worthy of attention. Walter Tyrrel, a French gentleman, remarkable for his address in archery, attended him in this recreation, of which the New Forest was the scene; and as William had dismounted after a chase, Tyrrel, impatient to show his dexterity, let fly an arrow at a stag, which suddenly started before him. The arrow, glancing from a tree, struck the king in the breast, and instantly slew him; while Tyrrel, without informing any one of the accident, put spurs to his horse, hastened to the sea-shore, embarked for France, and joined the crusade in an expedition to Jerusalem; a penance which he imposed on himself for this involuntary crime. The body of William was found in the forest by the country people, and was buried without any pomp or ceremony at Winchester. His courtiers were negligent in performing the last duties to a master who was so little beloved; and every one was too much occupied in the interesting object of fixing his successor, to attend the funeral of a dead sovereign.

CHARACTER OF WILLIAM RUFUS.

The memory of this monarch is transmitted to us with little advantage by the churchmen, whom he had offended; and though we may suspect, in general, that their account of his vices is somewhat exaggerated, his conduct affords little reason for contradicting the character which they have assigned him, or for attributing to him any very estimable qualities. He seems to have been a violent and tyrannical prince; a perfidious, encroaching, and dangerous neighbour; an unkind and ungenerous relation. He was equally prodigal and rapacious in the management of his treasury; and if he possessed abilities, he lay so much under the government of impetuous passions, that he made little use of them in his administration; and he indulged, without reserve, that domineering policy which suited his temper, and which, if supported, as it was in him, with courage and vigour, proves often more successful in disorderly times, than the deepest foresight and most refined artifice.

The monuments which remain of this prince in England, are the Tower, Westminster Hall, and London-Bridge, which he built. The most laudable foreign enterprise which he undertook, was the sending of Edgar Atheling, three years before his death, into Scotland with a small army, to restore prince Edgar, the true heir of that kingdom, son of Malcolm, and of Margaret, sister of Edgar Atheling; and the enterprise proved successful. It was remarked in that age, that Richard, an elder brother of William's, perished by an accident in the New Forest; Richard, his nephew, natural son of Duke Robert, lost his life in the same place, after the same manner: and all men, upon the king's fate, exclaimed, that, as the Conqueror had been guilty of extreme violence, impelling all the inhabitants of that large district to make room for his game, the just vengeance of Heaven was signalized, in the same place, by the slaughter of his posterity. William was killed in the thirteenth year of his reign, and about the fortieth of his age. As he was never married, he left no legitimate issue.

In the eleventh year of this reign, Magnus, king of Norway, made a descent on the Isle of Anglesea, but was repulsed by Hugh, earl of Shrewsbury. This is the last attempt made by the northern nations upon England. That restless people seem about this time to have learned the practice of tillage, which thenceforth kept them at home, and freed the other nations of Europe from the devastations spread over them by those piratical invaders. This proved one great cause of the subsequent settlement and improvement of the southern nations.

CHAPTER VI.

HENRY I.

The Crusades—Accession of Henry—Marriage of the King—Invasion by Duke Robert—Accommodation with Robert—Attack of Normandy—Conquest of Normandy—Continuation of the Quarrel with Anselm, the Primate—Compromise with him—Wars abroad—Death of Prince William—King's second Marriage—Death and Character of Henry.

THE CRUSADES. 1100.

AFTER the adventurers in the holy war were assembled on the banks of the Bosphorus, opposite to Constantinople, they proceeded on their enterprise; but immediately experienced those difficulties which their zeal had hitherto concealed from them, and for which, even if they had foreseen them, it would have been almost impossible to provide a remedy. The Greek emperor, Alexis Commenus, who had applied to the western Christians for succour against the Turks, entertained hopes, and those but feeble ones, of obtaining such a moderate supply, as, acting under his command, might enable him to repulse the enemy: but he was extremely astonished to see his dominions overwhelmed, on a sudden, by such an inundation of licentious barbarians, who, though they pretended friendship, despised his subjects as unwarlike, and detested them as heretical. By all the arts of policy, in which he excelled, he endeavoured to divert the torrent; but while he employed professions, caresses, civilities, and seeming services towards the leaders of the crusade, he secretly regarded those imperious allies as more dangerous than the open enemies by whom his empire had been formerly invaded. Having effected that difficult point of disembarking them safely in Asia, he entered into a private correspondence with Soliman, emperor of the Turks; and practised every insidious art, which his genius, his power, or his situation enabled him to employ, for disappointing the enterprise, and discouraging the Latins from making thenceforward any such prodigious migrations. His dangerous policy was seconded by the disorders inseparable from so vast a multitude, who were not united under one head, and were conducted by leaders of the most independent, intractable spirit, unacquainted with military discipline, and determined enemies to civil authority and submission. The scarcity of provisions, the excesses of fatigue, the influence of unknown climates, joined to the want of concert in their operations, and to the sword of a warlike enemy, destroyed the adventurers by thousands, and would have abated the ardour of men impelled to war by less powerful motives. Their zeal, however, their bravery,

and their irresistible force, still carried them forward, and continually advanced them to the great end of their enterprise. After an obstinate siege they took Nice, the seat of the Turkish empire; they defeated Soliman in two great battles; they made themselves masters of Antioch; and entirely broke the force of the Turks, who had so long retained those countries in subjection. The soldan of Egypt, whose alliance they had hitherto courted, recovered, on the fall of the Turkish power, his former authority in Jerusalem; and he informed them by his ambassadors, that if they came disarmed to that city, they might now perform their religious vows, and that all Christian pilgrims, who should thenceforth visit the holy sepulchre, might expect the same good treatment which they had ever received from his predecessors. The offer was rejected; the soldan was required to yield up the city to the Christians; and on his refusal, the champions of the cross advanced to the siege of Jerusalem, which they regarded as the consummation of their labours. By the detachments which they had made, and the disasters which they had undergone, they were diminished to the number of twenty thousand foot and fifteen hundred horse; but these were still formidable, from their valour, their experience, and the obedience which, from past calamities, they had learned to pay to their leaders. After a siege of five weeks they took Jerusalem by assault; and, impelled by a mixture of military and religious rage, they put the numerous garrison and inhabitants to the sword without distinction. Neither arms defended the valiant, nor submission the timorous: no age or sex was spared: infants on the breast were pierced by the same blow with their mothers, who implored for mercy: even a multitude, to the number of ten thousand persons, who had surrendered themselves prisoners, and were promised quarter, were butchered in cool blood by those ferocious conquerors. The streets of Jerusalem were covered with dead bodies; and the triumphant warriors, after every enemy was subdued and slaughtered, immediately turned themselves, with the sentiments of humiliation and contrition, towards the holy sepulchre. They threw aside their arms, still streaming with blood; they advanced with reclined bodies and naked feet and heads, to that sacred monument: they sung anthems to their Saviour, who had there purchased their salvation by his death and agony: and their devotion, enlivened by the presence of the place where he had suffered, so overcame their fury, that they dissolved in tears, and bore the appearance of every soft and tender sentiment. So inconsistent is human nature with itself! and so easy does the most effeminate superstition ally both with the most heroic courage and with the fiercest barbarity!

This great event happened on the fifth of July in the last year of the eleventh century. The Christian princes and nobles, after choosing Godfrey of Boüillon king of Jerusalem, began to settle themselves in their new conquests; while some of them returned to Europe, in order to enjoy at home that glory which their valour had acquired them in this popular and meritorious enterprise. Among these was Robert duke of Normandy, who, as he had relinquished the greatest dominions of any prince that attended the crusade, had all along distinguished himself by the most intrepid courage, as well as by that affable disposition and unbounded generosity, which gain the hearts of soldiers, and qualify a prince to shine in a military life. In passing through Italy, he became acquainted with Sibylla, daughter of the count of Conversana, a young lady of great beauty and merit, whom he espoused: indulging himself in this new passion, as well as fond of enjoying ease and pleasure, after the fatigues of so many rough campaigns, he lingered a twelvemonth in that delicious climate; and though his friends in the north looked every moment for his arrival, none of them knew when they could with certainty expect it. By this delay he lost the kingdom of England, which the great fame he had acquired during the crusades, as well as his undoubted title, both by birth and by the preceding agreement with his deceased brother, would, had he been present, have infallibly secured to him.

ACCESSION OF HENRY. 1100.

Prince Henry was hunting with Rufus in the New Forest, when intelligence of that monarch's death was brought him; and being sensible of the advantage attending the conjuncture, he hurried to Winchester, in order to secure the royal treasure, which he knew to be a necessary implement for facilitating his designs on the crown. He had scarcely reached the place when William de Breteüil, keeper of the treasure, arrived, and opposed himself to Henry's pretensions. This nobleman, who had been engaged in the same party of hunting, had no sooner heard of his master's death, than he hastened to take care of his charge; and he told the prince, that this treasure, as well as the crown, belonged to his elder brother, who was now his sovereign; and that he himself, for his part, was determined, in spite of all other pretensions, to maintain his allegiance to him. But Henry, drawing his sword, threatened him with instant death if he dared to disobey him; and as others of the late king's retinue, who came every moment to Winchester, joined the prince's party, Breteüil was obliged to withdraw his opposition, and to acquiesce in his violence.

Henry, without losing a moment, hastened with the money to London; and having assembled some noblemen and prelates, whom his address, or abilities, or presents, gained to his side, he was suddenly elected, or rather saluted king; and immediately proceeded to the exercise of royal authority. In less than three days after his brother's death, the ceremony of his coronation was performed by Maurice, bishop of London, who was persuaded to officiate on that occasion; and thus, by his courage and celerity, he intruded himself into the vacant throne. No one had sufficient spirit or sense of duty to appear in defence of the absent prince: all men were seduced or intimidated: present possession supplied the apparent defects in Henry's title, which was indeed founded on plain usurpation: and the barons, as well as the people, acquiesced in a claim, which, though it could neither be justified nor comprehended, could now, they found, be opposed through the perils alone of civil war and rebellion.

But as Henry foresaw that a crown, usurped against all rules of justice, would sit unsteadily on his head, he resolved, by fair professions at least, to gain the affections of all his subjects. Besides taking the usual coronation oath to maintain the laws and execute justice, he passed a charter, which was calculated to remedy many of the grievous oppressions which had been complained of during the reigns of his father and brother. He there promised, that, at the death of any bishop or abbot, he never would seize the revenues of the see or abbey during the vacancy, but would leave the whole to be reaped by the successor; and that he would never let to farm any ecclesiastical benefice, nor dispose of it for money. After this concession to the church, whose favour was of so great importance, he proceeded to enumerate the civil grievances which he purposed to redress. He promised that, upon the death of any earl, baron, or military tenant, his heir should be admitted to the possession of his estate, on paying a just and lawful relief; without being exposed to such violent exactions as had been usual during the late reigns: he remitted the wardship of minors, and allowed guardians to be appointed, who should be answerable for the trust: he promised not to dispose of any heiress in marriage, but by the advice of all the barons; and if any baron intended to give his daughter, sister, niece, or kinswoman in marriage, it should only be necessary for him to consult the king, who pro-

mised to take no money for his consent, nor ever to refuse permission, unless the person, to whom it was purposed to marry her, should happen to be his enemy: he granted his barons and military tenants the power of bequeathing, by will, their money or personal estates; and if they neglected to make a will, he promised that their heirs should succeed to them: he renounced the right of imposing moneyage, and of levying taxes at pleasure on the farms which the barons retained in their own hands: he made some general professions of moderating fines; he offered a pardon for all offences; and he remitted all debts due to the crown: he required that the vassals of the barons should enjoy the same privileges which he granted to his own barons; and he promised a general confirmation and observance of the laws of king Edward. This is the substance of the chief articles contained in that famous charter.

To give greater authenticity to these concessions, Henry lodged a copy of his charter in some abbey of each county; as if desirous that it should be exposed to the view of all his subjects, and remain a perpetual rule for the limitation and direction of his government: yet it is certain that, after the present purpose was served, he never once thought, during his reign, of observing one single article of it; and the whole fell so much into neglect and oblivion, that, in the following century, when the barons, who had heard an obscure tradition of it, desired to make it the model of the great charter which they exacted from king John, they could with difficulty find a copy of it in the kingdom. But as to the grievances here meant to be redressed, they were still continued in their full extent; and the royal authority, in all those particulars, lay under no manner of restriction. Reliefs of heirs, so capital an article, were never effectually fixed till the time of Magna Charta;* and it is evident that the general promise here given, of accepting a just and lawful relief, ought to have been reduced to more precision, in order to give security to the subject. The oppression of wardship and marriage was perpetuated even till the reign of Charles II.: and it appears from Glanville,† the famous justiciary of Henry II., that, in his time, where any man died intestate, an accident which must have been very frequent when the art of writing was so little known, the king, or the lord of the fief, pretended to seize all the moveables, and to exclude every heir, even the children of the deceased: a sure mark of a tyrannical and arbitrary government.

The Normans, indeed, who domineered in England, were, during this age, so licentious a people, that they may be pronounced incapable of any true or regular liberty; which requires such improvement in knowledge and morals as can only be the result of reflection and experience, and must grow to perfection during several ages of settled and established government. A people so insensible to the rights of their sovereign as to disjoint, without necessity, the hereditary succession, and permit a younger brother to intrude himself into the place of the elder, whom they esteemed, and who was guilty of no crime but being absent, could not expect that that prince would pay any greater regard to their privileges, or allow his engagements to fetter his power, and debar him from any considerable interest or convenience. They had indeed arms in their hands, which prevented the establishment of a total despotism, and left their posterity sufficient power, whenever they should attain a sufficient degree of reason, to assume true liberty: but their turbulent disposition frequently prompted them to make such use of their arms, that they were more fitted to obstruct the execution of justice, than to stop the career of violence and oppression. The prince, finding that greater opposition was often made to him when he enforced the laws than when he violated them, was apt to render his own will and pleasure the sole rule of government; and, on every emergence, to consider more the power of the persons whom he might offend, than the rights of those whom he might injure. The very form of this charter of Henry proves that the Norman barons (for they, rather than the people of England, were chiefly concerned in it) were totally ignorant of the nature of limited monarchy, and were ill qualified to conduct, in conjunction with their sovereign, the machine of government. It is an act of his sole power, is the result of his free grace, contains some articles which bind others as well as himself, and is therefore unfit to be the deed of any one who possesses not the whole legislative power, and who may not at pleasure revoke all his concessions.

Henry, further to increase his popularity, degraded and committed to prison Ralph Flambard, bishop of Durham, who had been the chief instrument of oppression under his brother: but this act was followed by another, which was a direct violation of his own charter, and was a bad prognostic of his sincere intentions to observe it: he kept the see of Durham vacant for five years, and during that time retained possession of all its revenues. Sensible of the great authority which Anselm had acquired by his character of piety, and by the persecutions which he had undergone from William, he sent repeated messages to him at Lyons, where he resided, and invited him to return and take possession of his dignities. On the arrival of the prelate, he proposed to him the renewal of that homage which he had done his brother, and which had never been refused by any English bishop: but Anselm had acquired other sentiments by his journey to Rome, and gave the king an absolute refusal. He objected to the decrees of the council of Bari, at which he himself had assisted; and he declared, that so far from doing homage for his spiritual dignity, he would not so much as communicate with any ecclesiastic who paid that submission, or who accepted of investitures from laymen. Henry, who expected, in his present delicate situation, to reap great advantages from the authority and popularity of Anselm, durst not insist on his demand: he only desired that the controversy might be suspended; and that messengers might be sent to Rome, in order to accommodate matters with the pope, and obtain his confirmation of the laws and customs of England.

MARRIAGE OF THE KING.

There immediately occurred an important affair, in which the king was obliged to have recourse to the authority of Anselm. Matilda, daughter of Malcolm III., king of Scotland, and niece to Edgar Atheling, had, on her father's death, and the subsequent revolutions in the Scottish government, been brought to England, and educated under her aunt Christina, in the nunnery of Rumsey. This princess Henry proposed to marry; but as she had worn the veil, though never taken the vows, doubts might arise concerning the lawfulness of the act; and it behoved him to be very careful not to shock, in any particular, the religious prejudices of his subjects. The affair was examined by Anselm, in a council of the prelates and nobles which was summoned at Lambeth: Matilda there proved that she had put on the veil, not with a view of entering into a religious life, but merely in consequence of a custom familiar to the English ladies, who protected their chastity from the brutal violence of the Normans, by taking shelter under that habit, which, amidst the horrible licentiousness of the times, was yet generally revered. The council, sensible that even a princess had otherwise no security for her honour, admitted this reason as valid: they pronounced that Matilda was still free to marry; and

* What is called a relief in the Conquerour's laws, preserved by Ingulf, seems to have been the heriot; since reliefs, as well as the other burdens of the feudal law, were unknown in the age of the Confessor, whose laws these originally were.

† Lib. 7, cap. 16. This practice was contrary to the laws of king Edward, ratified by the Conquerour, as we learn from Ingulf, p. 91. But laws had at that time very little influence: power and violence governed every thing.



her espousals with Henry were celebrated by Anselm with great pomp and solemnity. No act of the king's reign rendered him equally popular with his English subjects, and tended more to establish him on the throne. Though Matilda, during the life of her uncle and brothers, was not heir of the Saxon line, she was become very dear to the English on account of her connexions with it: and that people, who before the conquest had fallen into a kind of indifference towards their ancient royal family, had felt so severely the tyranny of the Normans, that they reflected with extreme regret on their former liberty, and hoped for a more equal and mild administration, when the blood of their native princes should be mingled with that of their new sovereigns.

INVASION BY DUKE ROBERT. 1101.

But the policy and prudence of Henry, which, if time had been allowed for these virtues to produce their full effect, would have secured him possession of the crown, ran great hazard of being frustrated by the sudden appearance of Robert, who returned to Normandy about a month after the death of his brother William. He took possession, without opposition, of that dutchy; and immediately made preparations for recovering England, of which, during his absence, he had, by Henry's intrigues, been so unjustly defrauded. The great fame which he had acquired in the East forwarded his pretensions; and the Norman barons, sensible of the consequences, expressed the same discontent at the separation of the dutchy and kingdom, which had appeared on the accession of William. Robert de Belesme, earl of Shrewsbury and Arundel, William de la Warrenne, earl of Surrey, Arnulf de Montgomery, Walter Giffard, Robert de Pontefract, Robert de Mallet, Yvo de Grentmesnil, and many others of the principal nobility, invited Robert to make an attempt upon England, and promised, on his landing, to join him with all their forces. Even the seamen were affected with the general popularity of his name, and they carried over to him the greater part of a fleet which had been equipped to oppose his passage. Henry, in this extremity, began to be apprehensive for his life, as well as for his crown; and had recourse to the superstition of the people, in order to oppose their sentiment of justice. He paid diligent court to Anselm, whose sanctity and wisdom he pretended to revere. He consulted him in all difficult emergencies; seemed to be governed by him in every measure; promised a strict regard to ecclesiastical privileges; professed a great attachment to Rome, and a resolution of persevering in an implicit obedience to the decrees of councils and to the will of the sovereign pontiff. By these caresses and declarations he entirely gained the confidence of the primate, whose influence over the people, and authority with the barons, were of the utmost service to him in his present situation. Anselm scrupled not to assure the nobles of the king's sincerity in those professions which he made, of avoiding the tyrannical and oppressive government of his father and brother: he even rode through the ranks of the army, recommended to the soldiers the defence of their prince, represented the duty of keeping their oaths of allegiance, and prognosticated to them the greatest happiness from the government of so wise and just a sovereign. By this expedient, joined to the influence of the earls of Warwic and Mellent, of Roger Bigod, Richard de Redvers, and Robert Fitz-Hamon, powerful barons, who still adhered to the present government, the army was retained in the king's interests, and marched, with seeming union and firmness, to oppose Robert, who had landed with his forces at Portsmouth.

ACCOMMODATION WITH ROBERT.

The two armies lay in sight of each other for some days without coming to action; and both princes, being apprehensive of the event which would probably be decisive, hearkened the more willingly to the councils of Anselm and the other great men, who mediated an accommodation between them. After employing some negociation, it was agreed that Robert should resign his pretensions to England, and receive in lieu of them an annual pension of 3,000 marks; that if either of the princes died without issue, the other should succeed to his dominions; that the adherents of each should be pardoned, and restored to all their possessions either in Normandy or England; and that neither Robert nor Henry should thenceforth encourage, receive, or protect the enemies of the other.

1102. This treaty, though calculated so much for Henry's advantage, he was the first to violate. He restored indeed the estates of all Robert's adherents; but was secretly determined, that noblemen so powerful and so ill affected, who had both inclination and ability to disturb his government, should not long remain unmolested in their present opulence and grandeur. He began with the earl of Shrewsbury, who was watched for some time by spies, and then indicted on a charge, consisting of forty-five articles. This turbulent nobleman, knowing his own guilt, as well as the prejudices of his judges and the power of his prosecutor, had recourse to arms for his defence: but being soon suppressed by the activity and address of Henry, he was banished the kingdom, and his great estate was confiscated. His ruin involved that of his two brothers, Arnulf de Montgomery, and Roger, earl of Lancaster. Soon after followed the prosecution and condemnation of Robert de Pontefract and Robert de Mallet, who had distinguished themselves among Robert's adherents. [1103.] William de Warrenne was the next victim; even William, earl of Cornwall, son of the earl of Mortaigne, the king's uncle, having given matter of suspicion against him, lost all the vast acquisitions of his family in England. Though the usual violence and tyranny of the Norman barons afforded a plausible pretence for those prosecutions, and it is probable that none of the sentences pronounced against these noblemen was wholly iniquitous; men easily saw, or conjectured, that the chief part of their guilt was not the injustice or illegality of their conduct. Robert, enraged at the fate of his friends, imprudently ventured to come into England; and he remonstrated with his brother, in severe terms, against this breach of treaty: but met with so bad a reception, that he began to apprehend danger to his own liberty, and was glad to purchase an escape by resigning his pension.

The indiscretion of Robert soon exposed him to more fatal injuries. This prince, whose bravery and candour procured him respect while at a distance, had no sooner attained the possession of power and enjoyment of peace, than all the vigour of his mind relaxed; and he fell into contempt among those who approached his person, or were subject to his authority. Alternately abandoned to dissolute pleasures and to womanish superstition, he was so remiss, both in the care of his treasure, and the exercise of his government, that his servants pillaged his money with impunity, stole from him his very clothes, and proceeded thence to practise every species of extortion on his defenceless subjects.

ATTACK OF NORMANDY. 1103.

The barons, whom a severe administration alone could have restrained, gave reins to their unbounded rapine upon their vassals, and inveterate animosities against each other; and all Normandy, during the reign of this benign prince, was become a scene of violence and depredation. The Normans at last, observing the regular government which Henry, notwithstanding his usurped title, had been able to establish in England, applied to him, that he might use his

authority for the suppression of these disorders; and they thereby afforded him a pretence for interposing in the affairs of Normandy. Instead of employing his mediation to render his brother's government respectable, or to redress the grievances of the Normans; he was only attentive to support his own partisans, and to increase their number by every art of bribery, intrigue, and insinuation. Having found, in a visit which he made to that dutchy, that the nobility were more disposed to pay submission to him than to their legal sovereign, he collected, by arbitrary extortions on England, a great army and treasure, and returned next year to Normandy, in a situation to obtain, either by violence or corruption, the dominion of that province. He took Bayeux by storm, after an obstinate siege: [1105:] he made himself master of Caen by the voluntary submission of the inhabitants: but being repulsed at Falaise, and obliged by the winter season to raise the siege, he returned into England; after giving assurances to his adherents that he would persevere in supporting and protecting them.

CONQUEST OF NORMANDY. 1106.

Next year he opened the campaign with the siege of Tenchebray; and it became evident from his preparations and progress, that he intended to usurp the entire possession of Normandy. Robert was at last roused from his lethargy; and being supported by the earl of Mortaigne and Robert de Bellesme, the king's inveterate enemies, he raised a considerable army, and approached his brother's camp with a view of finishing, in one decisive battle, the quarrel between them. He was now entered on that scene of action in which alone he was qualified to excel; and he so animated his troops by his example that they threw the English into disorder, and had nearly obtained the victory; when the flight of Bellesme spread a panic among the Normans, and occasioned their total defeat. Henry, besides doing great execution on the enemy, made near ten thousand prisoners; among whom was duke Robert himself, and all the most considerable barons who adhered to his interests. This victory was followed by the final reduction of Normandy: Rouen immediately submitted to the conqueror: Falaise, after some negociation, opened its gates; and by this acquisition, besides rendering himself master of an important fortress, he got into his hands prince William, the only son of Robert: he assembled the states of Normandy; and having received the homage of all the vassals of the dutchy, having settled the government, revoked his brother's donations, and dismantled the castles lately built, he returned into England, and carried along with him the duke as prisoner. That unfortunate prince was detained in custody during the remainder of his life, which was no less than twenty-eight years, and he died in the castle of Cardiff in Glamorganshire; happy if, without losing his liberty, he could have relinquished that power which he was not qualified either to hold or exercise. Prince William was committed to the care of Helie de St. Saen, who had married Robert's natural daughter, and who being a man of probity and honour beyond what was usual in those ages, executed the trust with great affection and fidelity. Edgar Atheling, who had followed Robert in the expedition to Jerusalem, and who had lived with him ever since in Normandy, was another illustrious prisoner taken in the battle of Tenchebray. Henry gave him his liberty, and settled a small pension on him, with which he retired; and he lived to a good old age in England, totally neglected and forgotten. This prince was distinguished by personal bravery: but nothing can be a stronger proof of his mean talents in every other respect, than that, notwithstanding he possessed the affections of the English, and enjoyed the only legal title to the throne, he was allowed, during the reigns of so many violent and jealous usurpers, to live unmolested, and go to his grave in peace.

CONTINUATION OF THE QUARREL WITH ANSELM. 1107.

A little after Henry had completed the conquest of Normandy, and settled the government of that province, he finished a controversy, which had been long depending between him and the pope, with regard to the investitures in ecclesiastical benefices; and though he was here obliged to relinquish some of the ancient rights of the crown, he extricated himself from the difficulty on easier terms than most princes, who in that age were so unhappy as to be engaged in disputes with the apostolic see. The king's situation, in the beginning of his reign, obliged him to pay great court to Anselm: the advantages which he had reaped from the zealous friendship of that prelate, had made him sensible how prone the minds of his people were to superstition, and what an ascendant the ecclesiastics had been able to assume over them. He had seen, on the accession of his brother Rufus, that though the rights of primogeniture were then violated, and the inclinations of almost all the barons thwarted, yet the authority of Lanfranc, the primate, had prevailed over all other considerations: his own case, which was still more unfavourable, afforded an instance in which the clergy had more evidently shown their influence and authority. These recent examples, while they made him cautious not to offend that powerful body, convinced him, at the same time, that it was extremely his interest to retain the former prerogative of the crown in filling offices of such vast importance, and to check the ecclesiastics in that independence to which they visibly aspired. The choice which his brother, in a fit of penitence, had made of Anselm, was so far unfortunate to the king's pretensions, that this prelate was celebrated for his piety and zeal, and austerity of manners; and though his monkish devotion, and narrow principles, prognosticated no great knowledge of the world or depth of policy, he was, on that very account, a more dangerous instrument in the hands of politicians, and retained a greater ascendant over the bigoted populace. The prudence and temper of the king appear in nothing more conspicuous than in the management of this delicate affair; where he was always sensible that it had become necessary for him to risk his whole crown, in order to preserve the most invaluable jewel of it.

Anselm had no sooner returned from banishment, than his refusal to do homage to the king raised a dispute, which Henry evaded at that critical juncture, by promising to send a messenger, in order to compound the matter with Pascal II., who then filled the papal throne. The messenger, as was probably foreseen, returned with an absolute refusal of the king's demands; and that fortified by many reasons, which were well qualified to operate on the understandings of men in those ages. Pascal quoted the Scriptures to prove that Christ was the door; and he thence inferred, that all ecclesiastics must enter into the church through Christ alone, not through the civil magistrates, or any profane laymen. "It is monstrous," added the pontiff, "that a son should pretend to beget his father, or a man to create his God: priests are called gods in scripture,* as being the vicars of God: and will you by your abominable pretensions to grant them their investiture, assume the right of creating them?"

But how convincing soever these arguments, they could not persuade Henry to resign so important a prerogative; and, perhaps, as he was possessed of great reflection and learning, he thought that the absurdity of a man's creating his God, even allowing priests to be gods, was not urged with the best grace by the Ro-

* I much suspect that this text of Scripture is a forgery of his holiness; for I have not been able to find it. Yet it passed current in those ages, and was often quoted by the clergy as the foundation of their power. See Epist. St. Thom. p. 109

man pontiff. But as he desired still to avoid, at least to delay, the coming to any dangerous extremity with the church, he persuaded Anselm that he should be able by further negociation, to attain some composition with Pascal; and for that purpose he dispatched three bishops to Rome, while Anselm sent two messengers of his own, to be more fully assured of the pope's intentions. Pascal wrote back letters equally positive and arrogant, both to the king and primate; urging to the former, that by assuming the right of investitures, he committed a kind of spiritual adultery with the church, who was the spouse of Christ, and who must not admit of such a commerce with any other person; and insisting with the latter, that the pretension of kings to confer benefices was the source of all simony; a topic which had but too much foundation in those ages.

Henry had now no other expedient than to suppress the letter addressed to himself, and to persuade the three bishops to prevaricate, and assert upon their episcopal faith, that Pascal had assured them in private of his good intentions towards Henry, and of his resolution not to resent any future exertion of his prerogative in granting investitures; though he himself scrupled to give this assurance under his hand, lest other princes should copy the example, and assume a like privilege. Anselm's two messengers, who were monks, affirmed to him, that it was impossible this story could have any foundation: but their word was not deemed equal to that of three bishops; and the king, as if he had finally gained his cause, proceeded to fill the sees of Hereford and Salisbury, and to invest the new bishops in the usual manner. But Anselm, who, as he had good reason, gave no credit to the asseveration of the king's messengers, refused not only to consecrate them, but even to communicate with them; and the bishops themselves, finding how odious they were become, returned to Henry the ensigns of their dignity. The quarrel every day increased between the king and the primate: the former, notwithstanding the prudence and moderation of his temper, threw out menaces against such as should pretend to oppose him in exerting the ancient prerogatives of his crown: and Anselm, sensible of his own dangerous situation, desired leave to make a journey to Rome, in order to lay the case before the sovereign pontiff. Henry, well pleased to rid himself, without violence, of so inflexible an antagonist, readily granted him permission. The prelate was attended to the shore by infinite multitudes, not only of monks and clergymen, but people of all ranks, who scrupled not in this manner to declare for their primate against their sovereign, and who regarded his departure as the final abolition of religion and true piety in the kingdom. The king, however, seized all the revenues of his see; and sent William de Warelwast to negociate with Pascal, and to find some means of accommodation in this delicate affair.

The English minister told Pascal, that his master would rather lose his crown, than part with the right of granting investitures. "And I," replied Pascal, "would rather lose my head than allow him to retain it." Henry secretly prohibited Anselm from returning, unless he resolved to conform himself to the laws and usages of the kingdom; and the primate took up his residence at Lyons, in expectation that the king would at last be obliged to yield the point which was the present object of controversy between them. Soon after he was permitted to return to his monastery at Bec in Normandy; and Henry, besides restoring to him the revenues of his see, treated him with the greatest respect, and held several conferences with him, in order to soften his opposition, and bend him to submission. The people of England, who thought all differences now accommodated, were inclined to blame their primate for absenting himself so long from his charge; and he daily received letters from his partisans, representing the necessity of his speedy return. The total extinction, they told him, of religion and Christianity was likely to ensue from the want of his fatherly care: the most shocking customs prevailed in England; and the dread of his severity being now removed, sodomy, and the practice of wearing long hair, gain ground among all ranks of men, and these enormities openly appear everywhere, without sense of shame or fear of punishment.

The policy of the court of Rome has commonly been much admired; and men, judging by success, have bestowed the highest eulogies on that prudence by which a power, from such slender beginnings, could advance, without force of arms, to establish an universal and almost absolute monarchy in Europe. But the wisdom of so long a succession of men who filled the papal throne, and who were of such different ages, tempers, and interests, is not intelligible, and could never have place in nature. The instrument, indeed, with which they wrought, the ignorance and superstition of the people, is so gross an engine, of such universal prevalence, and so little liable to accident or disorder, that it may be successful, even in the most unskilful hands; and scarce any indiscretion can frustrate its operations. While the court of Rome was openly abandoned to the most flagrant disorders, even while it was torn with schisms and factions, the power of the church daily made a sensible progress in Europe; and the temerity of Gregory and caution of Pascal were equally fortunate in promoting it. The clergy, feeling the necessity which they lay under of being protected against the violence of princes, or rigour of the laws, were well pleased to adhere to a foreign head, who, being removed from the fear of the civil authority, could freely employ the power of the whole church in defending her ancient or usurped properties and privileges, when invaded in any particular country: the monks, desirous of an independence on their diocesans, professed a still more devoted attachment to the triple crown; and the stupid people possessed no science or reason which they could oppose to the most exorbitant pretensions. Nonsense passed for demonstration: the most criminal means were sanctified by the piety of the end: treaties were not supposed to be binding where the interests of God were concerned: the ancient laws and customs of states had no authority against a divine right: impudent forgeries were received as authentic monuments of antiquity: and the champions of holy church, if successful, were celebrated as heroes; if unfortunate, were worshipped as martyrs; and all events thus turned out equally to the advantage of clerical usurpations. Pascal himself, the reigning pope, was, in the course of this very controversy concerning investitures, involved in circumstances, and necessitated to follow a conduct, which would have drawn disgrace and ruin on any temporal prince that had been so unfortunate as to fall into a like situation. His person was seized by the emperor Henry V., and he was obliged, by a formal treaty, to resign to that monarch the right of granting investitures, for which they had so long contended. In order to add greater solemnity to this agreement, the emperor and pope communicated together on the same host; one half of which was given to the prince, the other taken by the pontiff: the most tremendous imprecations were publicly denounced on either of them who should violate the treaty: yet no sooner did Pascal recover his liberty, than he revoked all his concessions, and pronounced the sentence of excommunication against the emperor, who, in the end, was obliged to submit to the terms required of him, and to yield up all his pretensions, which he never could resume.

The king of England had very nearly fallen into the same dangerous situation: Pascal had already excommunicated the earl of Mellent, and the other ministers of Henry who were instrumental in supporting his pretensions: he daily menaced the king himself with a like sentence; and he suspended the blow only to give him leisure to prevent it by a timely submission. The mal-

contents waited impatiently for the opportunity of disturbing his government by conspiracies and insurrections: the king's best friends were anxious at the prospect of an incident which would set their religious and civil duties at variance: and the countess of Blois, his sister, a princess of piety, who had great influence over him, was affrighted with the danger of her brother's eternal damnation. Henry, on the other hand, seemed determined to run all hazards, rather than resign a prerogative of such importance, which had been enjoyed by all his predecessors; and it seemed probable, from his great prudence and abilities, that he might be able to sustain his rights, and finally prevail in the contest. While Pascal and Henry thus stood mutually in awe of each other, it was the more easy to bring about an accommodation between them and to find a medium in which they might agree.

COMPROMISE WITH ANSELM.

Before bishops took possession of their dignities, they had formerly been accustomed to pass through two ceremonies: they received from the hands of the sovereign a ring and crozier, as symbols of their office; and this was called their *investiture:* they also made those submissions to the prince which were required of vassals by the rights of the feudal law, and which received the name of *homage.* And as the king might refuse both to grant the *investiture* and to receive the *homage,* though the chapter had, by some canons of the middle age, been endowed with the right of election, the sovereign had in reality the sole power of appointing prelates. Urban II. had equally deprived laymen of the right of granting investitures and of receiving homage; the emperors never were able, by all their wars and negociations, to make any distinction be admitted between them: the interposition of profane laymen, in any particular, was still represented as impious and abominable; and the church openly aspired to a total independence on the state. But Henry had put England as well as Normandy in such a situation as gave greater weight to his negociations; and Pascal was for the present satisfied with his resigning the right of granting investitures, by which the spiritual dignity was supposed to be conferred; and he allowed the bishops to do homage for their temporal properties and privileges. The pontiff was well pleased to have made this acquisition, which he hoped would in time involve the whole: and the king, anxious to procure an escape from a very dangerous situation, was content to retain some, though a more precarious authority in the election of prelates.

After the principal controversy was accommodated, it was not difficult to adjust the other differences. The pope allowed Anselm to communicate with the prelates who had already received investitures from the crown; and he only required of them some submissions for their past misconduct. He also granted Anselm a plenary power of remedying every other disorder which, he said, might arise from the barbarousness of the country. Such was the idea which the popes then entertained of the English; and nothing can be a stronger proof of the miserable ignorance in which that people were then plunged, than that a man who sat on the papal throne, and who subsisted by absurdities and nonsense, should think himself entitled to treat them as barbarians.

During the course of these controversies, a synod was held at Westminster, where the king, intent only on the main dispute, allowed some canons of less importance to be enacted, which tended to promote the usurpations of the clergy. The celibacy of priests was enjoined, a point which it was still found very difficult to carry into execution: and even laymen were not allowed to marry within the seventh degree of affinity. By this contrivance the pope augmented the profits which he reaped from granting dispensations, and likewise those from divorces; for as the art of writing was then rare, and parish-registers were not regularly kept, it was not easy to ascertain the degrees of affinity even among people of rank; and any man who had money sufficient to pay for it, might obtain a divorce, on pretence that his wife was more nearly related to them than was permitted by the canons. The synod also passed a vote, prohibiting the laity from wearing long hair. The aversion of the clergy to this mode was not confined to England. When the king went to Normandy, before he had conquered that province, the bishop of Seez, in a formal harangue, earnestly exhorted him to redress the manifold disorders under which the government laboured, and to oblige the people to poll their hair in a decent form. Henry, though he would not resign his prerogatives to the church, willingly parted with his hair; he cut it in the form which they required of him, and obliged all the courtiers to imitate his example.

WARS ABROAD.

The acquisition of Normandy was a great point of Henry's ambition, being the ancient patrimony of his family, and the only territory which, while in his possession, gave him any weight or consideration on the continent: but the injustice of his usurpation was the source of great inquietude, involved him in frequent wars, and obliged him to impose on his English subjects those many heavy and arbitrary taxes, of which all the historians of that age unanimously complain. His nephew William was but six years of age, when he committed him to the care of Helie de St. Saen; and it is probable, that his reason for entrusting that important charge to a man of so unblemished a character, was to prevent all malignant suspicions, in case any accident should befall the life of the young prince. He soon repented of his choice; but when he desired to recover possession of William's person, Helie withdrew his pupil, and carried him to the court of Fulk, count of Anjou, who gave him protection. [1110.] In proportion as the prince grew up to man's estate, he discovered virtues becoming his birth; and wandering through different courts of Europe, he excited the friendly compassion of many princes, and raised a general indignation against his uncle, who had so unjustly bereaved him of his inheritance. Louis the Gross, son of Philip, was at this time king of France, a brave and generous prince, who having been obliged, during the lifetime of his father, to fly into England, in order to escape the persecutions of his step-mother Bertrude, had been protected by Henry, and had thence conceived a personal friendship for him. But these ties were soon dissolved after the accession of Louis, who found his interests to be in so many particulars opposite to those of the English monarch, and who became sensible of the danger attending the annexation of Normandy to England. He joined, therefore, the counts of Anjou and Flanders in giving disquiet to Henry's government; and this monarch, in order to defend his foreign dominions, found himself obliged to go over to Normandy, where he resided two years. The war which ensued among those princes was attended with no memorable event, and produced only slight skirmishes on the frontiers, agreeably to the weak condition of the sovereigns in that age, whenever their subjects were not roused by some great and urgent occasion. Henry, by contracting his eldest son William to the daughter of Fulk, detached that prince from the alliance, and obliged the others to come to an accommodation with him. This peace was not of long duration. His nephew, William, retired to the court of Baldwin, earl of Flanders, who espoused his cause, and the king of France, having soon after, for other reasons, joined the party, a new war was kindled in Normandy, which produced no event more memorable than had attended the former. At last the death of Baldwin, who was slain in an action near Eu, [1118,]

gave some respite to Henry, and enabled him to carry on war with more advantage against his enemies.

Louis, finding himself unable to wrest Normandy from the king by force of arms, had recourse to the dangerous expedient of applying to the spiritual power, and of affording the ecclesiastics a pretence to interpose in the temporal concerns of princes. He carried young William to a general council, which was assembled at Rheims by pope Calixtus II., presented the Norman prince to them, complained of the manifest usurpation and injustice of Henry, craved the assistance of the church for reinstating the true heir in his dominions, and represented the enormity of detaining in captivity so brave a prince as Robert, one of the most eminent champions of the cross, and who, by that very quality, was placed under the immediate protection of the holy see. Henry knew how to defend the rights of his crown with vigour, and yet with dexterity. He had sent over the English bishops to this synod; [1119;] but at the same time had warned them that if any further claims were started by the pope or the ecclesiastics, he was determined to adhere to the laws and customs of England, and maintain the prerogatives transmitted to him by his predecessors. "Go," said he to them, "salute the pope in my name; hear his apostolical precepts; but take care to bring none of his new inventions into my kingdom." Finding, however, that it would be easier for him to elude than oppose the efforts of Calixtus, he gave his ambassadors orders to gain the pope and his favourites by liberal presents and promises. The complaints of the Norman prince were thenceforth heard with great coldness by the council; and Calixtus confessed, after a conference which he had the same summer with Henry, and when that prince probably renewed his presents, that, of all men whom he had ever yet been acquainted with, he was beyond comparison the most eloquent and persuasive.

The warlike measures of Louis proved as ineffectual as his intrigues. He had laid a scheme for surprising Noyon; but Henry having received intelligence of the design, marched to the relief of the place, and suddenly attacked the French at Brenneville, as they were advancing towards it. A sharp conflict ensued; where prince William behaved with great bravery, and the king himself was in the most imminent danger. He was wounded in the head by Crispin, a gallant Norman officer, who had followed the fortunes of William; but being rather animated than terrified by the blow, he immediately beat his antagonist to the ground, and so encouraged his troops by the example, that they put the French to total rout, and had very nearly taken their king prisoner. The dignity of the persons engaged in this skirmish, rendered it the most memorable action of the war: for, in other respects it was not of great importance. There were nine hundred horsemen, who fought on both sides; yet were there only two persons slain. The rest were defended by that heavy armour worn by the cavalry in those times. An accommodation soon after ensued between the kings of France and England; and the interests of young William were entirely neglected in it.

DEATH OF PRINCE WILLIAM. 1120.

But this public prosperity of Henry was much overbalanced by a domestic calamity which befel him. His only son, William, had now reached his eighteenth year; and the king, from the facility with which he himself had usurped the crown, dreading that a like revolution might subvert his family, had taken care to have him recognized successor by the states of the kingdom, and had carried him over to Normandy, that he might receive the homage of the barons of that dutchy. The king, on his return, set sail from Barfleur, and was soon carried by a fair wind out of sight of land. The prince was detained by some accident; and his sailors, as well as their captain, Thomas Fitz-Stephens, having spent the interval in drinking, were so flustered, that, being in a hurry to follow the king, they heedlessly carried the ship on a rock, where she immediately foundered. William was put into the long-boat, and had got clear of the ship; when hearing the cries of his natural sister, the countess of Perche, he ordered the seamen to row back in hopes of saving her: but the numbers who then crowded in, soon sunk the boat; and the prince with all his retinue perished. Above a hundred and forty young noblemen of the principal families of England and Normandy were lost on this occasion. A butcher of Roüen was the only person on board who escaped: he clung to the mast, and was taken up next morning by fishermen. Fitz-Stephens also took hold of the mast; but being informed by the butcher that prince William had perished, he said that he would not survive the disaster; and he threw himself headlong into the sea. Henry entertained hopes for three days that his son had put into some distant port of England; but when certain intelligence of the calamity was brought him, he fainted away; and it was remarked, that he never after was seen to smile, nor ever recovered his wonted cheerfulness.

The death of William may be regarded, in one respect, as a misfortune to the English; because it was the immediate source of those civil wars, which, after the demise of the king, caused such confusion in the kingdom: but it is remarkable, that the young prince had entertained a violent aversion to the natives; and had been heard to threaten, that when he should be king, he would make them draw the plough, and would turn them into beasts of burden. These prepossessions he inherited from his father, who, though he was wont, when it might serve his purpose, to value himself on his birth, as a native of England, showed, in the course of his government, an extreme prejudice against the people. All hopes of preferment, to ecclesiastical as well as civil dignities, were denied them during this whole reign; and any foreigner, however ignorant or worthless, was sure to have the preference in every competition. As the English had given no disturbance to the government during the course of fifty years, this inveterate antipathy in a prince of so much temper as well as penetration, forms a presumption that the English of that age were still a rude and barbarous people, even compared to the Normans, and impresses us with no very favourable idea of the Anglo-Saxon manners.

Prince William left no children; and the king had not now any legitimate issue, except one daughter, Matilda, whom in 1110 he had betrothed, though only eight years of age, to the emperor Henry V., and whom he had then sent over to be educated in Germany. [*See note* M, *at the end of this Vol.*]

THE KING'S SECOND MARRIAGE. 1121.

But as her absence from the kingdom, and her marriage into a foreign family, might endanger the succession, Henry, who was now a widower, was induced to marry, in hopes of having male heirs; and he made his addresses to Adelais, daughter of Godfrey, duke of Lovaine, and niece of pope Calixtus, a young princess of an amiable person. But Adelais brought him no children; and the prince who was most likely to dispute the succession, and even the immediate possession of the crown, recovered hopes of subverting his rival, who had successively seized all his patrimonial dominions. William, the son of duke Robert, was still protected in the French court; and as Henry's connexions with the count of Anjou were broken off by the death of his son, Fulk joined the party of the unfortunate prince, gave him his daughter in marriage, and aided him in raising disturbances in Normandy. But Henry found the means of drawing off the count of Anjou, by forming anew with him a nearer connexion than the former, and one more material to the

interests of that count's family. The emperor, his son-in-law, dying without issue, [1127,] he bestowed his daughter on Geoffrey, the eldest son of Fulk, and endeavoured to insure her succession by having her recognized heir to all his dominions, and obliging the barons both of Normandy and England to swear fealty to her. He hoped that the choice of this husband would be more agreeable to all his subjects than that of the emperor; as securing them from the danger of falling under the dominion of a great and distant potentate, who might bring them into subjection, and reduce their country to the rank of a province; but the barons were displeased, that a step so material to national interests had been taken without consulting them;* and Henry had too sensibly experienced the turbulence of their disposition, not to dread the effects of their resentment. It seemed probable that his nephew's party might gain force from the increase of the malcontents: an accession of power which that prince acquired a little after tended to render his pretensions still more dangerous. Charles, earl of Flanders being assassinated during the celebration of divine service, king Louis immediately put the young prince in possession of that county, to which he had pretensions in the right of his grandmother Matilda, wife to the Conqueror. But William survived a very little time this piece of good fortune, which seemed to open the way to still further prosperity. He was killed [1128] in a skirmish with the landgrave of Alsace, his competitor for Flanders; and his death put an end, for the present, to the jealousy and inquietude of Henry.

The chief merit of this monarch's government consists in the profound tranquillity which he established and maintained throughout all his dominions during the greater part of his reign. The mutinous barons were retained in subjection; and his neighbours, in every attempt which they made upon him, found him so well prepared, that they were discouraged from continuing or renewing their enterprises. In order to repress the incursions of the Welsh, he brought over some Flemings, in the year 1111, and settled them in Pembrokeshire, where they long maintained a different language, and customs, and manners, from their neighbours. Though his government seems to have been arbitrary in England, it was judicious and prudent: and was as little oppressive as the necessity of his affairs would permit. He wanted not attention to the redress of grievances; and historians mention in particular the levying of purveyance, which he endeavoured to moderate and restrain. The tenants in the king's demesne lands were at that time obliged to supply *gratis* the court with provisions, and to furnish carriages on the same hard terms, when the king made a progress, as he did frequently, into any of the counties. These exactions were so grievous, and levied in so licentious a manner, that the farmers, when they heard of the approach of the court, often deserted their houses as if an enemy had invaded the country; and sheltered their persons and families in the woods, from the insults of the king's retinue. Henry prohibited those enormities, and punished the person guilty of them by cutting off their hands, legs, or other members. But the prerogative was perpetual; the remedy applied by Henry was temporary; and the violence itself of this remedy, so far from giving security to the people, was only a proof of the ferocity of the government, and threatened a quick return of like abuses.

One great and difficult object of the king's prudence was the guarding against the encroachments of the court of Rome, and protecting the liberties of the church of England. The pope, in the year 1101, had sent Guy, archbishop of Vienne, as legate into Britain; and though he was the first that for many years had appeared there in that character, and his commission gave general surprise, the king, who was then in the commencement of his reign, and was involved in many difficulties, was obliged to submit to this encroachment on his authority: but in the year 1116, Anselm, abbot of St. Sabas, who was coming over with a like legantine commission, was prohibited from entering the kingdom; and pope Calixtus, who in his turn was then labouring under many difficulties, by reason of the pretensions of Gregory, an antipope, was obliged to promise, that he never would for the future, except when solicited by the king himself, send any legate into England. Notwithstanding this engagement, the pope, as soon as he had suppressed his antagonist, granted the Cardinal de Crema a legantine commission over that kingdom; and the king, who, by reason of his nephew's intrigues and invasions, found himself at that time in a dangerous situation, was obliged to submit to the exercise of this commission. A synod was called by the legate at London; where, among other canons, a vote passed, enacting severe penalties on the marriages of the clergy. The cardinal, in a public harangue, declared it to be an unpardonable enormity, that a priest should dare to consecrate and touch the body of Christ immediately after he had risen from the side of a strumpet: for that was the decent appellation which he gave to the wives of the clergy. But it happened, that the very next night the officers of justice, breaking into a disorderly house, found the cardinal in bed with a courtezan; an incident which threw such ridicule upon him, that he immediately stole out of the kingdom: the synod broke up; and the canons against the marriage of clergymen were worse executed than ever.

Henry, in order to prevent this alternate revolution of concessions and encroachments, sent William, then archbishop of Canterbury, to remonstrate with the court of Rome against those abuses, and to assert the liberties of the English church. It was a usual maxim with every pope, when he found that he could not prevail in any pretension, to grant princes or states a power which they had always exercised, to resume at a proper juncture the claim which seemed to be resigned, and to pretend that the civil magistrate had possessed the authority only from a special indulgence of the Roman pontiff. After this manner, the pope, finding that the French nation would not admit his claim of granting investitures, had passed a bull, giving the king that authority; and he now practised a like invention to elude the complaints of the king of England. He made the archbishop of Canterbury his legate, renewed his commission from time to time, and still pretended that the rights which that prelate had ever exercised as metropolitan, were entirely derived from the indulgence of the apostolic see. The English princes, and Henry in particular, who were glad to avoid any immediate contest of so dangerous a nature, commonly acquiesced by their silence in these pretensions of the court of Rome. [*See note* N, *at the end of this Vol.*]

1131. As everything in England remained in tranquillity, Henry took the opportunity of paying a visit to Normandy, to which he was invited as well by his affection for that country, as by his tenderness for his daughter, the empress Matilda, who was always his favourite. Some time after, [1133,] that princess was delivered of a son, who received the name of Henry; and the king, further to ensure her succession, made all the nobility of England and Normandy renew the oath of fealty which they had already sworn to her. The joy of this event, and the satisfaction which he reaped from his daughter's company, who bore successively two other sons, made their residence in Normandy very agreeable to him; and he seemed determined to pass the remainder of his days in that country; when an incursion of the Welsh [1135] obliged him to think of returning into England. He was preparing for the journey, but was seized the 1st of December with a sudden illness at St. Dennis le For-

* The Annals of Waverly, p. 50, say that the king asked and obtained the consent of all the barons.

ment, from eating too plentifully of lampreys, a food which always agreed better with his palate than his constitution. He died in the sixty-seventh year of his age, and the thirty-fifth of his reign; leaving by will his daughter Matilda heir of all his dominions, without making any mention of her husband Geoffrey, who had given him several causes of displeasure.

CHARACTER OF HENRY.

This prince was one of the most accomplished that has filled the English throne, and possessed all the great qualities both of body and mind, natural and acquired, which could fit him for the high station to which he attained. His person was manly, his countenance engaging, his eyes clear, serene, and penetrating. The affability of his address encouraged those who might be overawed by the sense of his dignity or of his wisdom; and though he often indulged his facetious humour, he knew how to temper it with discretion, and ever kept at a distance from all indecent familiarities with his courtiers. His superior eloquence and judgment would have given him an ascendant, even had he been born in a private station; and his personal bravery would have procured him respect, though it had been less supported by art and policy. By his great progress in literature, he acquired the name of *Beau-clerk*, or, the scholar: but this application to those sedentary pursuits abated nothing of the activity and vigilance of his government; and though the learning of that age was better fitted to corrupt than improve the understanding, his natural good sense preserved itself untainted, both from the pedantry and superstition which were then so prevalent among men of letters. His temper was susceptible of the sentiments as well of friendship as of resentment; and his ambition, though high, might be deemed moderate and reasonable, had not his conduct towards his brother and nephew showed that he was too much disposed to sacrifice to it all the maxims of justice and equity. But the total incapacity of Robert for government afforded his younger brother a reason or pretence for seizing the sceptre both of England and Normandy; and when violence and usurpation are once begun, necessity obliges a prince to continue in the same criminal course, and engages him in measures which his better judgment and sounder principles would otherwise have induced him to reject with warmth and indignation.

King Henry was much addicted to women; and historians mention no less than seven illegitimate sons and six daughters born to him. Hunting was also one of his favourite amusements; and he exercised great rigour against those who encroached on the royal forests, which were augmented during his reign, though their number and extent were already too great. To kill a stag was as criminal as to murder a man: he made all the dogs be mutilated which were kept on the borders of his forests: and he sometimes deprived his subjects of the liberty of hunting on their own lands, or even cutting their own woods. In other respects he executed justice, and that with rigour; the best maxim which a prince in that age could follow. Stealing was first made capital in this reign: false coining, which was then a very common crime, and by which the money had been extremely debased, was severely punished by Henry. Near fifty criminals of this kind were at one time hanged or mutilated; and though these punishments seem to have been exercised in a manner somewhat arbitrary, they were grateful to the people, more attentive to present advantages than jealous of general laws. There is a code which passes under the name of Henry I., but the best antiquaries have agreed to think it spurious. It is however a very ancient compilation, and may be useful to instruct us in the manners and customs of the times. We learn from it, that a great distinction was then made between the English and Normans, much to the advantage of the latter. The deadly feuds, and the liberty of private revenge, which had been avowed by the Saxon laws, were still continued, and were not yet wholly illegal.

Among the laws granted on the king's accession, it is remarkable that the re-union of the civil and ecclesiastical courts, as in the Saxon times, was enacted. But this law, like the articles of his charter, remained without effect, probably from the opposition of archbishop Anselm.

Henry, on his accession, granted a charter to London, which seems to have been the first step towards rendering that city a corporation. By this charter the city was empowered to keep the farm of Middlesex at three hundred pounds a year, to elect its own sheriff and justiciary, and to hold pleas of the crown; and it was exempted from scot, Danegelt, trials by combat, and lodging the king's retinue. These, with a confirmation of the privileges of their court of hustings, wardmotes, and common halls, and their liberty of hunting in Middlesex and Surrey, are the chief articles of this charter.

It is said that this prince, from indulgence to his tenants, changed the rents of his demesnes, which were formerly paid in kind, into money, which was more easily remitted to the exchequer. But the great scarcity of coin would render that commutation difficult to be executed, while at the same time provisions could not be sent to a distant quarter of the kingdom. This affords a probable reason why the ancient kings of England so frequently changed their place of abode: they carried their court from one place to another, that they might consume upon the spot the revenue of their several demesnes.

CHAPTER VII.

STEPHEN. 1135.

Accession of Stephen—War with Scotland—Insurrection in favour of Matilda—Stephen taken Prisoner—Matilda crowned—Stephen released—Restored to the Crown—Continuation of the Civil Wars—Compromise between the King and Prince Henry—Death of the King.

IN the progress and settlement of the feudal law, the male succession to fiefs had taken place some time before the female was admitted; and estates, being considered as military benefices, not as property, were transmitted to such only as could serve in the armies, and perform in person the conditions upon which they were originally granted. But when the continuance of rights, during some generations, in the same family, had, in a great measure, obliterated the primitive idea, the females were gradually admitted to the possession of feudal property; and the same revolution of principles which procured them the inheritance of private estates, naturally introduced their succession to government and authority. The failure, therefore, of male heirs to the kingdom of England and dutchy of Normandy, seemed to leave the succession open, without a rival, to the empress Matilda; and as Henry had made all his vassals in both states swear fealty to her, he presumed that they would not easily be induced to depart at once from her hereditary right, and from their own reiterated oaths and engagements. But the irregular manner in which he himself had acquired the crown, might have instructed him, that neither his Norman nor English subjects were as yet capable of adhering to a strict rule of government; and as every precedent of this kind seems to give authority to new usurpations, he had reason to dread, even from his own family, some invasion of his daughter's title, which he had taken such pains to establish.

Adela, daughter of William the Conqueror, had been married to Stephen, count of Blois, and had brought him several sons, among whom Stephen and Henry, the two youngest, had been invited over to England by the late king, and had received great honours, riches, and preferment, from the zealous friendship which that prince bore to every one that had been so fortunate as to acquire his favour and good opinion. Henry, who had betaken himself to the ecclesiastical profession, was created abbot of Glastonbury and bishop of Winchester; and though these dignities were considerable, Stephen had, from his uncle's liberality, attained establishments still more solid and durable. The king had married him to Matilda, who was daughter and heir of Eustace, count of Boulogne, and who brought him, besides that feudal sovereignty in France, an immense property in England, which in the distribution of lands had been conferred by the Conqueror on the family of Boulogne. Stephen also by this marriage acquired a new connexion with the royal family of England; as Mary, his wife's mother, was sister to David, the reigning king of Scotland, and to Matilda, the first wife of Henry, and mother of the empress. The king, still imagining that he strengthened the interests of his family by the aggrandizement of Stephen, took pleasure in enriching him by the grant of new possessions; and he conferred on him the great estate forfeited by Robert Mallet in England, and that forfeited by the earl of Mortaigne in Normandy. Stephen, in return, professed great attachment to his uncle; and appeared so zealous for the succession of Matilda, that, when the barons swore fealty to that princess, he contended with Robert, earl of Gloucester, the king's natural son, who should first be admitted to give her this testimony of devoted zeal and fidelity. Meanwhile he continued to cultivate, by every art of popularity, the friendship of the English nation; and many virtues with which he seemed to be endowed favoured the success of his intentions. By his bravery, activity, and vigour he acquired the esteem of the barons: by his generosity, and by an affable and familiar address, unusual in that age among men of his high quality, he obtained the affections of the people, particularly of the Londoners. And though he dared not to take any steps towards his further grandeur, lest he should expose himself to the jealousy of so penetrating a prince as Henry, he still hoped that, by accumulating riches and power, and by acquiring popularity, he might in time be able to open his way to the throne.

No sooner had Henry breathed his last than Stephen, insensible to all the ties of gratitude and fidelity, and blind to danger, gave full reins to his criminal ambition, and trusted that, even without any previous intrigue, the celerity of his enterprise, and the boldness of his attempt, might overcome the weak attachment which the English and Normans in that age bore to the laws and to the rights of their sovereign. He hastened over to England; and though the citizens of Dover and those of Canterbury, apprised of his purpose, shut their gates against him, he stopped not till he arrived at London, where some of the lower rank, instigated by his emissaries, as well as moved by his general popularity, immediately saluted him king. His next point was to acquire the good-will of the clergy; and by performing the ceremony of his coronation, to put himself in possession of the throne, from which he was confident it would not be easy afterwards to expel him. His brother, the bishop of Winchester, was useful to him in these capital articles: having gained Roger, bishop of Salisbury, who, though he owed a great fortune and advancement to the favour of the late king, preserved no sense of gratitude to that prince's family; he applied, in conjunction with that prelate, to William, archbishop of Canterbury, and required him, in virtue of his office, to give the royal unction to Stephen. The primate, who, as all the others, had sworn fealty to Matilda, refused to perform this ceremony; but his opposition was overcome by an expedient equally dishonourable with the other steps by which this revolution was effected. Hugh Bigod, steward of the household, made oath before the primate, that the late king on his death-bed had shown a dissatisfaction with his daughter Matilda, and had expressed his intention of leaving the count of Boulogne heir to all his dominions. William, either believing, or feigning to believe, Bigod's testimony, anointed Stephen, and put the crown upon his head the 22nd of December; and from this religious ceremony that prince, without any shadow either of hereditary title or consent of the nobility or people, was allowed to proceed to the exercise of sovereign authority. Very few barons attended his coronation; but none opposed his usurpation, however unjust or flagrant. The sentiment of religion, which, if corrupted into superstition, has often little efficacy in fortifying the duties of civil society, was not affected by the multiplied oaths taken in favour of Matilda, and only rendered the people obedient to a prince who was countenanced by the clergy, and who had received from the primate the rite of royal unction and consecration.*

Stephen, that he might further secure his tottering throne, passed a charter, in which he made liberal promises to all orders of men: to the clergy, that he would speedily fill all vacant benefices, and would never levy the rents of any of them during the vacancy; to the nobility, that he would reduce the royal forests to their ancient boundaries, and correct all encroachments; and to the people, that he would remit the tax of Danegelt, and restore the laws of king Edward. The late king had a great treasure at Winchester, amounting to a hundred thousand pounds; and Stephen, by seizing this money, immediately turned against Henry's family the precaution which that prince had employed for their grandeur and security: an event which naturally attends the policy of amassing treasures. By means of this money the usurper insured the compliance, though not the attachment, of the principal clergy and nobility; but not trusting to this frail security, he invited over from the continent, particularly from Britanny and Flanders, great numbers of those bravos or disorderly soldiers, with whom every country in Europe, by reason of the general ill police and turbulent government, extremely abounded. These mercenary troops guarded his throne by the terrors of the sword; and Stephen, that he might also overawe all malcontents by new and additional terrors of religion, procured a bull from Rome, which ratified his title, and which the pope, seeing this prince in possession of the throne, and pleased with an appeal to his authority in secular controversies, very readily granted him.

1136. Matilda and her husband Geoffrey were as unfortunate in Normandy as they had been in England. The Norman nobility, moved by an hereditary animosity against the Angevins, first applied to Theobald, count of Blois, Stephen's elder brother, for protection and assistance; but hearing afterwards that Stephen had got possession of the English crown, and having many of them the same reasons as formerly for desiring a continuance of their union with that kingdom, they transferred their allegiance to Stephen, and put him in possession of their government. Louis the Younger, the reigning king of France, accepted the homage of Eustace, Stephen's eldest son, for the dutchy; and the more to corroborate his connexions with that family, he betrothed his sister Constantia to the young prince. The count of Blois resigned all his pretensions, and received in lieu of them an annual pension of two thousand marks; and Geoffrey himself was obliged to conclude a truce for two years with Stephen, on condition of the king's paying him, during that time, a pension of five thousand. Stephen, who had taken a journey to Normandy, finished all these transactions in person, and soon after returned to England.

* Such stress was formerly laid on the rite of coronation, that the monkish writers never give any prince the title of king till he is crowned; though he had for some time been in possession of the crown, and exercised all the powers of sovereignty.



Robert, earl of Gloucester, natural son of the late king, was a man of honour and abilities; and as he was much attached to the interests of his sister Matilda, and zealous for the lineal succession, it was chiefly from his intrigues and resistance that the king had reason to dread a new revolution of government. This nobleman, who was in Normandy when he received intelligence of Stephen's accession, found himself much embarrassed concerning the measures which he should pursue in that difficult emergency. To swear allegiance to the usurper appeared to him dishonourable, and a breach of his oath to Matilda: to refuse giving this pledge of his fidelity, was to banish himself from England, and be totally incapacitated from serving the royal family, or contributing to their restoration. He offered Stephen to do him homage, and to take the oath of fealty; but with an express condition that the king should maintain all his stipulations, and should never invade any of Robert's rights or dignities: and Stephen, though sensible that this reserve, so unusual in itself, and so unbefitting the duty of a subject, was meant only to afford Robert a pretence for a revolt on the first favourable opportunity, was obliged, by the numerous friends and retainers of that nobleman, to receive him on those terms. The clergy, who could scarcely at this time be deemed subjects to the crown, imitated that dangerous example: they annexed to their oaths of allegiance this condition, that they were only bound so long as the king defended the ecclesiastical liberties, and supported the discipline of the church. The barons, in return for their submission, exacted terms still more destructive of public peace, as well as of royal authority: many of them required the right of fortifying their castles, and of putting themselves in a posture of defence; and the king found himself totally unable to refuse his consent to this exorbitant demand. All England was immediately filled with those fortresses, which the noblemen garrisoned either with their vassals, or with licentious soldiers, who flocked to them from all quarters. Unbounded rapine was exercised upon the people for the maintenance of these troops; and private animosities, which had with difficulty been restrained by law, now breaking out without control, rendered England a scene of uninterrupted violence and devastation. Wars between the nobles were carried on with the utmost fury in every quarter; the barons even assumed the right of coining money, and of exercising, without appeal, every act of jurisdiction; and the inferior gentry, as well as the people, finding no defence from the laws during this total dissolution of sovereign authority, were obliged, for their immediate safety, to pay court to some neighbouring chieftain, and to purchase his protection, both by submitting to his exactions, and by assisting him in his rapine upon others. The erection of one castle proved the immediate cause of building many others; and even those who obtained not the king's permission, thought that they were entitled, by the great principle of self-preservation, to put themselves on an equal footing with their neighbours, who commonly were also their enemies and rivals. The aristocratical power, which is usually so oppressive in the feudal governments, had now risen to its utmost height during the reign of a prince who, though endowed with vigour and abilities, had usurped the throne without the pretence of a title, and who was necessitated to tolerate in others the same violence to which he himself had been beholden for his sovereignty.

But Stephen was not of a disposition to submit long to these usurpations without making some effort for the recovery of royal authority. Finding that the legal prerogatives of the crown were resisted and abridged, he was also tempted to make his power the sole measure of his conduct; and to violate all those concessions which he himself had made on his accession, as well as the ancient privileges of his subjects. The mercenary soldiers, who chiefly supported his authority, having exhausted the royal treasure, subsisted by depredations; and every place was filled with the best grounded complaints against the government. The earl of Gloucester, having now settled with his friends [1137] the plan of an insurrection, retired beyond sea, sent the king a defiance, solemnly renounced his allegiance, and upbraided him with the breach of those conditions which had been annexed to the oath of fealty sworn by that nobleman.

WAR WITH SCOTLAND. 1138.

David, king of Scotland, appeared at the head of an army in defence of his niece's title, and penetrating into Yorkshire, committed the most barbarous devastations on that country. The fury of his massacres and ravages enraged the northern nobility, who might otherwise have been inclined to join him; and William, earl of Albemarle, Robert de Ferrers, William Piercy, Robert de Brus, Roger Moubray, Ilbert Lacey, Walter l'Espec, powerful barons in those parts, assembled an army, with which they encamped at North-Allerton, and awaited the arrival of the enemy. A great battle was here fought, on the 22nd of August, called the battle of the *Standard*, from a high crucifix, erected by the English on a waggon, and carried along with the army as a military ensign. The king of Scots was defeated, and he himself, as well as his son Henry, narrowly escaped falling into the hands of the English. This success overawed the malcontents in England, and might have given some stability to Stephen's throne, had he not been so elated with prosperity as to engage in a controversy with the clergy, who were at that time an overmatch for any monarch.

Though the great power of the church in ancient times weakened the authority of the crown, and interrupted the course of the laws, it may be doubted whether, in ages of such violence and outrage, it was not rather advantageous that some limits were set to the power of the sword, both in the hands of the prince and nobles, and that men were taught to pay regard to some principles and privileges. The chief misfortune was, that the prelates on some occasions acted entirely as barons, employed military power against their sovereign or their neighbours, and thereby often increased those disorders which it was their duty to repress. The bishop of Salisbury, in imitation of the nobility, had built two strong castles, one at Sherborne, another at the Devizes, and had laid the foundations of a third at Malmesbury: his nephew Alexander, bishop of Lincoln, had erected a fortress at Newark; and Stephen, who was now sensible from experience of the mischiefs attending these multiplied citadels, resolved to begin with destroying those of the clergy, who by their function seemed less entitled than the barons to such military securities. Making pretence of a fray which had arisen in court between the retinue of the bishop of Salisbury and that of the earl of Britanny, he seized both that prelate and the bishop of Lincoln, threw them into prison, and obliged them by menaces to deliver up those places of strength which they had lately erected.

Henry, bishop of Winchester, the king's brother, being armed with a legantine commission, now conceived himself to be an ecclesiastical sovereign no less powerful than the civil; and forgetting the ties of blood which connected him with the king, he resolved to vindicate the clerical privileges, which he pretended were here openly violated. He assembled a synod at Westminster, the 30th of August, and there complained of the impiety of Stephen's measures, who had employed violence against the dignitaries of the church, and had not awaited the sentence of a spiritual court, by which alone, he affirmed, they could lawfully be tried and condemned, if their conduct had anywise merited censure or punishment. The synod ventured to send a summons to the king, charging him to appear before them, and to justify his measures; and

Stephen, instead of resenting this indignity, sent Aubrey de Vere to plead his cause before that assembly. De Vere accused the two prelates of treason and sedition; but the synod refused to try the cause, or examine their conduct, till those castles, of which they had been dispossessed, were previously restored to them. The bishop of Salisbury declared that he would appeal to the pope; and had not Stephen and his partisans employed menaces, and even shown a disposition of executing violence by the hands of the soldiery, affairs had instantly come to extremity between the crown and the mitre.

INSURRECTION IN FAVOUR OF MATILDA.

September 22.

While this quarrel, joined to so many other grievances, increased the discontents among the people, the empress, invited by the opportunity, and secretly encouraged by the legate himself, landed in England, with Robert, earl of Gloucester, and a retinue of a hundred and forty knights. She fixed her residence at Arundel castle, whose gates were opened to her by Adelais the queen-dowager, now married to William de Albini, earl of Sussex; and she excited by messengers her partisans to take arms in every county of England. Adelais, who had expected that her daughter-in-law would have invaded the kingdom with a much greater force, became apprehensive of danger; and Matilda, to ease her of her fears, removed first to Bristol, which belonged to her brother Robert, thence to Gloucester, where she remained under the protection of Milo, a gallant nobleman in those parts, who had embraced her cause. Soon after Geoffrey Talbot, William Mohun, Ralph Lovel, William Fitz-John, William Fitz-Alan, Paganell, and many other barons, declared for her; and her party, which was generally favoured in the kingdom, seemed every day to gain ground upon that of her antagonist.

Were we to relate all the military events transmitted to us by contemporary and authentic historians, it would be easy to swell our accounts of this reign into a large volume: but those incidents, so little memorable in themselves, and so confused both in time and place, could afford neither instruction nor entertainment to the reader. It suffices to say that the war was spread into every quarter; and that those turbulent barons, who had already shaken off, in a great measure, the restraint of government, having now obtained the pretence of a public cause, carried on their devastations with redoubled fury, exercised implacable vengeance on each other, and set no bounds to their oppressions over the people. The castles of the nobility were become receptacles of licensed robbers; who, sallying forth day and night, committed spoil on the open country, on the villages, and even on the cities; put the captives to torture, in order to make them reveal their treasures; sold their persons to slavery; and set fire to their houses, after they had pillaged them of everything valuable. The fierceness of their disposition, leading them to commit wanton destruction, frustrated their rapacity of its purpose: and the property and persons even of the ecclesiastics, generally so much revered, were at last, from necessity, exposed to the same outrage which had laid waste the rest of the kingdom. The land was left untilled; the instruments of husbandry were destroyed or abandoned; and a grievous famine, the natural result of those disorders, affected equally both parties, and reduced the spoilers, as well as the defenceless people, to the most extreme want and indigence.

After several fruitless negociations and treaties of peace, which never interrupted these destructive hostilities, there happened at last an event which seemed to promise some end of the public calamities. Ralph, earl of Chester, and his half-brother William de Roumara, partisans of Matilda, had surprised the castle of Lincoln; but the citizens, who were better affected to Stephen, having invited him to their aid, that prince laid close siege to the castle, in hopes of soon rendering himself master of the place, either by assault or by famine.

STEPHEN TAKEN PRISONER. *February* 2, 1141.

The earl of Gloucester hastened with an army to the relief of his friends; and Stephen, informed of his approach, took the field with a resolution of giving him battle. After a violent shock, the two wings of the royalists were put to flight; and Stephen himself, surrounded by the enemy, was at last, after exerting great efforts of valour, borne down by numbers, and taken prisoner. He was conducted to Gloucester; and though at first treated with humanity, was soon after, on some suspicion, thrown into prison, and loaded with irons.

Stephen's party was entirely broken by the captivity of their leader, and the barons came in daily from all quarters, and did homage to Matilda. The princess, however, amidst all her prosperity, knew that she was not secure of success, unless she could gain the confidence of the clergy; and as the conduct of the legate had been of late very ambiguous, and showed his intentions to have rather aimed at humbling his brother, than totally ruining him, she employed every endeavour to fix him in her interests. She held a conference with him (2d of March) in an open plain near Winchester; where she promised upon oath, that if he would acknowledge her for sovereign, would recognise her title as the sole descendant of the late king, and would again submit to the allegiance which he, as well as the rest of the kingdom, had sworn to her, he should in return be entire master of the administration, and in particular should, at his pleasure, dispose of all vacant bishoprics and abbeys. Earl Robert, her brother, Brian Fitz-Count, Milo of Gloucester, and other great men, became guarantees for her observing these engagements; and the prelate was at last induced to promise her allegiance, but that still burdened with the express condition, that she should on her part fulfil her promises. He then conducted her to Winchester, led her in procession to the cathedral, and with great solemnity, in the presence of many bishops and abbots, denounced curses against all those who cursed her, poured out blessings on those who blessed her, granted absolution to such as were obedient to her, and excommunicated such as were rebellious. Theobald, archbishop of Canterbury, soon after came also to court, and swore allegiance to the empress.

MATILDA CROWNED. 1141.

Matilda, that she might further ensure the attachment of the clergy, was willing to receive the crown from their hands; and instead of assembling the states of the kingdom, the measure which the constitution, had it been either fixed or regarded, seemed necessarily to require, she was content that the legate should summon an ecclesiastical synod, and that her title to the throne should there be acknowledged. The legate, addressing himself to the assembly, told them, that in the absence of the empress, Stephen, his brother, had been permitted to reign, and, previously to his ascending the throne, had seduced them by many fair promises of honouring and exalting the church, of maintaining the laws, and of reforming all abuses: that it grieved him to observe how much that prince had in every particular been wanting to his engagements; public peace was interrupted, crimes were daily committed with impunity, bishops were thrown into prison and forced to surrender their possessions, abbeys were put to sale, churches were pillaged, and the most enormous disorders prevailed in the administration: that he himself, in order to procure a redress of these grievances, had formerly summoned the king before a council of bishops; but instead of inducing him to amend his conduct, had rather offended him by that

expedient: that, how much soever misguided, that prince was still his brother, and the object of his affections; but his interests, however, must be regarded as subordinate to those of their heavenly Father, who had now rejected him, and thrown him into the hands of his enemies: that it principally belonged to the clergy to elect and ordain kings; he had summoned them together for that purpose, and having invoked the divine assistance, he now pronounced Matilda, the only descendant of Henry, their late sovereign, queen of England. The whole assembly, by their acclamations or silence, gave, or seemed to give, their assent to this declaration.*

The only laymen summoned to this council, which decided the fate of the crown, were the Londoners; and even these were required not to give their opinion, but to submit to the decrees of the synod. The deputies of London, however, were not so passive: they insisted that their king should be delivered from prison; but were told by the legate, that it became not the Londoners, who were regarded as noblemen in England, to take part with those barons who had basely forsaken their lord in battle, and had treated holy church with contumely. It is with reason that the citizens of London assumed so much authority, if it be true, what is related by Fitz-Stephen, a contemporary author, that that city could at this time bring into the field no less than eighty thousand combatants.†

London, notwithstanding its great power, and its attachment to Stephen, was at length obliged to submit to Matilda; and her authority, by the prudent conduct of earl Robert, seemed to be established over the whole kingdom: but affairs remained not long in this situation. That princess, besides the disadvantages of her sex, which weakened her influence over a turbulent and martial people, was of a passionate, imperious spirit, and knew not how to temper with affability the harshness of a refusal. Stephen's queen, seconded by many of the nobility, petitioned for the liberty of her husband; and offered that, on this condition, he should renounce the crown, and retire into a convent. The legate desired that prince Eustace, his nephew, might inherit Boulogne and the other patrimonial estates of his father: the Londoners applied for the establishment of king Edward's laws, instead of those of king Henry, which, they said, were grievous and oppressive. All these petitions were rejected in the most haughty and peremptory manner.

The legate, who had probably never been sincere in his compliance with Matilda's government, availed himself of the ill-humour excited by this imperious conduct, and secretly instigated the Londoners to a revolt. A conspiracy was entered into to seize the person of the empress; and she saved herself from the danger by a precipitate retreat. She fled to Oxford: soon after she went to Winchester; whither the legate, desirous to save appearances, and watching the opportunity to ruin her cause, had retired. But having assembled all his retainers, he openly joined his force to that of the Londoners, and to Stephen's mercenary troops, who had not yet evacuated the kingdom; and he besieged Matilda in Winchester. The princess, being hard pressed by famine, made her escape; but in the flight, earl Robert, her brother, fell into the hands of the enemy. This nobleman, though a subject, was as much the life and soul of his own party, as Stephen was of the other; and the empress, sensible of his merit and importance, consented to exchange the prisoners on equal terms. The civil war was again kindled with greater fury than ever.

1142. Earl Robert, finding the successes on both sides nearly balanced, went over to Normandy, which, during Stephen's captivity, had submitted to the earl of Anjou; and he persuaded Geoffrey to allow his eldest son Henry, a young prince of great hopes, to take a journey into England, and appear at the head of his partisans. This expedient, however, produced nothing decisive. Stephen took Oxford, after a long siege: [1143:] he was defeated by earl Robert at Wilton: and the empress, though of a masculine spirit, yet being harassed with a variety of good and bad fortune, and alarmed with continual dangers to her person and family, at last [1146] retired into Normandy, whither she had sent her son some time before. The death of her brother, which happened nearly about the same time, would have proved fatal to her interest, had not some incidents occurred which checked the course of Stephen's prosperity. This prince, finding that the castles built by the noblemen of his own party encouraged the spirit of independence, and were little less dangerous than those which remained in the hands of the enemy, endeavoured to extort from them a surrender of those fortresses; and he alienated the affections of many of them by this equitable demand. The artillery also of the church, which his brother had brought over to his side, had, after some interval, joined the other party. Eugenius III. had mounted the papal throne; the bishop of Winchester was deprived of the legantine commission, which was conferred on Theobald, archbishop of Canterbury, the enemy and rival of the former legate. That pontiff also, having summoned a general council at Rheims in Champagne, instead of allowing the church of England, as had been usual, to elect its own deputies, nominated five English bishops to represent that church, and required their attendance in the council. Stephen, who, notwithstanding his present difficulties, was jealous of the rights of his crown, refused them permission to attend; [1147;] and the pope, sensible of his advantage in contending with a prince who reigned by a disputed title, took revenge by laying all Stephen's party under an interdict. The discontents of the royalists, at being thrown into this situation, were augmented by a comparison with Matilda's party, who enjoyed all the benefits of the sacred ordinances; and Stephen was at last obliged, by making proper submissions to the see of Rome, to remove the reproach from his party.

1148. The weakness of both sides, rather than any decrease of mutual animosity, having produced a tacit cessation of arms in England, many of the nobility, Roger de Moubray, William de Warrenne, and others, finding no opportunity to exert their military ardour at home, enlisted themselves in a new crusade, which, with surprising success, after former disappointments and misfortunes, was now preached by St. Bernard. But an event soon after happened which threatened a revival of hostilities in England. Prince Henry, who had reached his sixteenth year, was desirous of receiving the honour of knighthood; a ceremony which every gentleman in that age passed through before he was admitted to the use of arms, and which was even deemed requisite for the greatest princes. He intended to receive his admission from his great-uncle, David, king of Scotland; and for that purpose he passed through England with a great retinue, and was attended by the most considerable of his partisans. He remained some time with the king of Scotland; made incursions into England; and by his dexterity and vigour in all manly exercises, by his valour in war, and his prudent conduct in every occurrence, he roused the hopes of his party, and gave symptoms of those great qualities which he afterwards displayed when he mounted the throne of England. Soon after his return to Normandy, [1150,] he was, by Matilda's consent, invested in that dutchy; and upon the death of his father Geoffrey, which happened in the subsequent year, he took possession both of Anjou and Maine

* Wm. Malmes. p. 133. This author, a judicious man, was present, and says, that he was very attentive to what passed. This speech, therefore, may be regarded as entirely genuine.

† Were this account to be depended on, London must at that time have contained near 400,000 inhabitants, which is above double the number it contained at the death of queen Elizabeth. But these loose calculations, or rather guesses, deserve very little credit. Peter of Blois, a contemporary writer, and a man of sense, says, there were then only forty thousand inhabitants in London, which is much more likely. What Fitz-Stephens says of the prodigious riches, splendour, and commerce of London, proves only the great poverty of the other towns of the kingdom, and indeed of all the northern parts of Europe

and concluded a marriage, which brought him a great accession of power, and rendered him extremely formidable to his rival. Eleanor, the daughter and heir of William, duke of Guienne and earl of Poictou, had been married sixteen years to Louis VII., king of France, and had attended him in a crusade, which that monarch conducted against the infidels: but having there lost the affections of her husband, and even fallen under some suspicion of gallantry with a handsome Saracen, Louis, more delicate than polite, procured a divorce from her, and restored her those rich provinces which by her marriage she had annexed to the crown of France. Young Henry, neither discouraged by the inequality of years, nor by the reports of Eleanor's gallantries, made successful courtship to that princess, [1152,] and espousing her six weeks after her divorce, got possession of all her dominions as her dowry. The lustre which he received from this acquisition, and the prospect of his rising fortune, had such an effect in England, that when Stephen, desirous to ensure the crown to his son Eustace, required the archbishop of Canterbury to anoint that prince as his successor, the primate refused compliance, and made his escape beyond sea, to avoid the violence and resentment of Stephen.

COMPROMISE BETWEEN THE KING AND PRINCE HENRY. 1153.

Henry, informed of these dispositions in the people, made an invasion on England: having gained some advantage over Stephen at Malmesbury, and having taken that place, he proceeded thence to throw succours into Wallingford, which the king had advanced with a superior army to besiege. A decisive action was every day expected: when the great men of both sides, terrified at the prospect of further bloodshed and confusion, interposed with their good offices, and set on foot a negociation between the rival princes. The death of Eustace during the course of the treaty facilitated its conclusion: an accommodation was settled, by which it was agreed, that Stephen should possess the crown during his lifetime, that justice should be administered in his name, even in the provinces which had submitted to Henry, and that this latter prince should, on Stephen's demise, succeed to the kingdom, and William, Stephen's son, to Boulogne and his patrimonial estate.

DEATH OF THE KING. *October* 25, 1154.

After all the barons had sworn to the observance of this treaty, and done homage to Henry, as to the heir of the crown, that prince evacuated the kingdom; and the death of Stephen, which happened the next year, after a short illness, prevented all those quarrels and jealousies which were likely to have ensued in so delicate a situation.

England suffered great miseries during the reign of this prince: but his personal character, allowing for the temerity and injustice of his usurpation, appears not liable to any great exception; and he seems to have been well qualified, had he succeeded by a just title, to have promoted the happiness and prosperity of his subjects. He was possessed of industry, activity, and courage, to a great degree; though not endowed with a sound judgment, he was not deficient in abilities; he had the talent of gaining men's affections; and notwithstanding his precarious situation, he never indulged himself in the exercise of any cruelty or revenge. His advancement to the throne procured him neither tranquillity nor happiness; and though the situation of England prevented the neighbouring states from taking any durable advantage of her confusions, her intestine disorders were to the last degree ruinous and destructive. The court of Rome was also permitted, during those civil wars, to make further advances in her usurpations; and appeals to the pope, which had always been strictly prohibited by the English laws, became now common in every ecclesiastical controversy.

CHAPTER VIII.

HENRY II.

State of Europe——of France——First Acts of Henry's Government——Disputes between the Civil and Ecclesiastical Powers——Thomas à Becket, Archbishop of Canterbury——Quarrel between the King and Becket——Constitutions of Clarendon——Punishment of Becket——Compromise with him——His return from Banishment——His Murder——Grief and Submission of the King.

STATE OF EUROPE. 1154.

THE extensive confederacies by which the European potentates are now at once united and set in opposition to each other, and which, though they are apt to diffuse the least spark of dissension throughout the whole, are at least attended with this advantage, that they prevent any violent revolutions or conquests in particular states, were totally unknown in ancient ages; and the theory of foreign politics in each kingdom formed a speculation much less complicated and involved than at present. Commerce had not yet bound together the most distant nations in so close a chain: wars, finished in one campaign, and often in one battle, were little affected by the movements of remote states: the imperfect communication among the kingdoms, and their ignorance of each other's situation, made it impracticable for a great number of them to combine in one project or effort: and, above all, the turbulent spirit and independent situation of the barons or great vassals in each state gave so much occupation to the sovereign, that he was obliged to confine his attention chiefly to his own state and his own system of government, and was more indifferent about what passed among his neighbours. Religion alone, not politics, carried abroad the views of princes; while it either fixed their thoughts on the Holy Land, whose conquest and defence was deemed a point of common honour and interest, or engaged them in intrigues with the Roman pontiff, to whom they had yielded the direction of ecclesiastical affairs, and who was every day assuming more authority than they were willing to allow him.

Before the conquest of England by the duke of Normandy, this island was as much separated from the rest of the world in politics as in situation; and, except from the inroads of the Danish pirates, the English, happily confined at home, had neither enemies nor allies on the continent. The foreign dominions of William connected them with the king and great vassals of France; and while the opposite pretensions of the pope and emperor in Italy produced a continual intercourse between Germany and that country, the two great monarchs of France and England formed, in another part of Europe, a separate system, and carried on their wars and negociations, without meeting either with opposition or support from the others.

STATE OF FRANCE.

On the decline of the Carlovingian race, the nobles in every province of France, taking advantage of the weakness of the sovereign, and obliged to provide, each for his own defence, against the ravages of the Norman freebooters, had assumed, both in civil and military affairs, an authority almost independent, and had reduced within very narrow limits the prerogative of their princes. The accession of Hugh Capet, by annexing a great fief to the crown, had brought some addition to the royal dignity; but this fief, though con-

siderable for a subject, appeared a narrow basis of power for a prince who was placed at the head of so great a community. The royal demesnes consisted only of Paris, Orleans, Estampes, Compiegne, and a few places scattered over the northern provinces: in the rest of the kingdom, the prince's authority was rather nominal than real: the vassals were accustomed, nay, entitled, to make war, without his permission, on each other: they were even entitled, if they conceived themselves injured, to turn their arms against their sovereign: they exercised all civil jurisdiction, without appeal, over their tenants and inferior vassals: their common jealousy of the crown easily united them against any attempt on their exorbitant privileges; and as some of them had attained the power and authority of great princes, even the smallest baron was sure of immediate and effectual protection. Besides six ecclesiastical peerages, which, with the other immunities of the church, cramped extremely the general execution of justice, there were six lay-peerages, Burgundy, Normandy, Guienne, Flanders, Toulouse, and Champagne, which formed very extensive and puissant sovereignties. And though the combination of all those princes and barons could, on urgent occasions, muster a mighty power, yet was it very difficult to set that great machine in movement; it was almost impossible to preserve harmony in its parts; a sense of common interest alone could, for a time, unite them under their sovereign against a common enemy; but if the king attempted to turn the force of the community against any mutinous vassal, the same sense of common interest made the others oppose themselves to the success of his pretensions. Louis the Gross, the last sovereign, marched at one time to his frontiers against the Germans, at the head of an army of two hundred thousand men; but a petty lord of Corbeil, of Puiset, of Couci, was able, at another period, to set that prince at defiance, and to maintain open war against him.

The authority of the English monarch was much more extensive within his kingdom, and the disproportion much greater between him and the most powerful of his vassals. His demesnes and revenue were large, compared to the greatness of his state: he was accustomed to levy arbitrary exactions on his subjects: his courts of judicature extended their jurisdiction into every part of the kingdom: he could crush by his power, or by a judicial sentence, well or ill founded, any obnoxious baron: and though the feudal institutions which prevailed in this kingdom had the same tendency as in other states, to exalt the aristocracy and depress the monarchy, it required, in England, according to its present constitution, a great combination of the vassals to oppose their sovereign lord, and there had not hitherto arisen any baron so powerful as of himself to levy war against the prince, and to afford protection to the inferior barons.

While such were the different situations of France and England, and the latter enjoyed so many advantages above the former; the accession of Henry II., a prince of great abilities, possessed of so many rich provinces on the continent, might appear an event dangerous, if not fatal, to the French monarchy, and sufficient to break entirely the balance between the states. He was master, in the right of his father, of Anjou and Touraine; in that of his mother, of Normandy and Maine; in that of his wife, Guienne, Poictou, Xaintogne, Auvergne, Perigord, Angoumois, the Limosin. He soon after annexed Britanny to his other states, and was already possessed of the superiority over that province, which, on the first cession of Normandy to Rollo the Dane, had been granted by Charles the Simple in vassalage to that formidable ravager. These provinces composed above a third of the whole French monarchy, and were much superior in extent and opulence to those territories which were subjected to the immediate jurisdiction and government of the king. The vassal was here more powerful than his liege lord: the situation which had enabled Hugh Capet to depose the Carlovingian princes, seemed to be renewed, and that with much greater advantages on the side of the vassal: and when England was added to so many provinces, the French king had reason to apprehend from this conjuncture, some great disaster to himself and to his family: but, in reality, it was this circumstance, which appeared so formidable, that saved the Capetian race, and by its consequences exalted them to that pitch of grandeur which they at present enjoy.

The limited authority of the prince in the feudal constitutions prevented the king of England from employing with advantage the force of so many states, which were subjected to his government; and these different members, disjoined in situation, and disagreeing in laws, language, and manners, were never thoroughly cemented into one monarchy. He soon became, both from his distant place of residence, and from the incompatibility of interests, a kind of foreigner to his French dominions; and his subjects on the continent considered their allegiance as more naturally due to their superior lord, who lived in their neighbourhood, and who was acknowledged to be the supreme head of their nation. He was always at hand to invade them; their immediate lord was often at too great a distance to protect them; and any disorder in any part of his dispersed dominions gave advantages against him. The other powerful vassals of the French crown were rather pleased to see the expulsion of the English, and were not affected with that jealousy which would have arisen from the oppression of a co-vassal who was of the same rank with themselves. By this means, the king of France found it more easy to conquer those numerous provinces from England, than to subdue a duke of Normandy or Guienne, a count of Anjou, Maine, or Poictou. And after reducing such extensive territories, which immediately incorporated with the body of the monarchy, he found great facility in uniting to the crown the other great fiefs which still remained separate and independent.

But as these important consequences could not be foreseen by human wisdom, the king of France remarked with terror the rising grandeur of the house of Anjou or Plantagenet; and, in order to retard its progress, he had ever maintained a strict union with Stephen, and had endeavoured to support the tottering fortunes of that bold usurper. But after this prince's death it was too late to think of opposing the succession of Henry, or preventing the performance of those stipulations which, with the unanimous consent of the nation, he had made with his predecessor. The English, harassed with civil wars, and disgusted with the bloodshed and depredations which, during the course of so many years, had attended them, were little disposed to violate their oaths, by excluding the lawful heir from the succession of their monarchy. Many of the most considerable fortresses were in the hands of his partisans; the whole nation had had occasion to see the noble qualities with which he was endowed, and to compare them with the mean talents of William, the son of Stephen; and as they were acquainted with his great power, and were rather pleased to see the accession of so many foreign dominions to the crown of England, they never entertained the least thought of resisting them. Henry himself, sensible of the advantages attending his present situation, was in no hurry to arrive in England; and being engaged in the siege of a castle on the frontiers of Normandy, when he received intelligence of Stephen's death, he made it a point of honour not to depart from his enterprise till he had brought it to an issue. He then set out on his journey, and was received in England (December 8) with the acclamations of all orders of men, who swore with pleasure the oath of fealty and allegiance to him.

FIRST ACTS OF HENRY'S GOVERNMENT. 1155.

The first acts of Henry's government corresponded

to the high idea entertained of his abilities, and prognosticated the re-establishment of justice and tranquillity, of which the kingdom had so long been bereaved. He immediately dismissed all those mercenary soldiers who had committed great disorders in the nation; and he sent them abroad, together with William of Ypres, their leader, the friend and confidant of Stephen. He revoked all the grants made by his predecessor, even those which necessity had extorted from the empress Matilda; and that princess, who had resigned her rights in favour of Henry, made no opposition to a measure so necessary for supporting the dignity of the crown. He repaired the coin, which had been extremely debased during the reign of his predecessor; and he took proper measures against a return of the like abuse. He was rigorous in the execution of justice, and in the suppression of robbery and violence; and that he might restore authority to the laws, he caused all the new-erected castles to be demolished, which had proved so many sanctuaries to freebooters and rebels. The earl of Albemarle, Hugh Mortimer, and Roger, the son of Milo of Gloucester, were inclined to make some resistance to this salutary measure; but the approach of the king with his forces soon obliged them to submit.

1156. Everything being restored to full tranquillity in England, Henry went abroad in order to oppose the attempts of his brother Geoffrey, who, during his absence, had made an incursion into Anjou and Maine, had advanced some pretensions to those provinces, and had got possession of a considerable part of them. [*See note* O, *at the end of this Vol.*] On the king's appearance, the people returned to their allegiance; and Geoffrey, resigning his claim for an annual pension of a thousand pounds, departed and took possession of the county of Nantz, which the inhabitants, who had expelled count Hoel their prince, had put into his hands. Henry returned to England the following year: [1157:] the incursions of the Welsh then provoked him to make an invasion upon them; where the natural fastnesses of the country occasioned him great difficulties, and even brought him into danger. His vanguard, being engaged in a narrow pass, was put to rout. Henry de Essex, the hereditary standard-bearer, seized with a panic, threw down the standard, took to flight, and exclaimed that the king was slain: and had not the prince immediately appeared in person, and led on his troops with great gallantry, the consequence might have proved fatal to the whole army. For this misbehaviour, Essex was afterwards accused of felony by Robert de Montfort; was vanquished in single combat; his estate was confiscated; and he himself was thrust into a convent. The submissions of the Welsh procured them an accommodation with England.

1158. The martial disposition of the princes in that age engaged them to head their own armies in every enterprise, even the most frivolous; and their feeble authority made it commonly impracticable for them to delegate, on occasion, the command to their generals. Geoffrey, the king's brother, died soon after he had acquired possession of Nantz: though he had no other title to that country than the voluntary submission or election of the inhabitants two years before, Henry laid claim to the territory as devolved to him by hereditary right, and he went over to support his pretensions by force of arms. Conan, duke or earl of Britanny (for these titles are given indifferently by historians to those princes,) pretended that Nantz had been lately separated by rebellion from his principality, to which of right it belonged; and immediately on Geoffrey's death he took possession of the disputed territory. Lest Louis, the French king, should interpose in the controversy, Henry paid him a visit; and so allured him by caresses and civilities, that an alliance was contracted between them; and they agreed that young Henry, heir to the English monarchy, should be affianced to Margaret of France; though the former was only five years of age, and the latter was still in her cradle. Henry, now secure of meeting with no interruption on this side, advanced with his army into Britanny; and Conan, in despair of being able to make resistance, delivered up the county of Nantz to him. The able conduct of the king procured him further and more important advantages from this incident. Conan, harassed with the turbulent disposition of his subjects, was desirous of procuring to himself the support of so great a monarch; and he betrothed his daughter and only child, yet an infant, to Geoffrey, the king's third son, who was of the same tender years. The duke of Britanny died about seven years after; and Henry, being *mesne* lord, and also natural guardian to his son and daughter-in-law, put himself in possession of that principality, and annexed it for the present to his other great dominions.

1159. The king had a prospect of making still further acquisitions; and the activity of his temper suffered no opportunity of that kind to escape him. Philippa, dutchess of Guienne, mother of queen Eleanor, was the only issue of William IV., count of Toulouse; and would have inherited his dominions, had not that prince, desirous of preserving the succession in the male line, conveyed the principality to his brother Raymond de St. Gilles, by a contract of sale which was in that age regarded as fictitious and illusory. By this means the title to the county of Toulouse came to be disputed between the male and female heirs; and the one or the other, as opportunities favoured them, had obtained possession. Raymond, grandson of Raymond de St. Gilles, was the reigning sovereign; and on Henry's reviving his wife's claim, this prince had recourse for protection to the king of France, who was so much concerned in policy to prevent the further aggrandizement of the English monarch. Louis himself, when married to Eleanor, had asserted the justice of her claim, and had demanded possession of Toulouse; but his sentiments changing with his interest, he now determined to defend by his power and authority the title of Raymond. Henry found that it would be requisite to support his pretensions against potent antagonists; and that nothing but a formidable army could maintain a claim which he had in vain asserted by arguments and manifestos.

An army, composed of feudal vassals, was commonly very intractable and undisciplined, both because of the independent spirit of the persons who served in it, and because the commands were not given, either by the choice of the sovereign, or from the military capacity and experience of the officers. Each baron conducted his own vassals: his rank was greater or less, proportioned to the extent of his property: even the supreme command under the prince was often attached to birth: and as the military vassals were obliged to serve only forty days at their own charge; though, if the expedition were distant, they were put to great expense; the prince reaped little benefit from their attendance. Henry, sensible of these inconveniences, levied upon his vassals in Normandy, and other provinces which were remote from Toulouse, a sum of money in lieu of their service; and this commutation, by reason of the great distance, was still more advantageous to his English vassals. He imposed, therefore, a scutage of 180,000 pounds on the knights' fees, a commutation to which, though it was unusual, and the first perhaps to be met with in history, [*See note* P, *at the end of this Vol.*,] the military tenants willingly submitted: and with this money he levied an army which was more under his command, and whose service was more durable and constant. Assisted by Berenger, count of Barcelona, and Trincaval, count of Nismes, whom he had gained to his party, he invaded the county of Toulouse; and after taking Verdun, Castelnau, and other places, he besieged the capital of the province, and was likely to prevail in the enterprise; when Louis, advancing before the arrival of his main body, threw himself into the place with a small re-enforcement. Henry was urged by some of his ministers

to prosecute the siege, to take Louis prisoner, and to impose his own terms in the pacification; but he either thought it so much his interest to maintain the feudal principles, by which his foreign dominions were secured, or bore so much respect to his superior lord, that he declared he would not attack a place defended by him in person; and he immediately raised the siege. He marched into Normandy to protect that province against an incursion which the count of Dreux, instigated by king Louis, his brother, had made upon it. War was now openly carried on between the two monarchs, but produced no memorable event: it soon ended in a cessation of arms, and that followed by a peace, which was not, however, attended with any confidence or good correspondence between those rival princes. The fortress of Gisors, being part of the dowry stipulated to Margaret of France, [1160,] had been consigned by agreement to the knights templars, on condition that it should be delivered into Henry's hands after the celebration of the nuptials. The king, that he might have a pretence for immediately demanding the place, ordered the marriage to be solemnized between the prince and princess, though both infants; and he engaged the grand-master of the templars, by large presents, as was generally suspected, to put him in possession of Gisors. Louis, resenting this fraudulent conduct, banished the templars, [1161,] and would have made war upon the king of England, had it not been for the mediation and authority of pope Alexander III., who had been chased from Rome by the anti-pope, Victor IV., and resided at that time in France. That we may form an idea of the authority possessed by the Roman pontiff during those ages, it may be proper to observe that the two kings had, the year before, met the pope at the castle of Torci, on the Loir; and they gave him such marks of respect, that both dismounted to receive him, and holding each of them one of the reins of his bridle, walked on foot by his side, and conducted him in that submissive manner into the castle: *A spectacle*, cries Baronius, in an ecstacy, *to God, angels, and men; and such as had never before been exhibited to the world!*

1162. Henry, soon after he had accommodated his differences with Louis by the pope's mediation, returned to England; where he commenced an enterprise, which, though required by sound policy, and even conducted in the main with prudence, bred him great disquietude, involved him in danger, and was not concluded without some loss and dishonour.

DISPUTES BETWEEN THE CIVIL AND ECCLESIASTICAL POWERS.

The usurpations of the clergy, which had at first been gradual, were now become so rapid, and had mounted to such a height, that the contest between the regale and pontificale was really arrived at a crisis in England; and it became necessary to determine whether the king or the priests, particularly the archbishop of Canterbury, should be sovereign of the kingdom. The aspiring spirit of Henry, which gave inquietude to all his neighbours, was not likely long to pay a tame submission to the encroachments of subjects; and as nothing opens the eyes of men so readily as their interest, he was in no danger of falling, in this respect, into that abject superstition which retained his people in subjection. From the commencement of his reign, in the government of his foreign dominions, as well as of England, he had shown a fixed purpose to repress clerical usurpations, and to maintain those prerogatives which had been transmitted to him by his predecessors. During the schism of the papacy between Alexander and Victor, he had determined, for some time, to remain neuter: and when informed that the archbishop of Roüen and the bishop of Mans had, from their own authority, acknowledged Alexander as legitimate pope, he was so enraged, that though he spared the archbishop on account of his great age, he immediately issued orders for overthrowing the houses of the bishop of Mans and archdeacon of Roüen; [*See note* Q, *at the end of this Vol.*;] and it was not till he had deliberately examined the matter, by those views which usually enter into the councils of princes, that he allowed that pontiff to exercise authority over any of his dominions. In England, the mild character and advanced years of Theobald, archbishop of Canterbury, together with his merits in refusing to put the crown on the head of Eustace, son of Stephen, prevented Henry, during the lifetime of that primate, from taking any measures against the multiplied encroachments of the clergy: but after his death, the king resolved to exert himself with more activity; and, that he might be secure against any opposition, he advanced to that dignity Becket, his chancellor, on whose compliance he thought he could entirely depend.

THOMAS A BECKET, ARCHBISHOP OF CANTERBURY. *June* 3.

Thomas â Becket, the first man of English descent who, since the Norman conquest, had, during the course of a whole century, risen to any considerable station, was born of reputable parents in the city of London; and being endowed both with industry and capacity, he early insinuated himself into the favour of archbishop Theobald, and obtained from that prelate some preferments and offices. By their means he was enabled to travel for improvement to Italy, where he studied the civil and canon law at Bologna; and on his return he appeared to have made such proficiency in knowledge, that he was promoted by his patron to the archdeaconry of Canterbury, an office of considerable trust and profit. He was afterwards employed with success by Theobald in transacting business at Rome; and on Henry's accession he was recommended to that monarch as worthy of further preferment. Henry, who knew that Becket had been instrumental in supporting that resolution of the archbishop, which had tended so much to facilitate his own advancement to the throne, was already prepossessed in his favour; and finding, on further acquaintance, that his spirit and abilities entitled him to any trust, he soon promoted him to the dignity of chancellor, one of the first civil offices in the kingdom. The chancellor, in that age, besides the custody of the great seal, had possession of all vacant prelacies and abbeys; he was the guardian of all such minors and pupils as were the king's tenants; all baronies which escheated to the crown were under his administration; he was entitled to a place in council, even though he were not particularly summoned; and as he exercised also the office of secretary of state, and it belonged to him to countersign all commissions, writs, and letters-patent, he was a kind of prime minister, and was concerned in the dispatch of every business of importance. Besides exercising this high office, Becket, by the favour of the king or archbishop, was made provost of Beverley, dean of Hastings, and constable of the Tower: he was put in possession of the honours of Eye and Berkham, large baronies that had escheated to the crown: and, to complete his grandeur, he was entrusted with the education of prince Henry, the king's eldest son, and heir of the monarchy. The pomp of his retinue, the sumptuousness of his furniture, the luxury of his table, the munificence of his presents, corresponded to these great preferments, or rather exceeded anything that England had ever before seen in any subject. His historian and secretary, Fitz-Stephens, mentions, among other particulars, that his apartments were every day in winter covered with clean straw or hay, and in summer with green rushes or boughs; lest the gentlemen who paid court to him, and who could not, by reason of their great number, find a place at table, should soil their fine clothes by sitting on a dirty floor.* A great

* John Baldwin held the manor of Otterston in Aylesbury of the king in [illegible] by the service of finding [illegible] the king's bed, viz.—in summer, [illegible] and in winter, [illegible] and the straw to Aylesbury. Madox, Bar. Anglic. p. 247.

number of knights were retained in his service; the greatest barons were proud of being received at his table; his house was a place of education for the sons of the chief nobility; and the king himself frequently vouchsafed to partake of his entertainments. As his way of life was splendid and opulent, his amusements and occupations were gay, and partook of the cavalier spirit, which, as he had only taken deacon's orders, he did not think unbefitting his character. He employed himself at leisure hours in hunting, hawking, gaming, and horsemanship; he exposed his person in several military actions; he carried over at his own charge, seven hundred knights, to attend the king in his wars at Toulouse; in the subsequent wars on the frontiers of Normandy he maintained, during forty days, twelve hundred knights, and four thousand of their train; and in an embassy to France, with which he was entrusted, he astonished that court by the number and magnificence of his retinue.

Henry, besides committing all his more important business to Becket's management, honoured him with his friendship and intimacy; and whenever he was disposed to relax himself by sports of any kind, he admitted his chancellor to the party. An instance of their familiarity is mentioned by Fitz-Stephens, which, as it shows the manners of the age, it may not be improper to relate. One day, as the king and the chancellor were riding together in the streets of London, they observed a beggar who was shivering with cold. "Would it not be very praiseworthy," said the king, "to give that poor man a warm coat in this severe season?" "It would, surely," replied the chancellor; "and you do well, sir, in thinking of such good actions." "Then he shall have one presently," cried the king; and seizing the skirt of the chancellor's coat, which was scarlet, and lined with ermine, began to pull it violently. The chancellor defended himself for some time; and they had both of them like to have tumbled off their horses in the street, when Becket, after a vehement struggle, let go his coat; which the king bestowed on the beggar, who, being ignorant of the quality of the persons, was not a little surprised at the present.

Becket, who by his complaisance and good humour had rendered himself agreeable, and by his industry and abilities useful to his master, appeared to him the fittest person for supplying the vacancy made by the death of Theobald. As he was well acquainted with the king's intentions of retrenching, or rather confining within the ancient bounds all ecclesiastical privileges, and always showed a ready disposition to comply with them, Henry, who never expected any resistance from that quarter, immediately issued orders for electing him archbishop of Canterbury. But this resolution, which was taken contrary to the opinion of Matilda, and many of the ministers, drew after it very unhappy consequences; and never prince of so great penetration appeared in the issue to have so little understood the genius and character of his minister.

No sooner was Becket installed in this high dignity, which rendered him for life the second person in the kingdom, with some pretensions of aspiring to be the first, than he totally altered his demeanour and conduct, and endeavoured to acquire the character of sanctity, of which his former busy and ostentatious course of life might, in the eyes of the people, have naturally bereaved him. Without consulting the king, he immediately returned into his hands the commission of chancellor; pretending that he must thenceforth detach himself from secular affairs, and be solely employed in the exercise of his spiritual function; but in reality, that he might break off all connexions with Henry, and apprise him that Becket, as primate of England, was now become entirely a new personage. He maintained, in his retinue and attendants alone, his ancient pomp and lustre, which was useful to strike the vulgar; in his own person he affected the greatest austerity and most rigid mortification, which he was sensible would have an equal or a greater tendency to the same end. He wore sackcloth next his skin, which, by his affected care to conceal it, was necessarily the more remarked by all the world: he changed it so seldom, that it was filled with dirt and vermin: his usual diet was bread; his drink water, which he even rendered further unpalatable by the mixture of unsavoury herbs: he tore his back with the frequent discipline which he inflicted on it: he daily on his knees washed, in imitation of Christ, the feet of thirteen beggars, whom he afterwards dismissed with presents: he gained the affections of the monks by his frequent charities to the convents and hospitals: every one who made profession of sanctity was admitted to his conversation, and returned full of panegyrics on the humility, as well as on the piety and mortification, of the holy primate: he seemed to be perpetually employed in reciting prayers and pious lectures, or in perusing religious discourses: his aspect wore the appearance of seriousness and mental recollection, and secret devotion: and all men of penetration plainly saw that he was meditating some great design, and that the ambition and ostentation of his character had turned itself towards a new and more dangerous object.

QUARREL BETWEEN THE KING AND BECKET. 1163.

Becket waited not till Henry should commence those projects against the ecclesiastical power which he knew had been formed by that prince: he was himself the aggressor, and endeavoured to overawe the king by the intrepidity and boldness of his enterprises. He summoned the earl of Clare to surrender the barony of Tunbridge, which ever since the conquest had remained in the family of that nobleman; but which, as it had formerly belonged to the see of Canterbury, Becket pretended his predecessors were prohibited by the canons to alienate. The earl of Clare, besides the lustre which he derived from the greatness of his own birth, and the extent of his possessions, was allied to all the principal families in the kingdom: his sister, who was a celebrated beauty, had further extended his credit among the nobility, and was even supposed to have gained the king's affections; and Becket could not better discover, than by attacking so powerful an interest, his resolution of maintaining with vigour the rights, real or pretended, of his see.

William de Eynsford, a military tenant of the crown, was patron of a living which belonged to a manor that he held of the archbishop of Canterbury: but Becket, without regard to William's right, presented, on a new and legal pretext, one Laurence to that living, who was violently expelled by Eynsford. The primate, making himself, as was usual in spiritual courts, both judge and party, issued in a summary manner the sentence of excommunication against Eynsford, who complained to the king that he who held *in capite* of the crown should, contrary to the practice established by the Conqueror, and maintained ever since by his successors, be subjected to that terrible sentence, without the previous consent of the sovereign. Henry, who had now broken off all personal intercourse with Becket, sent him, by a messenger, his orders to absolve Eynsford; but received for answer, that it belonged not to the king to inform him whom he should absolve and whom excommunicate: and it was not till after many remonstrances and menaces, that Becket, though with the worst grace imaginable, was induced to comply with the royal mandate.

Henry, though he found himself thus grievously mistaken in the character of the person whom he had promoted to the primacy, determined not to desist from his former intention of retrenching clerical usurpations. He was entirely master of his extensive do-







minions; the prudence and vigour of his administration, attended with perpetual success, had raised his character above that of his predecessors: the papacy seemed to be weakened by a schism which divided all Europe: and he rightly judged, that if the present favourable opportunity were neglected, the crown must, from the prevalent superstition of the people, be in danger of falling into an entire subordination under the mitre.

The union of the civil and ecclesiastical power serves extremely, in every civilized government, to the maintenance of peace and order; and prevents those mutual encroachments which, as there can be no ultimate judge between them, are often attended with the most dangerous consequences. Whether the supreme magistrate, who unites these powers, receives the appellation of prince or prelate, is not material: the superior weight which temporal interests commonly bear in the apprehensions of men above spiritual, renders the civil part of his character most prevalent; and in time prevents those gross impostures and bigoted persecutions, which in all false religions are the chief foundations of clerical authority. But during the progress of ecclesiastical usurpations, the state, by the resistance of the civil magistrate, is naturally thrown into convulsions: and it behoves the prince, both for his own interest and for that of the public, to provide in time sufficient barriers against so dangerous and insidious a rival. This precaution had hitherto been much neglected in England, as well as in other catholic countries; and affairs at last seemed to have come to a dangerous crisis: a sovereign of the greatest abilities was now on the throne: a prelate of the most inflexible and intrepid character was possessed of the primacy: the contending powers appeared to be armed with their full force, and it was natural to expect some extraordinary event to result from their conflict.

Among their other inventions to obtain money, the clergy had inculcated the necessity of penance as an atonement for sin; and having again introduced the practice of paying them large sums as a commutation, or species of atonement for the remission of those penances, the sins of the people, by these means, had become a revenue to the priests; and the king computed, that by this invention alone they levied more money upon his subjects than flowed, by all the funds and taxes, into the royal exchequer. That he might ease the people of so heavy and arbitrary an imposition, Henry required that a civil officer of his appointment should be present in all ecclesiastical courts, and should for the future give his consent to every composition which was made with sinners for their spiritual offences.

The ecclesiastics in that age had renounced all immediate subordination to the magistrate: they openly pretended to an exemption in criminal accusations from a trial before courts of justice; and were gradually introducing a like exemption in civil causes: spiritual penalties alone could be inflicted on their offences: and as the clergy had extremely multiplied in England, and many of them were consequently of very low characters, crimes of the deepest dye, murders, robberies, adulteries, rapes, were daily committed with impunity by the ecclesiastics. It had been found, for instance, on inquiry, that no less than a hundred murders had, since the king's accession, been perpetrated by men of that profession, who had never been called to account for these offences; and holy orders were become a full protection for all enormities. A clerk in Worcestershire, having debauched a gentleman's daughter, had at this time proceeded to murder the father; and the general indignation against this crime moved the king to attempt the remedy of an abuse which was become so palpable, and to require that the clerk should be delivered up, and receive condign punishment from the magistrate. Becket insisted on the privileges of the church; confined the criminal in the bishop's prison, lest he should be seized by the king's officers; maintained that no greater punishment could be inflicted on him than degradation: and when the king demanded, that immediately after he was degraded he should be tried by the civil power, the primate asserted that it was iniquitous to try a man twice upon the same accusation, and for the same offence.

Henry, laying hold of so plausible a pretence, resolved to push the clergy with regard to all their privileges, which they had raised to an enormous height, and to determine at once those controversies which daily multiplied between the civil and the ecclesiastical jurisdictions. He summoned an assembly of all the prelates of England; and he put to them this concise and decisive question, Whether or not they were willing to submit to the ancient laws and customs of the kingdom? The bishops unanimously replied, that they were willing, *saving their own order*, a device by which they thought to elude the present urgency of the king's demand, yet reserve to themselves, on a favourable opportunity, the power of resuming all their pretensions. The king was sensible of the artifice, and was provoked to the highest indignation. He left the assembly with visible marks of his displeasure: he required the primate instantly to surrender the honours and castles of Eye and Berkham: the bishops were terrified, and expected still further effects of his resentment. Becket alone was inflexible; and nothing but the interposition of the pope's legate and almoner, Philip, who dreaded a breach with so powerful a prince at so unseasonable a juncture, could have prevailed on him to retract the saving clause, and give a general and absolute promise of observing the ancient customs.

But Henry was not content with a declaration in these general terms: he resolved, ere it was too late, to define expressly those customs with which he required compliance, and to put a stop to clerical usurpations before they were fully consolidated, and could plead antiquity, as they already did a sacred authority, in their favour. The claims of the church were open and visible. After a gradual and insensible progress during many centuries, the mask had at last been taken off, and several ecclesiastical councils, by their canons, which were pretended to be irrevocable and infallible, had positively defined those privileges and immunities which gave such general offence, and appeared so dangerous to the civil magistrate. Henry therefore deemed it necessary to define with the same precision the limits of the civil power; to oppose his legal customs to their divine ordinances: to determine the exact boundaries of the rival jurisdictions; and for this purpose he summoned a general council of the nobility and prelates at Clarendon, to whom he submitted this great and important question.

CONSTITUTIONS OF CLARENDON.

January 25, 1164.

The barons were all gained to the king's party, either by the reasons which he urged, or by his superior authority: the bishops were overawed by the general combination against them: and the following laws, commonly called the *Constitutions of Clarendon*, were voted without opposition by this assembly. It was enacted, that all suits concerning the advowson and presentation of churches should be determined in the civil courts: that the churches belonging to the king's see should not be granted in perpetuity without his consent: that clerks accused of any crime should be tried in the civil courts: that no person, particularly no clergyman of any rank, should depart the kingdom without the king's licence: that excommunicated persons should not be bound to give security for continuing in their present place of abode: that laics should not be accused in spiritual courts, except by legal and reputable promoters and witnesses: that no chief tenant of the crown should be excommunicated, nor

his lands be put under an interdict, except with the king's consent: that all appeals in spiritual causes should be carried from the archdeacon to the bishop, from the bishop to the primate, from him to the king; and should be carried no further without the king's consent: that if any lawsuit arose between a layman and a clergyman concerning a tenant, and it be disputed whether the land be a lay or an ecclesiastical fee, it should first be determined by the verdict of twelve lawful men to what class it belonged; and if it be found to be a lay fee, the cause should finally be determined in the civil courts: that no inhabitant in demesne should be excommunicated for non-appearance in a spiritual court, till the chief officer of the place where he resides be consulted, that he may compel him by the civil authority to give satisfaction to the church. That the archbishops, bishops, and other spiritual dignitaries, should be regarded as barons of the realm; should possess the privileges and be subjected to the burdens belonging to that rank; and should be bound to attend the king in his great councils, and assist at all trials, till the sentence, either of death or loss of members, be given against the criminal; that the revenue of vacant sees should belong to to the king; the chapter, or such of them as he pleases to summon, should sit in the king's chapel till they made the new election with his consent, and that the bishop-elect should do homage to the crown: that if any baron or tenant *in capite* should refuse to submit to the spiritual courts, the king should employ his authority in obliging him to make such submissions; if any of them throw off his allegiance to the king, the prelates should assist the king with their censures in reducing him: that goods forfeited to the king should not be protected in churches or churchyards: that the clergy should no longer pretend to the right of enforcing payment of debts contracted by oath or promise; but should leave these lawsuits, equally with others, to the determination of the civil courts: and that the sons of villains should not be ordained clerks, without the consent of their lord.

These articles, to the number of sixteen, were calculated to prevent the chief abuses which had prevailed in ecclesiastical affairs, and to put an effectual stop to the usurpations of the church, which, gradually stealing on, had threatened the total destruction of the civil power. Henry, therefore, by reducing those ancient customs of the realm to writing, and by collecting them in a body, endeavoured to prevent all future dispute with regard to them; and by passing so many ecclesiastical ordinances in a national and civil assembly, he fully established the superiority of the legislature above all papal decrees or spiritual canons, and gained a signal victory over the ecclesiastics. But as he knew that the bishops, though overawed by the present combination of the crown and the barons, would take the first favourable opportunity of denying the authority which had enacted these Constitutions, he resolved that they should all set their seal to them, and give a promise to observe them. None of the prelates dared to oppose his will, except Becket, who, though urged by the earls of Cornwall and Leicester, the barons of principal authority in the kingdom, obstinately withheld his assent. At last, Richard de Hastings, grand-prior of the templars in England, threw himself on his knees before him; and with many tears entreated him, if he paid any regard either to his own safety or that of the church, not to provoke, by a fruitless opposition, the indignation of a great monarch, who was resolutely bent on his purpose, and who was determined to take full revenge on every one that should dare to oppose him. Becket, finding himself deserted by all the world, even by his own brethren, was at last obliged to comply; and he promised, *legally, with good faith, and without fraud or reserve*, to observe the Constitutions; and he took an oath to that purpose. The king, thinking that he had now finally prevailed in this great enterprise, sent the Constitutions to pope Alexander, who then resided in France; and he required that pontiff's ratification of them: but Alexander, who, though he had owed the most important obligations to the king, plainly saw that these laws were calculated to establish the independency of England on the papacy, and of the royal power on the clergy, condemned them in the strongest terms, abrogated, annulled, and rejected them. There were only six articles, the least important, which, for the sake of peace, he was willing to ratify.

Becket, when he observed that he might hope for support in an opposition, expressed the deepest sorrow for his compliance; and endeavoured to engage all the other bishops in a confederacy to adhere to their common rights, and to the ecclesiastical privileges, in which he represented the interest and honour of God to be so deeply concerned. He redoubled his austerities, in order to punish himself for his criminal consent to the Constitutions of Clarendon: he proportioned his discipline to the enormity of his supposed offence; and he refused to exercise any part of his archiepiscopal function, till he should receive absolution from the pope; which was readily granted him. Henry, informed of his present dispositions, resolved to take vengeance for this refractory behaviour, and he attempted to crush him, by means of that very power which Becket made such merit in supporting. He applied to the pope, that he should grant the commission of legate in his dominions to the archbishop of York; but Alexander, as politic as he, though he granted the commission, annexed a clause, that it should not empower the legate to execute any act in prejudice of the archbishop of Canterbury: and the king, finding how fruitless such an authority would prove, sent back the commission by the same messenger that brought it.

The primate, however, who found himself still exposed to the king's indignation, endeavoured twice to escape secretly from the kingdom; but was as often detained by contrary winds; and Henry hastened to make him feel the effects of an obstinacy which he deemed so criminal. He instigated John, mareschal of the exchequer, to sue Becket in the archiepiscopal court for some lands, part of the manor of Pageham; and to appeal thence to the king's court for justice. On the day appointed for trying the cause, the primate sent four knights to represent certain irregularities in John's appeal; and at the same time to excuse himself, on account of sickness, for not appearing personally that day in the court. This slight offence (if it even deserve the name) was represented as a grievous contempt; the four knights were menaced, and with difficulty escaped being sent to prison, as offering falsehoods to the court; [*See note* R, *at the end of this Vol.*] and Henry, being determined to prosecute Becket to the utmost, summoned, at Northampton, a great council, which he purposed to make the instrument of his vengeance against the inflexible prelate.

The king had raised Becket from a low station to the highest offices, had honoured him with his countenance and friendship, had trusted to his assistance in forwarding his favourite project against the clergy; and when he found him become of a sudden his most rigid opponent, while every one beside complied with his will, rage at the disappointment, and indignation against such signal ingratitude, transported him beyond all bounds of moderation; and there seems to have entered more of passion than of justice, or even of policy, in this violent prosecution. The barons, notwithstanding, in the great council, voted whatever sentence he was pleased to dictate to them; and the bishops themselves, who undoubtedly bore a secret favour to Becket, and regarded him as the champion of their privileges, concurred with the rest, in the design of oppressing their primate. In vain did Becket urge that his court was proceeding with the utmost regularity and justice in trying the mareschal's cause; which, however, he said, would appear from the

sheriff's testimony to be entirely unjust and iniquitous: that he himself had discovered no contempt of the king's court; but, on the contrary, by sending four knights to excuse his absence, had virtually acknowledged his authority: that he also, in consequence of the king's summons, personally appeared at present in the great council, ready to justify his cause against the mareschal, and to submit his conduct to their inquiry and jurisdiction: that even should it be found that he had been guilty of non-appearance, the laws had affixed a very slight penalty to that offence: and that, as he was an inhabitant of Kent, where his archiepiscopal palace was seated, he was by law entitled to some greater indulgence than usual in the rate of his fine. Notwithstanding these pleas, he was condemned as guilty of a contempt of the king's court, and as wanting in the fealty which he had sworn to his sovereign; all his goods and chattels were confiscated; and that this triumph over the church might be carried to the utmost, Henry, bishop of Winchester, the prelate who had been so powerful in the former reign, was, in spite of his remonstrances, obliged, by order of the court, to pronounce the sentence against him. The primate submitted to the decree; and all the prelates, except Folliot, bishop of London, who paid court to the king by this singularity, became sureties for him. It is remarkable, that several Norman barons voted in this council; and we may conclude, with some probability, that a like practice had prevailed in many of the great councils summoned since the conquest. For the contemporary historian, who has given us a full account of these transactions, does not mention this circumstance as anywise singular; and Becket, in all his subsequent remonstrances with regard to the severe treatment which he had met with, never founds any objection on an irregularity, which to us appears very palpable and flagrant. So little precision was there at that time in the government and constitution!

The king was not content with this sentence, however violent and oppressive. Next day he demanded of Becket the sum of three hundred pounds, which the primate had levied upon the honours of Eye and Berkham, while in his possession. Becket, after premising that he was not obliged to answer to this suit, because it was not contained in his summons; after remarking that he had expended more than that sum in the repairs of those castles, and of the royal palace at London; expressed, however, his resolution, that money should not be any ground of quarrel between him and his sovereign: he agreed to pay the sum; and immediately gave sureties for it. In the subsequent meeting, the king demanded five hundred marks, which, he affirmed, he had lent Becket during the war of Toulouse; and another sum to the same amount, for which that prince had been surety for him to a Jew. Immediately after these two claims, he preferred a third of still greater importance: he required him to give in the accounts of his administration while chancellor, and to pay the balance due from the revenues of all the prelacies, abbeys, and baronies, which had, during that time, been subjected to his management. Becket observed, that, as this demand was totally unexpected, he had not come prepared to answer it; but he required a delay, and promised in that case to give satisfaction. The king insisted upon sureties; and Becket desired leave to consult his suffragans in a case of such importance.

It is apparent, from the known character of Henry, and from the usual vigilance of his government, that, when he promoted Becket to the see of Canterbury, he was, on good grounds, well pleased with his administration in the former high office with which he had entrusted him; and that, even if that prelate had dissipated money beyond the income of his place, the king was satisfied that his expenses were not blameable, and had in the main been calculated for his service. Two years had since elapsed; no demand had, during that time, been made upon him; it was not till the quarrel arose concerning ecclesiastical privileges, that the claim was started, and the primate was, of a sudden, required to produce accounts of such intricacy and extent before a tribunal which had shown a determined resolution to ruin and oppress him. To find sureties that he should answer so boundless and uncertain a claim, which in the king's estimation amounted to 44,000 marks, was impracticable; and Becket's suffragans were extremely at a loss what counsel to give him in such a critical emergency. By the advice of the bishop of Winchester he offered two thousand marks as a general satisfaction for all demands: but this offer was rejected by the king. Some prelates exhorted him to resign his see, on condition of receiving an acquittal: others were of opinion that he ought to submit himself entirely to the king's mercy: but the primate, thus pushed to the utmost, had too much courage to sink under oppression: he determined to brave all his enemies, to trust to the sacredness of his character for protection, to involve his cause with that of God and religion, and to stand the utmost efforts of royal indignation.

After a few days spent in deliberation, Becket went to church, and said mass, where he had previously ordered, that the introit to the communion service should begin with these words, *Princes sat and spake against me;* the passage appointed for the martyrdom of St. Stephen, whom the primate thereby tacitly pretended to resemble in his sufferings for the sake of righteousness. He went thence to court, arrayed in his sacred vestments: as soon as he arrived within the palace-gate, he took the cross into his own hands, bore it aloft as his protection, and marched in that posture into the royal apartments. The king, who was in an inner room, was astonished at this parade, by which the primate seemed to menace him and his court with the sentence of excommunication; and he sent for some of the prelates to remonstrate with him on account of such audacious behaviour. These prelates complained to Becket, that, by subscribing himself to the Constitutions of Clarendon, he had seduced them to imitate his example; and that now, when it was too late, he pretended to shake off all subordination to the civil power, and appeared desirous of involving them in the guilt which must attend any violation of those laws, established by their consent, and ratified by their subscriptions. Becket replied, that he had indeed subscribed to the Constitutions of Clarendon, *legally, with good faith, and without fraud or reserve;* but in these words was virtually implied a salvo for the rights of their order, which, being connected with the cause of God and his church, could never be relinquished by their oaths and engagements that if he and they had erred in resigning the ecclesiastical privileges, the best atonement they could now make was to retract their consent, which, in such a case, could never be obligatory, and to follow the pope's authority, who had solemnly annulled the Constitutions of Clarendon, and had absolved them from all oaths which they had taken to observe them: that a determined resolution was evidently embraced to oppress the church; the storm had first broken upon him; for a slight offence, and which too was falsely imputed to him, he had been tyrannically condemned to a grievous penalty; a new and unheard-of claim was since started, in which he could expect no justice; and he plainly saw, that he was the destined victim, who, by his ruin, must prepare the way for the abrogation of all spiritual immunities: that he strictly inhibited them who were his suffragans from assisting at any such trial, or giving their sanction to any sentence against him; he put himself and his see under the protection of the supreme pontiff; and appealed to him against any penalty which his iniquitous judges might think proper to inflict upon him: and that, however terrible the indignation of so great a monarch as Henry, his sword could only kill the body, while that of the church, entrusted into the hands of the primate, could kill the soul, and throw the disobedient into infinite and eternal perdition

Appeals to the pope, even in ecclesiastical causes, had been abolished by the Constitutions of Clarendon, and were become criminal by law; but an appeal in a civil cause, such as the king's demand upon Becket, was a practice altogether new and unprecedented; it tended directly to the subversion of the government, and could receive no colour of excuse, except from the determined resolution, which was but too apparent in Henry and the great council, to effectuate, without justice, but under colour of law, the total ruin of the inflexible primate. The king, having now obtained a pretext so much more plausible for his violence, would probably have pushed the affair to the utmost extremity against him; but Becket gave him no leisure to conduct the prosecution. He refused so much as to hear the sentence, which the barons, sitting apart from the bishops, and joined to some sheriffs and barons of the second rank,* had given upon the king's claim: he departed from the palace; asked Henry's immediate permission to leave Northampton; and upon meeting with a refusal, he withdrew secretly; wandered about in disguise for some time; and at last took shipping, and arrived safely at Gravelines.

The violent and unjust prosecution of Becket had a natural tendency to turn the public favour on his side, and to make men overlook his former ingratitude towards the king, and his departure from all oaths and engagements, as well as the enormity of those ecclesiastical privileges, of which he affected to be the champion. There were many other reasons which procured him countenance and protection in foreign countries. Philip, earl of Flanders, and Louis, king of France, jealous of the rising greatness of Henry, were well pleased to give him disturbance in his government; and forgetting that this was the common cause of princes, they affected to pity extremely the condition of the exiled primate; and the latter even honoured him with a visit at Soissons, in which city he had invited him to fix his residence. The pope, whose interests were more immediately concerned in supporting him, gave a cold reception to a magnificent embassy which Henry sent to accuse him; while Becket, himself, who had come to Sens in order to justify his cause before the sovereign pontiff, was received with the greatest marks of distinction. The king, in revenge, sequestered the revenues of Canterbury; and by a conduct which might be esteemed arbitrary, had there been at that time any regular check on royal authority, he banished all the primate's relations and domestics, to the number of four hundred; whom he obliged to swear, before their departure, that they would instantly join their patron. But this policy, by which Henry endeavoured to reduce Becket sooner to necessity, lost its effect: the pope, when they arrived beyond sea, absolved them from their oath, and distributed them among the convents in France and Flanders: a residence was assigned to Becket himself in the convent of Pontigny, where he lived for some years in great magnificence, partly from a pension granted him on the revenues of that abbey, partly from remittances made him by the French monarch.

1165. The more to ingratiate himself with the pope, Becket resigned into his hands the see of Canterbury, to which, he affirmed, he had been uncanonically elected by the authority of the royal mandate; and Alexander, in his turn, besides investing him anew with that dignity, pretended to abrogate, by a bull, the sentence which the great council of England had passed against him. Henry, after attempting in vain to procure a conference with the pope, who departed soon after for Rome, whither the prosperous state of his affairs now invited him, made provisions against the consequences of that breach which impended between his kingdom and the apostolic see. He issued orders to his justiciaries, inhibiting, under severe penalties, all appeals to the pope or archbishop; forbidding any one to receive any mandates from them, or apply in any case to their authority; declaring it treasonable to bring from either of them an interdict upon the kingdom, and punishable in secular clergymen by the loss of their eyes and by castration, in regulars by amputation of their feet, and in laics with death; and menacing with sequestration and banishment the persons themselves, as well as their kindred, who should pay obedience to any such interdict: and he further obliged all his subjects to swear to the observance of those orders. These were edicts of the utmost importance, affected the lives and properties of all the subjects, and even changed, for the time, the national religion, by breaking off all communication with Rome: yet were they enacted by the sole authority of the king, and were derived entirely from his will and pleasure.

The spiritual powers, which, in the primitive church, were, in a great measure, dependent on the civil, had by a gradual progress reached an equality and independence; and though the limits of the two jurisdictions were difficult to ascertain or define, it was not impossible, but by moderation on both sides, government might still have been conducted in that imperfect and irregular manner which attends all human institutions. But as the ignorance of the age encouraged the ecclesiastics daily to extend their privileges, and even to advance maxims totally incompatible with civil government,† Henry had thought it high time to put an end to their pretensions, and formally, in a public council, to fix those powers which belonged to the magistrate, and which he was for the future determined to maintain. In this attempt he was led to re-establish customs, which, though ancient, were beginning to be abolished by a contrary practice, and which were still more strongly opposed by the prevailing opinions and sentiments of the age. Principle, therefore, stood on the one side, power on the other; and if the English had been actuated by conscience more than by present interest, the controversy must soon, by the general defection of Henry's subjects, have been decided against him. Becket, in order to forward this event, filled all places with exclamations against the violence which he had suffered. He compared himself to Christ, who had been condemned by a lay tribunal, and was crucified anew in the present oppressions under which his church laboured: he took it for granted, as a point incontestable, that his cause was the cause of God; he assumed the character of champion for the patrimony of the Divinity: he pretended to be the spiritual father of the king and all the people of England: he even told Henry that kings reign solely by the authority of the church: and though he had thus torn off the veil more openly on the one side, than that prince had on the other, he seemed still, from the general favour borne him by the ecclesiastics, to have all the advantage in the argument. The king, that he might employ the weapons of temporal power remaining in his hands, suspended the payment of Peter's-pence; he made advances towards an alliance with the emperor, Frederic Barbarossa, who was at that time engaged in violent wars with pope Alexander; he discovered some intentions of acknowledging Pascal III., the present anti-pope, who was protected by that emperor; and by these expedients he endeavoured to terrify the enterprising though prudent pontiff from proceeding to extremities against him.

1166. But the violence of Becket, still more than the nature of the controversy, kept affairs from remaining long in suspense between the two parties. That prelate, instigated by revenge, and animated by the present glory attending his situation, pushed matters to a decision, and issued a censure, excommuni-

* Fitz-Stephen, p. 46. This historian is supposed to mean the more considerable vassals of the chief barons: these had no title to sit in the great council, and the giving them a place there was a palpable irregularity; which however is not insisted on in any of Becket's remonstrances: a further proof how little fixed the constitution was at that time.

† "Quis dubitet," says Becket to the king, "sacerdotes Christi regum et principum omnumque fidelium patres et magistros censeri?"—Ep. St. Thom. p. 97, 148.

cating the king's chief ministers by name, and comprehending in general all those who favoured or obeyed the Constitutions of Clarendon. These Constitutions he abrogated and annulled; he absolved all men from the oaths which they had taken to observe them; and he suspended the spiritual thunder over Henry himself, only that the prince might avoid the blow by a timely repentance.

The situation of Henry was so unhappy that he could employ no expedient for saving his ministers from this terrible censure but by appealing to the pope himself, and having recourse to a tribunal whose authority he had himself attempted to abridge in this very article of appeals, and which, he knew, was so deeply engaged on the side of his adversary. But even this expedient was not likely to be long effectual. Becket had obtained from the pope a legantine commission over England; and in virtue of that authority, which admitted of no appeal, he summoned the bishops of London, Salisbury, and others, to attend him, and ordered, under pain of excommunication, the ecclesiastics, sequestered on his account, to be restored in two months to all their benefices. But John of Oxford, the king's agent with the pope, had the address to procure orders for suspending the sentence; and he gave the pontiff such hopes of a speedy reconcilement between the king and Becket, that two legates, William of Pavia and Otho, were sent to Normandy, where the king then resided, and they endeavoured to find expedients for that purpose. But the pretensions of the parties were, as yet, too opposite to admit of an accommodation: the king required that all the Constitutions of Clarendon should be ratified: Becket, that, previously to any agreement, he and his adherents should be restored to their possessions: and as the legates had no power to pronounce a definitive sentence on either side, the negociation soon after came to nothing. The cardinal of Pavia also, being much attached to Henry, took care to protract the negociation; to mitigate the pope, by the accounts which he sent of that prince's conduct; and to procure him every possible indulgence from the see of Rome. About this time the king had also the address to obtain a dispensation for the marriage of his third son, Geoffrey, with the heiress of Britanny; a concession which, considering Henry's demerits towards the church, gave great scandal both to Becket, and to his zealous patron, the king of France.

1167. The intricacies of the feudal law had, in that age, rendered the boundaries of power between the prince and his vassals, and between one prince and another, as uncertain as those between the crown and the mitre; and all wars took their origin from disputes, which, had there been any tribunal possessed of power to enforce their decrees, ought to have been decided only before a court of judicature. Henry, in prosecution of some controversies, in which he was involved with the count of Auvergne, a vassal of the dutchy of Guienne, had invaded the territories of that nobleman; who had recourse to the king of France, his superior lord, for protection, and thereby kindled a war between the two monarchs. But this war was, as usual, no less feeble in its operations than it was frivolous in its cause and object; and after occasioning some mutual depredations, and some insurrections among the barons of Poictou and Guienne, was terminated by a peace. The terms of this peace were rather disadvantageous to Henry, and prove that that prince had, by reason of his contest with the church, lost the superiority which he had hitherto maintained over the crown of France: an additional motive to him for accommodating those differences.

The pope and the king began at last to perceive, that, in the present situation of affairs, neither of them could expect a final and decisive victory over the other; and that they had more to fear than to hope from the duration of the controversy. Though the vigour of Henry's government had confirmed his authority in all his dominions, his throne might be shaken by a sentence of excommunication; and if England itself could, by its situation, be more easily guarded against the contagion of superstitious prejudices, his French provinces at least, whose communication was open with the neighbouring states, would be much exposed, on that account, to some great revolution or convulsion. He could not, therefore, reasonably imagine that the pope, while he retained such a check upon him, would formally recognise the Constitutions of Clarendon, which both put an end to papal pretensions in England, and would give an example to other states of exerting a like independency. Pope Alexander, on the other hand, being still engaged in dangerous wars with the emperor Frederic, might justly apprehend, that Henry, rather than relinquish claims of such importance, would join the party of his enemy; and as the trials hitherto made of the spiritual weapons by Becket had not succeeded to his expectation, and everything had remained quiet in all the king's dominions, nothing seemed impossible to the capacity and vigilance of so great a monarch. The disposition of minds on both sides, resulting from these circumstances, produced frequent attempts towards an accommodation; but as both parties knew that the essential articles of the dispute could not then be terminated, they entertained a perpetual jealousy of each other, and were anxious not to lose the least advantage in the negociation. The nuncios, Gratian and Vivian, having received a commission to endeavour a reconciliation, met with the king in Normandy; [1168;] and after all differences seemed to be adjusted, Henry offered to sign the treaty, with a salvo to his royal dignity; which gave such umbrage to Becket, that the negociation, in the end, became fruitless, and the excommunications were renewed against the king's ministers. Another negociation was conducted at Montmirail, in presence of the king of France and the French prelates; where Becket also offered to make his submissions, with a salvo to the honour of God, and the liberties of the church; which, for a like reason, was extremely offensive to the king, and rendered the treaty abortive. A third conference, [1169,] under the same mediation, was broken off, by Becket's insisting on a like reserve in his submissions; and even in a fourth treaty, when all the terms were adjusted, and when the primate expected to be introduced to the king, and to receive the kiss of peace, which it was usual for princes to grant in those times, and which was regarded as a sure pledge of forgiveness, Henry refused him that honour, under pretence, that, during his anger, he had made a rash vow to that purpose. This formality served, among such jealous spirits, to prevent the conclusion of the treaty; and though the difficulty was attempted to be overcome by a dispensation which the pope granted to Henry from his vow, that prince could not be prevailed on to depart from the resolution which he had taken.

In one of these conferences, at which the French king was present, Henry said to that monarch: "There have been many kings of England, some of greater, some of less authority than myself: there have also been many archbishops of Canterbury, holy and good men, and entitled to every kind of respect: let Becket but act towards me with the same submission which the greatest of his predecessors have paid to the least of mine, and there shall be no controversy between us. Louis was so struck with this state of the case, and with an offer which Henry made to submit his cause to the French clergy, that he could not forbear condemning the primate, and withdrawing his friendship from him during some time: but the bigotry of that prince, and their common animosity against Henry, soon produced a renewal of their former good correspondence.

COMPROMISE WITH BECKET. *July* 22, 1170.

All difficulties were at last adjusted between the

parties; and the king allowed Becket to return, on conditions which may be esteemed both honourable and advantageous to that prelate. He was not required to give up any rights of the church, or resign any of those pretensions which had been the original ground of the controversy. It was agreed that all these questions should be buried in oblivion; but that Becket and his adherents should, without making further submission, be restored to all their livings; and that even the possessors of such benefices as depended on the see of Canterbury, and had been filled during the primate's absence, should be expelled, and Becket have liberty to supply the vacancies. In return for concessions which entrenched so deeply on the honour and dignity of the crown, Henry reaped only the advantage of seeing his ministers absolved from the sentence of excommunication pronounced against them, and of preventing the interdict, which, if these hard conditions had not been complied with, was ready to be laid on all his dominions. It was easy to see how much he dreaded that event, when a prince of so high a spirit could submit to terms so dishonourable in order to prevent it. So anxious was Henry to accommodate all differences, and to reconcile himself fully with Becket, that he took the most extraordinary steps to flatter his vanity, and even, on one occasion, humiliated himself so far as to hold the stirrup of that haughty prelate while he mounted.

But the king attained not even that temporary tranquillity which he had hoped to reap from these expedients. During the heat of his quarrel with Becket, while he was every day expecting an interdict to be laid on his kingdom, and a sentence of excommunication to be fulminated against his person, he had thought it prudent to have his son, prince Henry, associated with him in the royalty, and to make him be crowned king by the hands of Roger, archbishop of York. By this precaution he both ensured the succession of that prince, which, considering the many past irregularities in that point, could not but be esteemed somewhat precarious; and he preserved at least his family on the throne, if the sentence of excommunication should have the effect which he dreaded, and should make his subjects renounce their allegiance to him. Though this design was conducted with expedition and secrecy, Becket, before it was carried into execution, had got intelligence of it; and being desirous of obstructing all Henry's measures, as well as anxious to prevent this affront to himself, who pretended to the sole right, as archbishop of Canterbury, to officiate in the coronation, he had inhibited all the prelates of England from assisting at this ceremony, had procured from the pope a mandate to the same purpose, and had incited the king of France to protest against the coronation of young Henry, unless the princess, daughter of that monarch, should at the same time receive the royal unction. There prevailed in that age an opinion, which was akin to its other superstitions, that the royal unction was essential to the exercise of royal power: it was therefore natural both for the king of France, careful of his daughter's establishment, and for Becket, jealous of his own dignity, to demand, in the treaty with Henry, some satisfaction in this essential point. Henry, after apologising to Louis for the omission with regard to Margaret, and excusing it on account of the secrecy and dispatch requisite for conducting that measure, promised that the ceremony should be renewed in the persons both of the prince and princess: and he asssured Becket, that besides receiving the acknowledgments of Roger and the other bishops for the seeming affront put on the see of Canterbury, the primate should, as a further satisfaction, recover his rights by officiating in this coronation. But the violent spirit of Becket, elated by the power of the church, and by the victory which he had already obtained over his sovereign, was not content with this voluntary compensation, but resolved to make the injury which he pretended to have suffered, a handle for taking revenge on all his enemies. On his arrival in England he met the archbishop of York, and the bishops of London and Salisbury, who were on their journey to the king in Normandy: he notified to the archbishop the sentence of suspension, and to the two bishops that of excommunication, which, at his solicitation, the pope had pronounced against them. Reginald de Warenne, and Gervase de Cornhill, two of the king's ministers who were employed on their duty in Kent, asked him, on hearing of this bold attempt, whether he meant to bring fire and sword into the kingdom? But the primate, heedless of the reproof, proceeded, in the most ostentatious manner, to take possession of his diocese. In Rochester, and all the towns through which he passed, he was received with the shouts and acclamations of the populace. As he approached Southwark, the clergy, the laity, men of all ranks and ages, came forth to meet him, and celebrated with hymns of joy his triumphant entrance. And though he was obliged, by order of the young prince, who resided at Woodstoke, to return to his diocese, he found that he was not mistaken when he reckoned upon the highest veneration of the public towards his person and his dignity. He proceeded, therefore, with the more courage, to dart his spiritual thunders: he issued the sentence of excommunication against Robert de Broc and Nigel de Sackville, with many others, who either had assisted in the coronation of the prince, or been active at the late persecution of the exiled clergy. This violent measure, by which he in effect denounced war against the king himself, is commonly ascribed to the vindictive disposition and imperious character of Becket; but as this prelate was also a man of acknowledged abilities, we are not, in his passions alone, to look for the cause of his conduct, when he proceeded to these extremities against his enemies. His sagacity had led him to discover all Henry's intentions; and he proposed, by this bold and unexpected assault, to prevent the execution of them.

The king, from his experience of the dispositions of his people, was become sensible that his enterprise had been too bold in establishing the Constitutions of Clarendon, in defining all the branches of royal power, and in endeavouring to extort from the church of England, as well as from the pope, an express avowal of these disputed prerogatives. Conscious also of his own violence in attempting to break or subdue the inflexible primate, he was not displeased to undo that measure which had given his enemies such advantage against him; and he was contented that the controversy should terminate in that ambiguous manner, which was the utmost that princes in those ages could hope to attain in their disputes with the see of Rome. Though he dropped, for the present, the prosecution of Becket, he still reserved to himself the right of maintaining that the Constitutions of Clarendon, the original ground of the quarrel, were both the ancient customs and the present law of the realm; and though he knew that the papal clergy asserted them to be impious in themselves, as well as abrogated by the sentence of the sovereign pontiff, he intended, in spite of their clamours, steadily to put those laws in execution, and to trust to his own abilities, and to the course of events, for success in that perilous enterprise. He hoped that Becket's experience of a six years' exile would, after his pride was fully gratified by his restoration, be sufficient to teach him more reserve in his opposition; or if any controversy arose, he expected thenceforth to engage in a more favourable cause, and to maintain with advantage, while the primate was now in his power, the ancient and undoubted customs of the kingdom against the usurpations of the clergy. But Becket determined not to betray the ecclesiastical privileges by his connivance; and, apprehensive lest a prince of such profound policy, if allowed to proceed in his own way, might probably in the end prevail, resolved to take all the advantage which his present victory gave him, and to disconcert the cautious mea-

sures of the king, by the vehemence and rigour of his own conduct. Assured of support from Rome, he was little intimidated by dangers, which his courage taught him to despise, and which, even if attended with the most fatal consequences, would serve only to gratify his ambition and thirst of glory.

MURDER OF THOMAS A BECKET.

December 29.

When the suspended and excommunicated prelates arrived at Baieux, where the king then resided, and complained to him of the violent proceedings of Becket, he instantly perceived the consequences; was sensible that his whole plan of operations was overthrown; foresaw that the dangerous contest between the civil and spiritual powers, a contest which he himself had first roused, but which he had endeavoured, by all his late negociations and concessions, to appease, must come to an immediate and decisive issue; and he was thence thrown into the most violent commotion. The archbishop of York remarked to him, that so long as Becket lived, he could never expect to enjoy peace or tranquillity: the king himself, being vehemently agitated, burst forth into an exclamation against his servants, whose want of zeal, he said, had so long left him exposed to enterprises of that ungrateful and imperious prelate. Four gentlemen of his household, Reginald Fitz-Urse, William de Traci, Hugh de Moreville, and Richard Brito, taking these passionate expressions to be a hint for Becket's death, immediately communicated their thoughts to each other; and, swearing to avenge their prince's quarrel, secretly withdrew from court. Some menacing expressions which they had dropped gave a suspicion of their design; and the king dispatched a messenger after them, charging them to attempt nothing against the person of the primate: but these orders arrived too late to prevent their fatal purpose. The four assassins, though they took different roads to England, arrived nearly about the same time at Saltwoode, near Canterbury; and being there joined by some assistants, they proceeded in great haste to the archiepiscopal palace. They found the primate, who trusted entirely to the sacredness of his character, very slenderly attended; and though they threw out many menaces and reproaches against him, he was so incapable of fear, that, without using any precautions against their violence, he immediately went to St. Benedict's church to hear vespers. They followed him thither, attacked him before the altar, and having cloven his head with many blows, retired without meeting any opposition. This was the tragical end of Thomas à Becket, a prelate of the most lofty, intrepid, and inflexible spirit, who was able to cover to the world, and probably to himself, the enterprises of pride and ambition, under the disguise of sanctity, and of zeal for the interests of religion: an extraordinary personage, surely, had he been allowed to remain in his first station, and had directed the vehemence of his character to the support of law and justice, instead of being engaged, by the prejudices of the times, to sacrifice all private duties and public connexions to ties which he imagined or represented as superior to every civil and political consideration. But no man who enters into the genius of that age can reasonably doubt of this prelate's sincerity. The spirit of superstition was so prevalent, that it infallibly caught every careless reasoner, much more every one whose interest, and honour, and ambition were engaged to support it. All the wretched literature of the times was enlisted on that side: some faint glimmerings of common sense might sometimes pierce through the thick cloud of ignorance, or, what was worse, the illusions of perverted science, which had blotted out the sun, and enveloped the face of nature: but those who preserved themselves untainted by the general contagion, proceeded on no principles which they could pretend to justify: they were more indebted to their total want of instruction, than to their knowledge, if they still retained some share of understanding: folly was possessed of all the schools as well as all the churches; and her votaries assumed the garb of philosophers, together with the ensigns of spiritual dignities. Throughout that large collection of letters which bears the name of St. Thomas, we find, in all the retainers of that aspiring prelate, no less than in himself, a most entire and absolute conviction of the reason and piety of their own party, and a disdain of their antagonists: nor is there less cant and grimace in their style, when they address each other, than when they compose manifestos for the perusal of the public. The spirit of revenge, violence, and ambition, which accompanied their conduct, instead of forming a presumption of hypocrisy, are the surest pledges of their sincere attachment to a cause, which so much flattered these domineering passions.

Henry, on the first report of Becket's violent measures, had purposed to have him arrested, and had already taken some steps towards the execution of that design: but the intelligence of his murder threw the prince into great consternation; and he was immediately sensible of the dangerous consequences which he had reason to apprehend from so unexpected an event. An archbishop of reputed sanctity assassinated before the altar, in the exercise of his functions, and on account of his zeal in maintaining ecclesiastical privileges, must attain the highest honours of martyrdom; while his murderer would be ranked among the most bloody tyrants that ever were exposed to the hatred and detestation of mankind. Interdicts and excommunications, weapons in themselves so terrible, would, he foresaw, be armed with double force, when employed in a cause so much calculated to work on the human passions, and so peculiarly adapted to the eloquence of popular preachers and declaimers. In vain would he plead his own innocence, and even his total ignorance of the fact: he was sufficiently guilty, if the church thought proper to esteem him such: and his concurrence in Becket's martyrdom becoming a religious opinion, would be received with all the implicit credit which belonged to the most established articles of faith. These considerations gave the king the most unaffected concern; and as it was extremely his interest to clear himself from all suspicion, he took no care to conceal the depth of his affliction. He shut himself up from the light of day, and from all commerce with his servants: he even refused, during three days, all food and sustenance: the courtiers, apprehending dangerous effects from his despair, were at last obliged to break in upon his solitude; and they employed every topic of consolation, induced him to accept of nourishment, and occupied his leisure in taking precautions against the consequences which he so justly apprehended from the murder of the primate.

SUBMISSION OF THE KING. 1171.

The point of chief importance to Henry was to convince the pope of his innocence; or rather, to persuade him that he would reap greater advantages from the submissions of England, than from proceeding to extremities against that kingdom. The archbishop of Roüen, the bishops of Worcester and Evreux, with five persons of inferior quality, were immediately dispatched to Rome, and orders were given them to perform their journey with the utmost expedition. Though the name and authority of the court of Rome were so terrible in the remote countries of Europe, which were sunk in profound ignorance, and were entirely unacquainted with its character and conduct, the pope was so little revered at home, that his inveterate enemies surrounded the gates of Rome itself, and even controlled his government in that city; and the ambassadors who, from a distant extremity of Europe, carried to him the humble or rather abject submissions of the greatest potentate of the age, found the utmost difficulty to make their way to him, and to throw them

selves at his feet. It was at length agreed that Richard Barre, one of their number, should leave the rest behind, and run all the hazards of the passage, in order to prevent the fatal consequences which might ensue from any delay in giving satisfaction to his holiness. He found, on his arrival, that Alexander was already wrought up to the greatest rage against the king; that Becket's partisans were daily stimulating him to revenge; that the king of France had exhorted him to fulminate the most dreadful sentence against England, and that the very mention of Henry's name before the sacred college was received with every expression of horror and execration. The Thursday before Easter was now approaching, when it is customary for the pope to denounce annual curses against all his enemies; and it was expected that Henry should, with all the preparations peculiar to the discharge of that sacred artillery, be solemnly comprehended in the number. But Barre found means to appease the pontiff, and to deter him from a measure which, if it failed of success, could not afterwards be easily recalled: the anathemas were only levelled in general against all the actors, accomplices, and abettors of Becket's murder. The abbot of Valasse, and the archdeacons of Salisbury and Lisieux, with others of Henry's ministers, who soon after arrived, besides asserting their prince's innocence, made oath before the whole consistory, that he would stand to the pope's judgment in the affair, and make every submission that should be required of him. The terrible blow was thus artfully eluded; the cardinals Albert and Theodin were appointed legates to examine the cause, and were ordered to proceed to Normandy for that purpose; and though Henry's foreign dominions were already laid under an interdict by the archbishop of Sens, Becket's great partisan, and the pope's legate in France, the general expectation, that the monarch would easily exculpate himself from any concurrence in the guilt, kept every one in suspense, and prevented all the bad consequences which might be dreaded from that sentence.

The clergy, meanwhile, though their rage was happily diverted from falling on the king, were not idle in magnifying the sanctity of Becket; in extolling the merits of his martyrdom; and in exalting him above all that devoted tribe who in several ages had, by their blood, cemented the fabric of the temple. Other saints had only borne testimony by their sufferings to the general doctrines of Christianity; but Becket had sacrificed his life to the power and privileges of the clergy; and this peculiar merit challenged, and not in vain, a suitable acknowledgement to his memory. Endless were the panegyrics on his virtues; and the miracles wrought by his relics were more numerous, more nonsensical, and more impudently attested, than those which ever filled the legend of any confessor or martyr. Two years after his death he was canonized by pope Alexander; a solemn jubilee was established for celebrating his merits; his body was removed to a magnificent shrine, enriched with presents from all parts of Christendom; pilgrimages were performed to obtain his intercession with heaven; and it was computed, that in one year above a hundred thousand pilgrims arrived in Canterbury, and paid their devotions at his tomb. It is indeed a mortifying reflection to those who are actuated by the love of fame, so justly denominated the last infirmity of noble minds, that the wisest legislator, and most exalted genius that ever reformed or enlightened the world, can never expect such tributes of praise as are lavished on the memory of pretended saints, whose whole conduct was probably to the last degree odious or contemptible, and whose industry was entirely directed to the pursuit of objects pernicious to mankind. It is only a conqueror, a personage no less entitled to our hatred, who can pretend to the attainment of equal renown and glory.

It may not be amiss to remark, before we conclude the subject of Thomas à Becket, that the king, during his controversy with that prelate, was on every occasion more anxious than usual to express his zeal for religion, and to avoid all appearance of a profane negligence on that head. He gave his consent to the imposing of a tax on all his dominions for the delivery of the Holy Land, now threatened by the famous Saladin: this tax amounted to twopence a pound for one year, and a penny a pound for the four subsequent. Almost all the princes of Europe laid a like imposition on their subjects, which received the name of "Saladin's tax."

During this period, there came over from Germany about thirty heretics of both sexes, under the direction of one Gerard; simple, ignorant people, who could give no account of their faith, but declared themselves ready to suffer for the tenets of their master. They made only one convert in England, a woman as ignorant as themselves; yet they gave such umbrage to the clergy, that they were delivered over to the secular arm, and were punished by being burned on the forehead, and then whipped through the streets. They seemed to exult in their sufferings, and as they went along, sung the beatitude, *Blessed are ye, when men hate you and persecute you.* After they were whipped, they were thrust out, almost naked, in the midst of winter, and perished through cold and hunger; no one daring or being willing to give them the least relief. We are ignorant of the particular tenets of these people; for it would be imprudent to rely on the representations left of them by the clergy, who affirm that they denied the efficacy of their sacraments, and the unity of the church. It is probable that their departure from the standard of orthodoxy was still more subtle and minute. They seem to have been the first that ever suffered for heresy in England.

As soon as Henry found that he was in no immediate danger from the thunders of the Vatican, he undertook an expedition against Ireland; a design which he had long projected, and by which he hoped to recover his credit, somewhat impaired by his late transactions with the hierarchy.

CHAPTER IX.

State of Ireland——Conquest of that Island——The King's Accommodation with the Court of Rome——Revolt of young Henry and his Brothers——Wars and Insurrections——War with Scotland——Penance of Henry for Becket's Murder——William, King of Scotland, defeated and taken Prisoner——The King's Accommodation with his Sons——The King's equitable Administration——Crusades——Revolt of Prince Richard——Death and Character of Henry——Miscellaneous Transactions of his Reign.

STATE OF IRELAND.

1172.

AS Britain was first peopled from Gaul, so was Ireland probably from Britain; and the inhabitants of all these countries seem to have been so many tribes of the Celtæ, who derive their origin from an antiquity that lies far beyond the records of any history or tradition. The Irish from the beginning of time had been buried in the most profound barbarism and ignorance; and as they were never conquered, or even invaded by the Romans, from whom all the western world derived its civility, they continued still in the most rude state of society, and were distinguished by those vices alone to which human nature, not tamed by education, or restrained by laws, is for ever subject. The small principalities into which they were divided, exercised perpetual rapine and violence against each other; the uncertain succession of their princes was a continual source of domestic convulsions; the usual title of each petty sovereign was the murder of his predecessor; courage and force, though exercised in the commission of crimes, were more honoured than any pacific virtues; and the most simple arts of life, even tillage and agriculture, were almost wholly unknown among them. They had felt the invasions of the Danes and the other

northern tribes; but these inroads, which had spread barbarism in other parts of Europe, tended rather to improve the Irish; and the only towns which were to be found in the island had been planted along the coast by the freebooters of Norway and Denmark. The other inhabitants exercised pasturage in the open country; sought protection from any danger in their forests and morasses; and being divided by the fiercest animosities against each other, were still more intent on the means of mutual injury, than on the expedients for common or even for private interest.

Besides many small tribes, there were in the age of Henry II., five principal sovereignties in the island, Munster, Leinster, Meath, Ulster, and Connaught; and as it had been usual for the one or the other of these to take the lead in their wars, there was commonly some prince, who seemed, for the time, to act as monarch of Ireland. Roderic O'Connor, king of Connaught, was then advanced to this dignity; but his government, ill obeyed even within his own territory, could not unite the people in any measures, either for the establishment of order, or for defence against foreigners. The ambition of Henry had, very early in his reign, been moved by the prospect of these advantages, to attempt the subjecting of Ireland; and a pretence was only wanting to invade a people who, being always confined to their own island, had never given any reason of complaint to any of their neighbours. For this purpose he had recourse to Rome, which assumed a right to dispose of kingdoms and empires; and not foreseeing the dangerous disputes which he was one day to maintain with that see, he helped, for present, or rather for an imaginary convenience, to give sanction to claims which were now become dangerous to all sovereigns. Adrian III., who then filled the papal chair, was by birth an Englishman; and being on that account the more disposed to oblige Henry, he was easily persuaded to act as master of the world, and to make, without any hazard or expense, the acquisition of a great island to his spiritual jurisdiction. The Irish had, by precedent missions from the Britons, been imperfectly converted to Christianity; and, what the pope regarded as the surest mark of their imperfect conversion, they followed the doctrines of their first teachers, and had never acknowledged any subjection to the see of Rome. Adrian, therefore, in the year 1156, issued a bull in favour of Henry; in which, after premising that this prince had ever shown an anxious care to enlarge the church of God on earth, and to increase the number of his saints and elect in heaven, he represents his design of subduing Ireland as derived from the same pious motives: he considers his care of previously applying for the apostolic sanction as a sure earnest of success and victory; and having established it as a point incontestable, that all Christian kingdoms belong to the patrimony of St. Peter, he acknowledges it to be his own duty to sow among them the seeds of the gospel, which might in the last day fructify to their eternal salvation: he exhorts the king to invade Ireland, in order to extirpate the vice and wickedness of the natives, and oblige them to pay yearly, from every house, a penny to the see of Rome: he gives him entire right and authority over the island, commands all the inhabitants to obey him as their sovereign, and invests with full power all such godly instruments as he should think proper to employ in an enterprise thus calculated for the glory of God and the salvation of the souls of men. Henry, though armed with this authority, did not immediately put his design in execution; but being detained by more interesting business on the continent, waited for a favourable opportunity of invading Ireland.

Dermot Macmorrogh, king of Leinster, had, by his licentious tyranny, rendered himself odious to his subjects, who seized with alacrity the first occasion that offered of throwing off the yoke, which was become grievous and oppressive to them. This prince had formed a design on Dovergilda, wife of Ororic, prince of Breffny; and taking advantage of her husband's absence, who, being obliged to visit a distant part of his territory, had left his wife secure, as he thought, in an island surrounded by a bog, he suddenly invaded the place and carried off the princess. This exploit, though usual among the Irish, and rather deemed a proof of gallantry and spirit, provoked the resentment of the husband; who, having collected forces, and being strengthened by the alliance of Roderic, king of Connaught, invaded the dominions of Dermot, and expelled him his kingdom. The exiled prince had recourse to Henry, who was at this time in Guienne, craved his assistance in restoring him to his sovereignty, and offered, on that event, to hold his kingdom in vassalage under the crown of England. Henry, whose views were already turned towards making acquisitions in Ireland, readily accepted the offer; but being at that time embarrassed by the rebellions of his French subjects, as well as by his disputes with the see of Rome, he declined for the present embarking in the enterprise, and gave Dermot no further assistance than letters patent, by which he empowered all his subjects to aid the Irish prince in the recovery of his dominions. Dermot, supported by his authority, came to Bristol; and after endeavouring, though for some time in vain, to engage adventurers in the enterprise, he at last formed a treaty with Richard, surnamed Strongbow, earl of Strigul. This nobleman, who was of the illustrious house of Clare, had impaired his fortune by expensive pleasures; and being ready for any desperate undertaking, he promised assistance to Dermot, on condition that he should espouse Eva, daughter of that prince, and be declared heir to all his dominions. While Richard was assembling his succours, Dermot went into Wales; and meeting with Robert Fitz-Stephens, constable of Abertivi, and Maurice Fitz-Gerald, he also engaged them in his service, and obtained their promise of invading Ireland. Being now assured of succour, he returned privately to his own state; and lurking in the monastery of Fernez, which he had founded, (for this ruffian was also a founder of monasteries,) he prepared everything for the reception of his English allies.

CONQUEST OF THAT ISLAND. 1172.

The troops of Fitz-Stephens were first ready. That gentleman landed in Ireland with thirty knights, sixty esquires, and three hundred archers: but this small body, being brave men, not unacquainted with discipline, and completely armed, a thing almost unknown in Ireland, struck a great terror into the barbarous inhabitants, and seemed to menace them with some signal revolution. The conjunction with Maurice de Pendergast, who, about the same time, brought over ten knights and sixty archers, enabled Fitz-Stephens to attempt the siege of Wexford, a town inhabited by the Danes; and after gaining an advantage, he made himself master of the place. Soon after, Fitz-Gerald arrived with ten knights, thirty esquires, and a hundred archers; and being joined by the former adventurers, composed a force which nothing in Ireland was able to withstand. Roderic, the chief monarch of the island, was foiled in different actions; the prince of Ossory was obliged to submit, and give hostages for his peaceable behaviour; and Dermot, not content with being restored to his kingdom of Leinster, projected the dethroning of Roderic, and aspired to the sole dominion over the Irish.

In prosecution of these views, he sent over a messenger to the earl of Strigul, challenging the performance of his promise, and displaying the mighty advantages which might now be reaped by a re-enforcement of warlike troops from England. Richard, not satisfied with the general allowance given by Henry to all his subjects, went to that prince, then in Normandy; and having obtained a cold or ambiguous permission,

prepared himself for the execution of his designs. He first sent over Raymond, one of his retinue, with ten knights and seventy archers, who, landing near Waterford, defeated a body of three thousand Irish that had ventured to attack him; and as Richard himself, who brought over two hundred horse, and a body of archers, joined, a few days after the victorious English, they made themselves masters of Waterford, and proceeded to Dublin, which was taken by assault. Roderic, in revenge, cut off the head of Dermot's natural son, who had been left as a hostage in his hands; and Richard, marrying Eva, became soon after, by the death of Dermot, master of the kingdom of Leinster, and prepared to extend his authority over all Ireland. Roderic and the other Irish princes were alarmed at the danger; and combining together, besieged Dublin with an army of thirty thousand men: but earl Richard, making a sudden sally at the head of ninety knights, with their followers, put this numerous army to rout, chased them off the field, and pursued them with great slaughter. None in Ireland now dared to oppose themselves to the English.

Henry, jealous of the progress made by his own subjects, sent orders to recall all the English, and he made preparations to attack Ireland in person: but Richard, and the other adventurers, found means to appease him, by making him the most humble submissions, and offering to hold all their acquisitions in vassalage to his crown. That monarch landed in Ireland at the head of five hundred knights, besides other soldiers: he found the Irish so dispirited by their late misfortunes, that, in a progress which he made through the island, he had no other occupation than to receive the homage of his new subjects. He left most of the Irish chieftains or princes in possession of their ancient territories; bestowed some lands on the English adventurers; gave earl Richard the commission of seneschal of Ireland; and after a stay of a few months, returned in triumph to England. By these trivial exploits, scarcely worth relating, except for the importance of the consequences, was Ireland subdued, and annexed to the English crown.

The low state of commerce and industry during those ages made it impracticable for princes to support regular armies, which might retain a conquered country in subjection; and the extreme barbarism and poverty of Ireland could still less afford means of bearing the expense. The only expedient by which a durable conquest could then be made or maintained, was by pouring in a multitude of new inhabitants, dividing among them the lands of the vanquished, establishing them in all offices of trust and authority, and thereby transforming the ancient inhabitants into a new people. By this policy, the northern invaders of old, and of late the duke of Normandy, had been able to fix their dominion, and to erect kingdoms, which remained stable on their foundations, and were transmitted to the posterity of the first conquerors. But the state of Ireland rendered that island so little inviting to the English, that only a few of desperate fortunes could be persuaded, from time to time, to transport themselves thither; and instead of reclaiming the natives from their uncultivated manners, they were gradually assimilated to the ancient inhabitants, and degenerated from the customs of their own nation. It was also found requisite to bestow great military and arbitrary powers on the leaders, who commanded a handful of men amidst such hostile multitudes; and law and equity in a little time became as much unknown in the English settlements, as they had ever been among the Irish tribes. Palatinates were erected in favour of the new adventurers; independent authority conferred; the natives, never fully subdued, still retained their animosity against the conquerors; their hatred was retaliated by like injuries; and from these causes, the Irish, during the course of four centuries, remained still savage and untractable: it was not till the latter end of Elizabeth's reign that the island was fully subdued; nor till that of her successor, that it gave hopes of becoming a useful conquest of the English nation.

THE KING'S ACCOMMODATION WITH THE COURT OF ROME.

Besides that the easy and peaceable submission of the Irish left Henry no further occupation in that island, he was recalled from it by another incident, which was of the last importance to his interest and safety. The two legates, Albert and Theodin, to whom was committed the trial of his conduct in the murder of archbishop Becket, were arrived in Normandy; and being impatient of delay, sent him frequent letters, full of menaces if he protracted any longer making his appearance before them. He hastened therefore to Normandy, and had a conference with them at Savigny, where their demands were so exorbitant, that he broke off the negociation, threatened to return to Ireland, and bade them do their worst against him. They perceived that the season was now past for taking advantage of that tragical incident, which, had it been hotly pursued by interdicts and excommunications, was capable of throwing the whole kingdom into combustion. But the time which Henry had happily gained had contributed to appease the minds of men: the event could not now have the same influence as when it was recent; and as the clergy every day looked for an accommodation with the king, they had not opposed the pretensions of his partisans, who had been very industrious in representing to the people his entire innocence in the murder of the primate, and his ignorance of the designs formed by the assassins. The legates, therefore, found themselves obliged to lower their terms; and Henry was so fortunate as to conclude an accommodation with them. He declared upon oath before the relics of the saints, that, so far from commanding or desiring the death of the archbishop, he was extremely grieved when he received intelligence of it: but as the passion which he had expressed on account of that prelate's conduct had probably been the occasion of his murder, he stipulated the following conditions as an atonement for the offence. He promised that he should pardon all such as had been banished for adhering to Becket, and should restore them to their livings: that the see of Canterbury should be reinstated in all its ancient possessions: that he should pay the Templars a sum of money for the subsistence of two hundred knights during a year in the Holy Land: that he should himself take the cross at the Christmas following, and, if the pope required it, serve three years against the infidels either in Spain or Palestine: that he should not insist on the observance of such customs, derogatory to ecclesiastical privileges, as had been introduced in his own time; and that he should not obstruct appeals to the pope in ecclesiastical causes, but should content himself with exacting sufficient security from such clergymen as left his dominions to prosecute an appeal that they should attempt nothing against the rights of his crown. Upon signing these concessions, Henry received absolution from the legates, and was confirmed in the grant of Ireland made by pope Adrian: and nothing proves more strongly the great abilities of this monarch than his extricating himself on such easy terms from so difficult a situation. He had always insisted that the laws established at Clarendon contained not any new claims but the ancient customs of the kingdom; and he was still at liberty, notwithstanding the articles of this agreement, to maintain his pretensions. Appeals to the pope were indeed permitted by that treaty; but as the king was also permitted to exact reasonable securities from the parties, and might stretch his demands on this head as far as he pleased, he had it virtually in his power to prevent the pope from reaping any advantage by this seeming concession. And,

on the whole, the Constitutions of Clarendon remained still the law of the realm: though the pope and his legates seem so little to have conceived the king's power to lie under any legal limitations, that they were satisfied with his departing, by treaty, from one of the most momentous articles of these Constitutions, without requiring any repeal by the states of the kingdom.

Henry, freed from this dangerous controversy with the ecclesiastics, and with the see of Rome, seemed now to have reached the pinnacle of human grandeur and felicity, and to be equally happy in his domestic situation and in his political government. A numerous progeny of sons and daughters gave both lustre and authority to his crown, prevented the dangers of a disputed succession, and repressed all pretensions of the ambitious barons. The king's precaution also, in establishing the several branches of his family, seemed well calculated to prevent all jealousy among the brothers, and to perpetuate the greatness of his family. He had appointed Henry, his eldest son, to be his successor in the kingdom of England, the dutchy of Normandy, and the counties of Anjou, Maine, and Touraine; territories which lay contiguous, and which, by that means, might easily lend to each other mutual assistance both against intestine commotions and foreign invasions. Richard, his second son, was invested in the dutchy of Guienne and county of Poictou; Geoffrey, his third son, inherited, in right of his wife, the dutchy of Britanny; and the new conquest of Ireland was destined for the appanage of John, his fourth son. He had also negociated in favour of this last prince a marriage with Adelais, the only daughter of Humbert, count of Savoy and Maurienne; and was to receive as her dowry considerable demesnes in Piedmont, Savoy, Bresse, and Dauphiny. But this exaltation of his family excited the jealousy of all his neighbours, who made those very sons, whose fortunes he had so anxiously established, the means of embittering his future life, and disturbing his government.

Young Henry, who was rising to man's estate, began to display his character, and aspire to independence: brave, ambitious, liberal, munificent, affable; he discovered qualities which give great lustre to youth; prognosticate a shining fortune, but, unless tempered in mature age with discretion, are the forerunners of the greatest calamities. It is said, that at the time when this prince received the royal unction, his father, in order to give greater dignity to the ceremony, officiated at table as one of the retinue; and observed to his son, that never king was more royally served. *It is nothing extraordinary*, said young Henry to one of his courtiers, *if the son of a count should serve the son of a king.* This saying, which might pass only for an innocent pleasantry, or even for an oblique compliment to his father, was however regarded as a symptom of his aspiring temper; and his conduct soon after justified the conjecture.

REVOLT OF YOUNG HENRY AND HIS BROTHERS. 1173.

Henry, agreeably to the promise which he had given both to the pope and French king, permitted his son to be crowned anew by the hands of the archbishop of Roüen, and associated the princess Margaret, spouse to young Henry, in the ceremony.* He afterwards allowed him to pay a visit to his father-in-law at Paris, who took the opportunity of instilling into the young prince those ambitious sentiments to which he was naturally but too much inclined. Though it had been the constant practice of France, ever since the accession of the Capetian line, to crown the son during the lifetime of the father, without conferring on him any present participation of royalty; Louis persuaded his son-in-law, that, by this ceremony, which in those ages was deemed so important, he had acquired a title to sovereignty, and that the king could not, without injustice, exclude him from immediate possession of the whole, or at least a part of his dominions. In consequence of these extravagant ideas, young Henry, on his return, desired the king to resign to him either the crown of England or the dutchy of Normandy; discovered great discontent on the refusal; spake in the most undutiful terms of his father; and soon after, in concert with Louis, made his escape to Paris, where he was protected and supported by that monarch.

While Henry was alarmed at this incident, and had the prospect of dangerous intrigues, or even of a war, which, whether successful or not, must be extremely calamitous and disagreeable to him, he received intelligence of new misfortunes, which must have affected him in the most sensible manner. Queen Eleanor, who had disgusted her first husband by her gallantries, was no less offensive to her second by her jealousy; and after this manner carried to extremity, in the different periods of her life, every circumstance of female weakness. She communicated her discontents against Henry to her two younger sons, Geoffrey and Richard; persuaded them that they were also entitled to present possession of the territories assigned to them; engaged them to fly secretly to the court of France; and was meditating, herself, an escape to the same court, and had even put on man's apparel for that purpose; when she was seized by orders from her husband, and thrown into confinement. Thus Europe saw with astonishment the best and most indulgent of parents at war with his whole family; three boys, scarcely arrived at the age of puberty, required a great monarch, in the full vigour of his age and height of his reputation, to dethrone himself in their favour; and several princes not ashamed to support them in these unnatural and absurd pretensions.

Henry, reduced to this perilous and disagreeable situation, had recourse to the court of Rome: though sensible of the danger attending the interposition of ecclesiastical authority in temporal disputes, he applied to the pope, as his superior lord, to excommunicate his enemies, and by these censures to reduce to obedience his undutiful children, whom he found such reluctance to punish by the sword of the magistrate. Alexander, well pleased to exert his power in so justifiable a cause, issued the bulls required of him: but it was soon found, that these spiritual weapons had not the same force as when employed in a spiritual controversy; and that the clergy were very negligent in supporting a sentence which was nowise calculated to promote the immediate interests of their order. The king, after taking in vain this humiliating step, was obliged to have recourse to arms, and to enlist such auxiliaries as are the usual resource of tyrants, and have seldom been employed by so wise and just a monarch.

The loose government which prevailed in all the states of Europe, the many private wars carried on among the neighbouring nobles, and the impossibility of enforcing any general execution of the laws, had encouraged a tribe of banditti to disturb everywhere the public peace, to infest the highways, to pillage the open country, and to brave all the efforts of the civil magistrate, and even the excommunications of the church, which were fulminated against them. Troops of them were sometimes enlisted in the service of one prince or baron, sometimes in that of another: they often acted in an independent manner, under leaders of their own: the peaceable and industrious inhabitants, reduced to poverty by their ravages, were frequently obliged, for subsistence, to betake themselves to a like disorderly course of life: and a continual in-

* It appears from Madox's History of the Exchequer, that silk garments were then known in England, and that the coronation robes of the king and queen cost eighty seven pounds, ten shillings and three-pence, a great sum for that age.

† Benedict. Petroburg. Hist. edit. 1576. in Bibliothec. Patr. tom. xxiii. p. 1043. His words are, "Venerunt [illegible] ad [illegible] ad [illegible] ad [illegible]

testine war, pernicious to industry, as well as to the execution of justice, was thus carried on in the bowels of every kingdom. These desperate ruffians received the name sometimes of Brabançons, sometimes of Routiers or Cottereaux; but for what reason is not agreed by historians: and they formed a kind of society or government among themselves, which set at defiance the rest of mankind. The greatest monarchs were not ashamed, on occasion, to have recourse to their assistance; and as their habits of war and depredation had given them experience, hardiness, and courage, they generally composed the most formidable part of those armies which decided the political quarrels of princes. Several of them were enlisted among the forces levied by Henry's enemies; but the great treasures amassed by that prince enabled him to engage more numerous troops of them in his service; and the situation of his affairs rendered even such banditti the only forces on whose fidelity he could repose any confidence. His licentious barons, disgusted with a vigilant government, were more desirous of being ruled by young princes, ignorant of public affairs, remiss in their conduct, and profuse in their grants; and as the king had ensured to his sons the succession to every particular province of his dominions, the nobles dreaded no danger in adhering to those who, they knew, must some time become their sovereigns. Prompted by these motives, many of the Norman nobility had deserted to his son Henry; the Breton and Gascon barons seemed equally disposed to embrace the quarrel of Geoffrey and Richard. Disaffection had crept in among the English; and the earls of Leicester and Chester in particular had openly declared against the king. Twenty thousand Brabançons, therefore, joined to some troops which he brought over from Ireland, and a few barons of approved fidelity, formed the sole force with which he intended to resist his enemies.

Louis, in order to bind the confederates in a closer union, summoned at Paris an assembly of the chief vassals of the crown, received their approbation of his measures, and engaged them by oath to adhere to the cause of young Henry. This prince, in return, bound himself by a like tie never to desert his French allies; and having made a new great seal, he lavishly distributed among them many considerable parts of those territories which he purposed to conquer from his father. The counts of Flanders, Boulogne, Blois, and Eu, partly moved by the general jealousy arising from Henry's power and ambition, partly allured by the prospect of reaping advantage from the inconsiderate temper and the necessities of the young prince, declared openly in favour of the latter. William, king of Scotland, had also entered into this great confederacy; and a plan was concerted for a general invasion on different parts of the king's extensive and factious dominions.

Hostilities were first commenced by the counts of Flanders and Boulogne on the frontiers of Normandy. Those princes laid siege to Aumale, which was delivered into their hands by the treachery of the count of that name: this nobleman surrendered himself prisoner; and, on pretence of thereby paying his ransom, opened the gates of all his other fortresses. The two counts next besieged and made themselves masters of Drincourt; but the count of Boulogne was here mortally wounded in the assault; and this incident put some stop on the progress of the Flemish arms.

WARS AND INSURRECTIONS. 1173.

In another quarter, the king of France, being strongly assisted by his vassals, assembled a great army of seven thousand knights and their followers on horseback, and a proportionable number of infantry: carrying young Henry along with him, he laid siege to Verneüil, which was vigorously defended by Hugh de Lacy and Hugh de Beauchamp, the governors. After he had lain a month before the place, the garrison being straitened for provisions were obliged to capitulate; and they engaged, if not relieved within three days, to surrender the town, and to retire into the citadel. On the last of these days, Henry appeared with his army upon the heights above Verneüil. Louis, dreading an attack, sent the archbishop of Sens and the count of Blois to the English camp, and desired that next day should be appointed for a conference, in order to establish a general peace, and terminate the difference between Henry and his sons. The king, who passionately desired this accommodation, and suspected no fraud, gave his consent; but Louis that morning, obliging the garrison to surrender according to the capitulation, set fire to the place, and began to retire with his army. Henry, provoked at this artifice, attacked the rear with vigour, put them to rout, did some execution, and took several prisoners. The French army, as their time of service was now expired, immediately dispersed themselves into their several provinces; and left Henry free to prosecute his advantages against his other enemies.

The nobles of Britanny, instigated by the earl of Chester and Ralph de Fourgeres, were all in arms; but their progress was checked by a body of Brabançons, which the king, after Louis's retreat, had sent against them. The two armies came to an action near Dol; where the rebels were defeated, fifteen hundred killed on the spot, and the leaders, the earls of Chester and Fourgeres, obliged to take shelter in the town of Dol. Henry hastened to form the siege of that place, and carried on the attack with such ardour, that he obliged the governor and garrison to surrender themselves prisoners. By these vigorous measures and happy successes, the insurrections were entirely quelled in Britanny; and the king, thus fortunate in all quarters, willingly agreed to a conference with Louis, in hopes that his enemies, finding all their mighty efforts entirely frustrated, would terminate hostilities on some moderate and reasonable conditions.

The two monarchs met between Trie and Gisors; and Henry had here the mortification to see his three sons in the retinue of his mortal enemy. As Louis had no other pretence for war than supporting the claims of the young princes, the king made them such offers as children might be ashamed to insist on, and could be extorted from him by nothing but his parental affection, or by the present necessity of his affairs. He insisted only on retaining the sovereign authority in all his dominions; but offered young Henry half the revenues of England, with some places of surety in that kingdom; or, if he rather chose to reside in Normandy, half the revenues of that dutchy, with all those of Anjou. He made a like offer to Richard in Guienne; he promised to resign Britanny to Geoffrey; and if these concessions were not deemed sufficient, he agreed to add to them whatever the pope's legates, who were present, should require of him. The earl of Leicester was also present at the negociation; and, either from the impetuosity of his temper, or from a view of abruptly breaking off a conference which must cover the allies with confusion, he gave vent to the most violent reproaches against Henry, and he even put his hand to his sword, as if he meant to attempt some violence against him. This furious action threw the whole company into confusion, and put an end to the treaty.

The chief hopes of Henry's enemies seemed now to depend on the state of affairs in England, where his authority was exposed to the most imminent danger. One article of prince Henry's agreement with his foreign confederates was, that he should resign Kent, with Dover, and all its other fortresses, into the hands of the earl of Flanders: yet so little national or public spirit prevailed among the independent English nobility, so wholly bent were they on the aggrandizement each of himself and his own family, that, notwithstanding this pernicious concession, which must have produced the ruin of the kingdom, the greater part of

them had conspired to make an insurrection, and to support the prince's pretensions. The king's principal resource lay in the church and the bishops, with whom he was now in perfect agreement; whether that the decency of their character made them ashamed of supporting so unnatural a rebellion, or that they were entirely satisfied with Henry's atonement for the murder of Becket, and for his former invasion of ecclesiastical immunities. That prince, however, had resigned none of the essential rights of his crown in the accommodation; he maintained still the same prudent jealousy of the court of Rome; admitted no legate into England, without his swearing to attempt nothing against the royal prerogatives; and he had even obliged the monks of Canterbury, who pretended to a free election on the vacancy made by the death of Becket, to choose Roger, prior of Dover, in the place of that turbulent prelate.

WAR WITH SCOTLAND. 1173.

The king of Scotland made an irruption into Northumberland, and committed great devastations; but being opposed by Richard de Lucy, whom Henry had left guardian of the realm, he retreated into his own country, and agreed to a cessation of arms. This truce enabled the guardian to march southward with his army, in order to oppose an invasion, which the earl of Leicester, at the head of a great body of Flemings, had made upon Suffolk. The Flemings had been joined by Hugh Bigod, who made them masters of his castle of Framlingham; and, marching into the heart of the kingdom, where they hoped to be supported by Leicester's vassals, they were met by Lucy, who, assisted by Humphry Bohun, the constable, and the earls of Arundel, Gloucester, and Cornwall, had advanced to Farnham, with a less numerous, but braver army, to oppose them. The Flemings, who were mostly weavers and artificers, (for manufactures were now beginning to be established in Flanders,) were broken in an instant, ten thousand of them were put to the sword, the earl of Leicester was taken prisoner, and the remains of the invaders were glad to compound for a safe retreat into their own country.

PENANCE OF HENRY FOR BECKET'S MURDER. *July* 8, 1174.

This great defeat did not dishearten the malcontents; who, being supported by the alliance of so many foreign princes, and encouraged by the king's own sons, determined to persevere in their enterprise. The earl of Ferrars, Roger de Moubray, Architel de Mallory, Richard de Morreville, Hamo de Mascie, together with many friends of the earls of Leicester and Chester, rose in arms: the fidelity of the earls of Clare and Gloucester was suspected; and the guardian, though vigorously supported by Geoffrey, bishop of Lincoln, the king's natural son by the fair Rosamond, found it difficult to defend himself on all quarters from so many open and concealed enemies. The more to augment the confusion, the king of Scotland, on the expiration of the truce, broke into the northern provinces with a great army of 80,000 men; which, though undisciplined and disorderly, and better fitted for committing devastation, than for executing any military enterprise, was become dangerous from the present factious and turbulent spirit of the kingdom. Henry, who had baffled all his enemies in France, and had put his frontiers in a posture of defence, now found England the seat of danger; and he determined by his presence to overawe the malcontents, or by his conduct and courage to subdue them. He landed at Southampton; and, knowing the influence of superstition over the minds of the people, he hastened to Canterbury, in order to make atonement to the ashes of Thomas à Becket, and tender his submissions to a dead enemy. As soon as he came within sight of the church of Canterbury, he dismounted, walked barefoot towards it, prostrated himself before the shrine of the saint, remained in fasting and prayer during a whole day, and watched all night the holy relics. Not content with this hypocritical devotion towards a man, whose violence and ingratitude had so long disquieted his government, and had been the object of his most inveterate animosity, he submitted to a penance still more singular and humiliating. He assembled a chapter of the monks; disrobed himself before them, put a scourge of discipline into the hands of each, and presented his bare shoulders to the lashes which these ecclesiastics successively inflicted upon him. Next day he received absolution; and departing for London, got soon after the agreeable intelligence of a great victory which his generals had obtained over the Scots, and which being gained, as was reported, on the very day of his absolution, was regarded as the earnest of his final reconciliation with Heaven and with Thomas à Becket.

WILLIAM, KING OF SCOTLAND, DEFEATED AND TAKEN PRISONER. *July* 13.

William, king of Scots, though repulsed before the castle of Prudhow, and other fortified places, had committed the most horrible depredations upon the northern provinces: but on the approach of Ralph de Glanville, the famous justiciary, seconded by Barnard de Baliol, Robert de Stuteville, Odonel de Umfreville, William de Vesci, and other northern barons, together with the gallant bishop of Lincoln, he thought proper to retreat nearer his own country, and he fixed his camp at Alnwic. He had here weakened his army extremely, by sending out numerous detachments in order to extend his ravages: and he lay absolutely safe, as he imagined, from any attack of the enemy. But Glanville, informed of his situation, made a hasty and fatiguing march to Newcastle; and allowing his soldiers only a small interval for refreshment, he immediately set out towards evening for Alnwic. He marched that night above thirty miles; arrived in the morning, under cover of a mist, near the Scottish camp: and regardless of the great numbers of the enemy, he began the attack with his small but determined body of cavalry. William was living in such supine security, that he took the English at first for a body of his own ravagers, who were returning to the camp: but the sight of their banners convincing him of his mistake, he entered on the action with no greater body than a hundred horse, in confidence that the numerous army which surrounded him would soon hasten to his relief. He was dismounted on the first shock, and taken prisoner; while his troops, hearing of this disaster, fled on all sides with the utmost precipitation. The dispersed ravagers made the best of their way to their own country; and, discord arising among them, they proceeded even to mutual hostilities, and suffered more from each other's sword, than from that of the enemy.

This great and important victory proved at last decisive in favour of Henry, and entirely broke the spirit of the English rebels. The bishop of Durham, who was preparing to revolt, made his submissions; Hugh Bigod, though he had received a strong re-enforcement of Flemings, was obliged to surrender all his castles, and throw himself on the king's mercy; no better resource was left to the earl of Ferrars and Roger de Moubray; the inferior rebels imitating the example, all England was restored to tranquillity in a few weeks; and as the king appeared to lie under the immediate protection of Heaven, it was deemed impious any longer to resist him. The clergy exalted anew the merits and powerful intercession of Becket, and Henry, instead of opposing this superstition, plumed himself on the new friendship of the saint, and propagated an opinion which was so favourable to his interests.

Prince Henry, who was ready to embark at Gravelines with the earl of Flanders and a great army, hearing that his partisans in England were suppressed, abandoned all thoughts of the enterprise, and joined the camp of Louis, who, during the absence of the king, had made an irruption into Normandy, and had laid siege to Rouen. The place was defended with great vigour by the inhabitants; and Louis, despairing of success by open force, tried to gain the town by a stratagem, which, in that superstitious age, was deemed not very honourable: he proclaimed in his own camp a cessation of arms, on pretence of celebrating the festival of St. Laurence; and when the citizens, supposing themselves in safety, were so imprudent as to remit their guard, he purposed to take advantage of their security. Happily, some priests had, from mere curiosity, mounted a steeple, where the alarm-bell hung; and observing the French camp in motion, they immediately rang the bell, and gave warning to the inhabitants, who ran to their several stations. The French, who, on hearing the alarm, hurried to the assault, had already mounted the walls in several places; but being repulsed by the enraged citizens, were obliged to retreat with considerable loss. Next day Henry, who had hastened to the defence of his Norman dominions, passed over the bridge in triumph; and entered Roüen in sight of the French army. The city was now in absolute safety; and the king, in order to brave the French monarch, commanded the gates, which had been walled up, to be opened; and he prepared to push his advantages against the enemy. Louis saved himself from this perilous situation by a new piece of deceit not so justifiable. He proposed a conference for adjusting the terms of a general peace, which he knew would be greedily embraced by Henry; and while the king of England trusted to the execution of his promise, he made a retreat with his army into France.

There was, however, a necessity on both sides for an accommodation. Henry could no longer bear to see his three sons in the hands of his enemy; and Louis dreaded least this great monarch, victorious in all quarters, crowned with glory, and absolute master of his dominions, might take revenge for the many dangers and disquietudes which the arms, and still more the intrigues of France, had, in his disputes both with Becket and his sons, found means to raise him. After making a cessation of arms, a conference was agreed on near Tours; where Henry granted his sons much less advantageous terms than he had formerly offered; and he received their submissions. The most material of his concessions were some pensions which he stipulated to pay them, and some castles which he granted them for the place of their residence; together with an indemnity for all their adherents, who were restored to their estates and honours.

Of all those who had embraced the cause of the young prince, William, king of Scotland, was the only considerable loser by that invidious and unjust enterprise. Henry delivered from confinement, without exacting any ransom, about nine hundred knights, whom he had taken prisoners; but it cost William the ancient independency of his crown as the price of his liberty. He stipulated to do homage to Henry for Scotland and all his other possessions; he engaged that all the barons and nobility of his kingdom should also do homage; that the bishops should take an oath of fealty; that both should swear to adhere to the king of England against their native prince, if the latter should break his engagements; and that the fortresses of Edinburgh, Stirling, Berwick, Roxborough, and Jedborough, should be delivered into Henry's hands, till the performance of these articles. This severe and humiliating treaty was executed in its full rigour. [10th August, 1175.] William, being released, brought up all his barons, prelates, and abbots; and they did homage to Henry in the cathedral of York, and acknowledged him and his successors for their superior lord. The English monarch stretched still further the rigour of the conditions which he exacted. He engaged the king and states of Scotland to make a perpetual cession of the fortresses of Berwick and Roxborough, and to allow the castle of Edinburgh to remain in his hands for a limited time. This was the first great ascendant which England obtained over Scotland; and indeed the first important transaction which had passed between the kingdoms. Few princes have been so fortunate as to gain considerable advantages over their weaker neighbours with less violence and injustice than was practised by Henry against the king of the Scots, whom he had taken prisoner in battle, and who had wantonly engaged in a war, in which all the neighbours of that prince, and even his own family, were, without provocation, combined against him.*

THE KING'S EQUITABLE ADMINISTRATION. 1176.

Henry having thus, contrary to expectation, extricated himself with honour from a situation in which his throne was exposed to great danger, was employed for several years in the administration of justice, in the execution of the laws, and in guarding against those inconveniencies, which either the past convulsions of his state, or the political institutions of that age, unavoidably occasioned. The provisions which he made show such largeness of thought as qualified him for being a legislator; and they were commonly calculated as well for the future as the present happiness of his kingdom.

He enacted severe penalties against robbery, murder, false coining, arson; and ordained that these crimes should be punished by the amputation of the right hand and right foot. The pecuniary commutation for crimes, which has a false appearance of lenity, had been gradually disused; and seems to have been entirely abolished by the rigour of these statutes. The superstitious trial by water ordeal, though condemned by the church, still subsisted; but Henry ordained, that any man accused of murder, or any heinous felony, by the oath of the legal knights of the county, should, even though acquitted by the ordeal, be obliged to abjure the realm.

All advances towards reason and good sense are slow and gradual. Henry, though sensible of the great absurdity attending the trial by duel or battle, did not venture to abolish it: he only admitted either of the parties to challenge a trial by an assize, or jury of twelve freeholders. This latter method of trial seems to have been very ancient in England, and was fixed by the laws of king Alfred: but the barbarous and violent genius of the age had of late given more credit to the trial by battle, which had become the general method of deciding all important controversies. It was never abolished by law in England; and there is an instance of it so late as the reign of Elizabeth: but the institution revived by this king, being found more reasonable and more suitable to a civilized people, gradually prevailed over it.

The partition of England into four divisions, and the appointment of itinerant justices to go the circuit in each division, and to decide the causes in the counties, was another important ordinance of this prince, which had a direct tendency to curb the oppressive barons, and to protect the inferior gentry and common people in their property. Those justices were either prelates or considerable noblemen; who, besides carrying the authority of the king's commission, were able, by the dignity of their own character, to give weight and credit to the laws.

That there might be fewer obstacles to the execution of justice, the king was vigilant in demolishing all the new-erected castles of the nobility, in England as well as in his foreign dominions; and he permitted no for-

* Some Scotch historians pretend, that William paid, besides, 100,000 pounds of ransom, which is quite incredible. The ransom of Richard I., who, besides England, possessed so many rich territories in France, was only 150,0 0 marks, and yet was levied with great difficulty. Indeed, two-thirds of it only could be got before his deliverance.

tress to remain in the custody of those whom he found reason to suspect.

But, lest the kingdom should be weakened by this demolition of the fortresses, the king fixed an assize of arms, by which all his subjects were obliged to put themselves in a situation for defending themselves and the realm. Every man possessed of a knight's fee was ordained to have for each fee a coat-of-mail, a helmet, a shield, and a lance; every free layman possessed of goods to the value of sixteen marks was to be armed in like manner; every one that possessed ten marks was obliged to have an iron gorget, a cap of iron, and a lance; all burgesses were to have a cap of iron, a lance, and a wambais; that is, a coat quilted with wool, tow, or such like materials. It appears that archery, for which the English were afterwards so renowned, had not, at this time, become very common among them. The spear was the chief weapon employed in battle.

The clergy and the laity were, during that age, in a strange situation with regard to each other, and such as may seem totally incompatible with a civilized, and indeed with any species of government. If a clergyman were guilty of murder, he could be punished by degradation only; if he were murdered, the murderer was exposed to nothing but excommunication and ecclesiastical censures: and the crime was atoned for by penances and submission. Hence the assassins of Thomas à Becket himself, though guilty of the most atrocious wickedness, and the most repugnant to the sentiments of that age, lived securely in their own houses, without being called to account by Henry himself, who was so much concerned, both in honour and interest, to punish that crime, and who professed, or affected on all occasions, the most extreme abhorrence of it. It was not till they found their presence shunned by every one as excommunicated persons, that they were induced to take a journey to Rome, to throw themselves at the feet of the pontiff, and to submit to the penances imposed upon them: after which, they continued to possess, without molestation, their honours and fortunes, and seem even to have recovered the countenance and good opinion of the public. But as the king, by the Constitutions of Clarendon, which he endeavoured still to maintain, had subjected the clergy to a trial by the civil magistrate, it seemed but just to give them the protection of that power to which they owed obedience: it was enacted, that the murderers of clergymen should be tried before the justiciary, in the presence of the bishop or his official; and, besides the usual punishment for murder, should be subjected to a forfeiture of their estates, and a confiscation of their goods and chattels.

The king passed an equitable law, that the goods of a vassal should not be seized for the debt of his lord, unless the vassal be surety for the debt; and that the rents of vassals should be paid to the creditors of the lord, not to the lord himself. It is remarkable that this law was enacted by the king in a council which he held at Vernëuil, and which consisted of some prelates and barons of England, as well as some of Normandy, Poictou, Anjou, Maine, Touraine, and Britanny; and the statute took place in all these last-mentioned territories,* though totally unconnected with each other; a certain proof how irregular the ancient feudal government was, and how near the sovereigns, in some instances, approached to despotism, though in others they seemed scarcely to possess any authority. If a prince much dreaded and revered, like Henry, obtained but the appearance of general consent to an ordinance which was equitable and just, it became immediately an established law, and all his subjects acquiesced in it. If the prince was hated or despised; if the nobles who supported him had small influence; if the humours of the times disposed the people to question the justice of his ordinance; the fullest and most authentic assembly had no authority. Thus all was confusion and disorder; no regular idea of a constitution; force and violence decided everything.

The success which had attended Henry in his wars did not much encourage his neighbours to form any attempt against him; and his transactions with them, during several years, contain little memorable. Scotland remained in that state of feudal subjection to which he had reduced it, and gave him no further inquietude. He sent over his fourth son, John, into Ireland, with a view of making a more complete conquest of the island; but the petulance and incapacity of this prince, by which he enraged the Irish chieftains, obliged the king soon after to recal him. The king of France had fallen into an abject superstition; and was induced, by a devotion more sincere than that of Henry, to make a pilgrimage to the tomb of Becket, in order to obtain his intercession for the cure of Philip, his eldest son. He probably thought himself well entitled to the favour of that saint, on account of their ancient intimacy; and hoped that Becket, whom he had protected while on earth, would not now, when he was so highly exalted in heaven, forget his old friend and benefactor. The monks, sensible that their saint's honour was concerned in the case, failed not to publish that Louis's prayers were answered, and that the young prince was restored to health by Becket's intercession. That king himself was soon after struck with an apoplexy, which deprived him of his understanding: Philip, though a youth of fifteen, took on him the administration, till his father's death, which happened soon after, opened his way to the throne; and he proved the ablest and greatest monarch that had governed that kingdom since the age of Charlemagne. The superior years, however, and experience of Henry, while they moderated his ambition, gave him such an ascendant over this prince, that no dangerous rivalship, for a long time, arose between them. The English monarch, instead of taking advantage of his own situation, rather employed his good offices in composing the quarrels which arose in the royal family of France; and he was successful in mediating a reconciliation between Philip and his mother and uncles. These services were but ill requited by Philip, who, when he came to man's estate, fomented all the domestic discords in the royal family of England, and encouraged Henry's sons in their ungrateful and undutiful behaviour towards him.

1180. Prince Henry, equally impatient of obtaining power, and incapable of using it, renewed to the king the demand of his resigning Normandy; and on meeting with a refusal, he fled with his consort to the court of France; but not finding Philip at that time disposed to enter into war for his sake, he accepted of his father's offers of reconciliation, and made him submissions. It was a cruel circumstance in the king's fortune, that he could hope for no tranquillity from the criminal enterprises of his sons but by their mutual discord and animosities, which disturbed his family, and threw his state into convulsions. Richard, whom he had made master of Guienne, and who had displayed his valour and military genius by suppressing the revolts of his mutinous barons, refused to obey Henry's orders, in doing homage to his elder brother for that dutchy; and he defended himself against young Henry and Geoffrey, who, uniting their arms, carried war into his territories. The king, with some difficulty, composed this difference; but immediately found his eldest son engaged in conspiracies, and ready to take arms against himself. While the young prince was conducting these criminal intrigues, he was seized with a fever [1183] at Martel, a castle near Turenne, to which he had retired in discontent· and seeing the approaches of death, he was at last struck with remorse for his undutiful behaviour towards his father. He sent a message to the king, who was not far distant; expressed his contrition for his faults; and entreated the favour of a

* It was usual for the kings of England, after the conquest of Ireland, to summon barons of that country to the English parliaments. Maclaine's Continuation of Rapin's History of England, vol. i. p. 4—6.

Certain even doubts whether the law were not also extended to England. If it were not, it could only be because Henry did not choose it; for his authority was greater in that kingdom than in his transmarine dominions.

visit, that he might at least die with the satisfaction of having obtained his forgiveness. Henry, who had so often experienced the prince's ingratitude and violence, apprehended that his sickness was entirely feigned, and he durst not entrust himself into his son's hands: but when he soon after (11th of June) received intelligence of young Henry's death, and the proofs of his sincere repentance, this good prince was affected with the deepest sorrow; he thrice fainted away; he accused his own hard-heartedness in refusing the dying request of his son; and he lamented that he had deprived that prince of the last opportunity of making atonement for his offences, and of pouring out his soul in the bosom of his reconciled father. This prince died in the twenty-eighth year of his age.

The behaviour of his surviving children did not tend to give the king any consolation for the loss. As prince Henry had left no posterity, Richard was become heir to all his dominions; and the king intended that John, his fourth surviving son and favourite, should inherit Guienne as his appanage: but Richard refused his consent, fled into that dutchy, and even made preparations for carrying on war, as well against his father as against his brother Geoffrey, who was now put in possession of Britanny. Henry sent for Eleanor, his queen, the heiress of Guienne, and required Richard to deliver up to her the dominion of these territories; which that prince, either dreading an insurrection of the Gascons in her favour, or retaining some sense of duty towards her, readily performed; and he peaceably returned to his father's court. No sooner was this quarrel accommodated, than Geoffrey, the most vicious perhaps of all Henry's unhappy family, broke out into violence; demanded Anjou to be annexed to his dominions of Britanny; and on meeting with a refusal, fled to the court of France, and levied forces against his father. Henry was freed from this danger by his son's death, who was killed in a tournament at Paris. The widow of Geoffrey, soon after his decease, was delivered of a son, who received the name of Arthur, and was invested in the dutchy of Britanny, under the guardianship of his grandfather, who, as duke of Normandy, was also superior lord of that territory. Philip, as lord paramount, disputed some time his title to this wardship; but was obliged to yield to the inclinations of the Bretons, who preferred the government of Henry.

CRUSADES. 1185.

But the rivalship between these potent princes, and all their inferior interest, seemed now to have given place to the general passion for the relief of the Holy Land, and the expulsion of the Saracens. Those infidels, though obliged to yield to the immense inundation of Christians in the first crusade, had recovered courage after the torrent was past; and attacking on all quarters the settlements of the Europeans, had reduced these adventurers to great difficulties, and obliged them to apply again for succours from the West. A second crusade, under the emperor Conrade and Louis VII., king of France, in which there perished above 200,000 men, brought them but a temporary relief; and those princes, after losing such immense armies, and seeing the flower of their nobility fall by their side, returned with little honour into Europe. But these repeated misfortunes, which drained the western world of its people and treasure, were not yet sufficient to cure men of their passion for those spiritual adventures; and a new incident rekindled with fresh fury the zeal of the ecclesiastics and military adventurers among the Latin Christians. Saladin, a prince of great generosity, bravery, and conduct, having fixed himself on the throne of Egypt, began to extend his conquests over the East; and finding the settlement of the Christians in Palestine an invincible obstacle to the progress of his arms, he bent the whole force of his policy and valour to subdue that small and barren, but important territory. Taking advantage of dissensions which prevailed among the champions of the cross, and having secretly gained the count of Tripoli, who commanded their armies, he invaded the frontiers with a mighty power; and, aided by the treachery of that count, gained over them at Tiberaide a complete victory, [1187,] which utterly annihilated the force of the already languishing kingdom of Jerusalem. The holy city itself fell into his hands, after a feeble resistance; the kingdom of Antioch was almost entirely subdued; and, except some maritime towns, nothing considerable remained of those boasted conquests, which, near a century before, it had cost the efforts of all Europe to acquire.

The western Christians were astonished on receiving this dismal intelligence. Pope Urban III., it is pretended, died of grief; and his successor, Gregory VIII., employed the whole time of his short pontificate in rousing to arms all the Christians who acknowledged his authority. The general cry was, that they were unworthy of enjoying any inheritance in heaven, who did not vindicate from the dominion of the infidels the inheritance of God on earth, and deliver from slavery that country which had been consecrated by the footsteps of their Redeemer. William, archbishop of Tyre, having procured a conference between Henry and Philip near Gisors, (21st January, 1188,) enforced all these topics; gave a pathetic description of the miserable state of the Eastern Christians; and employed every argument to excite the ruling passions of the age, superstition, and jealousy of military honour. The two monarchs immediately took the cross; many of their most considerable vassals imitated the example; and as the emperor, Frederic I., entered into the same confederacy, some well-grounded hopes of success were entertained; and men flattered themselves, that an enterprise which had failed under the conduct of many independent leaders, or of imprudent princes, might at last, by the efforts of such potent and able monarchs, be brought to a happy issue.

The kings of France and England imposed a tax, amounting to the tenth of all moveable goods, on such as remained at home; but as they exempted from this burden most of the regular clergy, the secular aspired to the same immunity; pretended that their duty obliged them to assist the crusade with their prayers alone; and it was with some difficulty they were constrained to desist from an opposition, which in them, who had been the chief promoters of those pious enterprises, appeared with the worst grace imaginable. This backwardness of the clergy is perhaps a symptom, that the enthusiastic ardour which had at first seized the people for crusades, was now by time and ill success considerably abated; and that the frenzy was chiefly supported by the genius and love of glory in the monarchs.

REVOLT OF PRINCE RICHARD. 1189.

But before this great machine could be put in motion, there were still many obstacles to surmount. Philip, jealous of Henry's power, entered into a private confederacy with young Richard; and, working on his ambitious and impatient temper, persuaded him, instead of supporting and aggrandising that monarchy which he was one day to inherit, to seek present power and independence by disturbing and dismembering it. In order to give a pretence for hostilities between the two kings, Richard broke into the territories of Raymond, count of Toulouse, who immediately carried complaints of this violence before the king of France as his superior lord. Philip remonstrated with Henry; but received for answer, that Richard had confessed to the archbishop of Dublin that his enterprise against Raymond had been undertaken by the approbation of Philip himself, and was conducted by his authority. The king of France, who

might have been covered with shame and confusion by this detection, still prosecuted his design, and invaded the provinces of Berri and Auvergne, under colour of revenging the quarrel of the count of Toulouse. Henry retaliated by making inroads upon the frontiers of France, and burning Dreux. As this war, which destroyed all hopes of success in the projected crusade, gave great scandal, the two kings held a conference at the accustomed place between Gisors and Trie, in order to find means of accommodating their differences. They separated on worse terms than before: and Philip, to show his disgust, ordered a great elm, under which the conferences had usually been held, to be cut down; as if he had renounced all desire of accommodation, and was determined to carry the war to extremities against the king of England. But his own vassals refused to serve under him in so invidious a cause; and he was obliged to come anew to a conference with Henry, and to offer terms of peace. These terms were such as entirely opened the eyes of the king of England, and fully convinced him of the perfidy of his son, and his secret alliance with Philip, of which he had before only entertained some suspicion. The king of France required that Richard should be crowned king of England in the lifetime of his father, should be invested in all his transmarine dominions, and should immediately espouse Alice, Philip's sister, to whom he had formerly been affianced, and who had already been conducted into England. Henry had experienced such fatal effects, both from the crowning of his eldest son, and from that prince's alliance with the royal family of France, that he rejected these terms; and Richard, in consequence of his secret agreement with Philip, immediately revolted from him, did homage to the king of France for all the dominions which Henry held of that crown, and received the investitures as if he had already been the lawful possessor. Several historians assert, that Henry himself had become enamoured of young Alice, and mention this as an additional reason for his refusing these conditions: but he had so many other just and equitable motives for his conduct, that it is superfluous to asssign a cause, which the great prudence and advanced age of that monarch render somewhat improbable.

Cardinal Albano, the pope's legate, displeased with these increasing obstacles to the crusade, excommunicated Richard, as the chief spring of discord: but the sentence of excommunication, which, when it was properly prepared, and was zealously supported by the clergy, had often great influence in that age, proved entirely ineffectual in the present case. The chief barons of Poictou, Guienne, Normandy, and Anjou, being attached to the young prince, and finding that he had now received the investiture from their superior lord, declared for him, and made inroads into the territories of such as still adhered to the king. Henry, disquieted by the daily revolts of his mutinous subjects, and dreading still worse effects from their turbulent disposition, had again recourse to papal authority; and engaged the cardinal Anagni, who had succeeded Albano in the legateship, to threaten Philip with laying an interdict on all his dominions. But Philip, who was a prince of great vigour and capacity, despised the menace, and told Anagni, that it belonged not to the pope to interpose in the temporal disputes of princes, much less in those between him and his rebellious vassal. He even proceeded so far as to reproach him with partiality, and with receiving bribes from the king of England; while Richard, still more outrageous, offered to draw his sword against the legate, and was hindered by the interposition alone of the company, from committing violence upon him.

The king of England was now obliged to defend his dominions by arms, and to engage in a war with France, and with his eldest son, a prince of great valour, on such disadvantageous terms. Ferté-Bernard fell first into the hands of the enemy: Mans was next taken by assault; and Henry, who had thrown himself into that place, escaped with some difficulty: Amboise, Chaumont, and Chateau de Loire opened their gates on the appearance of Philip and Richard: Tours was menaced; and the king, who had retired to Saumur, and had daily instances of the cowardice or infidelity of his governors, expected the most dismal issue to all his enterprises. While he was in this state of despondency, the duke of Burgundy, the earl of Flanders, and the archbishop of Rheims, interposed with their good offices; and the intelligence which he received of the taking of Tours, and which made him fully sensible of the desperate situation of his affairs, so subdued his spirit that he submitted to all the rigorous terms which were imposed upon him. He agreed that Richard should marry the princess Alice; that that prince should receive the homage and oath of fealty of all his subjects both in England and his transmarine dominions; that he himself should pay twenty thousand marks to the king of France as a compensation for the charges of the war; that his own barons should engage to make him observe this treaty by force, and in case of his violating it, should promise to join Philip and Richard against him; and that all his vassals who had entered into confederacy with Richard, should receive an indemnity for the offence.

DEATH. *July 6th.*

But the mortification which Henry, who had been accustomed to give the law in most treaties, received from these disadvantageous terms, was the least that he met with on this occasion. When he demanded a list of those barons to whom he has bound to grant a pardon for their connexions with Richard, he was astonished to find at the head of them the name of his second son, John; who had always been his favourite, whose interests he had ever anxiously at heart, and who had even, on account of his ascendant over him, often excited the jealousy of Richard. The unhappy father, already overloaded with cares and sorrows, finding his last disappointment in his domestic tenderness, broke out into expressions of the utmost despair, cursed the day in which he received his miserable being, and bestowed on his ungrateful and undutiful children a malediction which he never could be prevailed on to retract. The more his heart was disposed to friendship and affection, the more he resented the barbarous return which his four sons had successively made to his parental care; and this finishing blow, by depriving him of every comfort in life, quite broke his spirit, and threw him into a lingering fever, of which he expired at the castle of Chinon near Saumer. His natural son Geoffrey, who alone had behaved dutifully towards him, attended his corpse to the nunnery of Fontervrault; where it lay in state in the abbey-church. Next day Richard, who came to visit the dead body of his father, and who, notwithstanding his criminal conduct, was not wholly destitute of generosity, was struck with horror and remorse at the sight; and as the attendants observed, that at that very instant, blood gushed from the mouth and nostrils of the corpse, he exclaimed, agreeably to a vulgar superstition, that he was his father's murderer; and he expressed a deep sense, though too late, of that undutiful behaviour which had brought his parent to an untimely grave.

CHARACTER OF HENRY.

Thus died, in the fifty-eighth year of his age, and thirty-fifth of his reign, the greatest prince of his time for wisdom, virtue, and abilities, and the most powerful in extent of dominion of all those that had ever filled the throne of England. His character, in private as well as in public life, is almost without a blemish; and he seems to have possessed every accomplishment, both of body and mind, which makes a man either

estimable or amiable. He was of a middle stature, strong and well proportioned; his countenance was lively and engaging; his conversation affable and entertaining; his elocution easy, persuasive, and ever at command. He loved peace, but possessed both bravery and conduct in war; was provident without timidity; severe in the execution of justice without rigour; and temperate without austerity. He preserved health, kept himself from corpulency, to which he was somewhat inclined, by an abstemious diet, and by frequent exercise, particularly hunting. When he could enjoy leisure, he recreated himself either in learned conversation or in reading; and he cultivated his natural talents by study, above any prince of his time. His affections, as well as his enmities, were warm and durable; and his long experience of the ingratitude and infidelity of men never destroyed the natural sensibility of his temper, which disposed him to friendship and society. His character has been transmitted to us by several writers who were his contemporaries; and it extremely resembles, in its most remarkable features, that of his maternal grandfather, Henry I., excepting only that ambition, which was a ruling passion in both, found not in the first Henry such unexceptionable means of exerting itself, and pushed that prince into measures which were both criminal in themselves, and were the cause of further crimes, from which his grandson's conduct was happily exempted.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN. 1189.

This prince, like most of his predecessors of the Norman line, except Stephen, passed more of his time on the continent than in this island: he was surrounded with the English gentry and nobility, when abroad: the French gentry and nobility attended him when he resided in England: both nations acted in the government as if they were the same people; and, on many occasions, the legislatures seem not to have been distinguished. As the king and all the English barons were of French extraction, the manners of that people acquired the ascendant, and were regarded as the models of imitation. All foreign improvements, therefore, such as they were, in literature and politeness, in laws and arts, seem now to have been, in a good measure, transplanted into England; and that kingdom was become little inferior in all the fashionable accomplishments to any of its neighbours on the continent. The more homely but more sensible manners and principles of the Saxons were exchanged for the affectations of chivalry and the subtilties of school philosophy: the feudal ideas of civil government, the Romish sentiments in religion, had taken entire possession of the people: by the former, the sense of submission towards princes was somewhat diminished in the barons; by the latter, the devoted attachment to papal authority was much augmented among the clergy. The Norman and other foreign families established in England, had now struck deep root; and being entirely incorporated with the people, whom at first they oppressed and despised, they no longer thought that they needed the protection of the crown for the enjoyment of their possessions, or considered their tenure as precarious. They aspired to the same liberty and independence which they saw enjoyed by their brethren on the continent, and desired to restrain those exorbitant prerogatives and arbitrary practices, which the necessities of war and the violence of conquest had at first obliged them to indulge in their monarch. That memory also of a more equal government under the Saxon princes, which remained with the English, diffused still further the spirit of liberty, and made the barons both desirous of more independence to themselves, and willing to indulge it to the people. And it was not long ere this secret revolution in the sentiments of men produced, first violent convulsions in the state, then an evident alteration in the maxims of government.

The history of all the preceding kings of England since the conquest gives evident proofs of the disorders attending the feudal institutions; the licentiousness of the barons, their spirit of rebellion against the prince and laws, and of animosity against each other: the conduct of the barons in the transmarine dominions of those monarchs, afforded perhaps still more flagrant instances of these convulsions; and the history of France, during several ages, consists almost entirely of narrations of this nature. The cities, during the continuance of this violent government, could neither be very numerous nor populous; and there occur instances which seem to evince, that, though these are always the first seat of law and liberty, their police was in general loose and irregular, and exposed to the same disorders with those by which the country was generally infested. It was a custom in London for great numbers, to the amount of a hundred or more, the sons and relations of considerable citizens, to form themselves into a licentious confederacy, to break into rich houses and plunder them, to rob and murder the passengers, and to commit with impunity all sorts of disorder. By these crimes, it had become so dangerous to walk the streets by night, that the citizens durst no more venture abroad after sun-set, than if they had been exposed to the incursions of a public enemy. The brother of the earl of Ferrars had been murdered by some of those nocturnal rioters; and the death of so eminent a person, which was much more regarded than that of many thousands of an inferior station, so provoked the king that he swore vengeance against the criminals, and became thenceforth more rigorous in the execution of the laws.

There is another instance given by historians, which proves to what a height such riots had proceeded, and how open these criminals were in committing their robberies. A band of them had attacked the house of a rich citizen, with an intention of plundering it; had broken through a stone-wall with hammers and wedges; and had already entered the house sword in hand; when the citizen, armed cap-a-pee, and supported by his faithful servants, appeared in the passage to oppose them: he cut off the right hand of the first robber that entered; and made such resistance, that his neighbours had leisure to assemble, and come to his relief. The man who lost his hand was taken, and was tempted by the promise of pardon to reveal his confederates; among whom was one John Senex, esteemed among the richest and best-born citizens in London. He was convicted by the ordeal; and though he offered five hundred marks for his life, the king refused the money, and ordered him to be hanged. It appears from a statute of Edward I. that these disorders were not remedied even in that reign. It was then made penal to go out at night after the hour of the curfew, to carry a weapon, or to walk without a light or lantern. It is said in the preamble to this law, that, both by night and by day, there were continual frays in the streets of London.

Henry's care in administering justice had gained him so great a reputation, that even foreign and distant princes made him arbiter, and submitted their differences to his judgment. Sanchez, king of Navarre, having some controversies with Alfonso, king of Castile, was contented, though Alfonso had married the daughter of Henry, to choose this prince for a referee; and they agreed each of them to consign three castles into neutral hands, as a pledge of their not departing from his award. Henry made the cause be examined before his great council, and gave a sentence, which was submitted to by both parties. These two Spanish kings sent each a stout champion to the court of England, in order to defend his cause by arms, in case the way of duel had been chosen by Henry.

Henry so far abolished the barbarous and absurd practice of confiscating ships which had been wrecked

on the coast, that he ordained, if one man or animal were alive in the ship, that the vessel and goods should be restored to the owners.

The reign of Henry was remarkable also for an innovation which was afterwards carried further by his successors, and was attended with the most important consequences. This prince was disgusted with the species of military force which was established by the feudal institutions, and which, though it was extremely burdensome to the subject, yet rendered very little service to the sovereign. The barons, or military tenants, came late into the field; they were obliged to serve only forty days; they were unskilful and disorderly in all their operations; and they were apt to carry into the camp the same refractory and independent spirit to which they were accustomed in their civil government. Henry, therefore, introduced the practice of making a commutation of their military service for money: and he levied scutages from his baronies and knights' fees, instead of requiring the personal attendance of his vassals. There is mention made, in the history of the exchequer, of these scutages in his second, fifth, and eighteenth year; and other writers give us an account of three more of them. When the prince had thus obtained money, he made a contract with some of those adventurers in which Europe at that time abounded; they found him soldiers of the same character with themselves, who were bound to serve for a stipulated time: the armies were less numerous, but more useful, than when composed of all the military vassals of the crown: the feudal institutions begin to relax; the kings became rapacious for money, on which all their power depended: the barons, seeing no end of exactions, sought to defend their property: and as the same causes had nearly the same effects in the different countries of Europe, the several crowns either lost or acquired authority, according to their different success in the contest.

This prince was also the first that levied a tax on the moveables or personal estates of his subjects, nobles as well as commons. Their zeal for the holy wars made them submit to this innovation; and a precedent being once obtained, this taxation became, in following reigns, the usual method of supplying the necessities of the crown. The tax of Danegelt, so generally odious to the nation, was remitted in this reign.

It was a usual practice of the kings of England to repeat the ceremony of their coronation thrice every year, on assembling the states at the three great festivals. Henry, after the first years of his reign, never renewed this ceremony, which was found to be very expensive and very useless. None of his successors revived it. It is considered as a great act of grace in this prince, that he mitigated the rigour of the forest laws, and punished any transgressions of them, not capitally, but by fines, imprisonments, and other more moderate penalties.

Since we are here collecting some detached incidents, which show the genius of the age, and which could not so well enter into the body of our history, it may not be improper to mention the quarrel between Roger, archbishop of York, and Richard, archbishop of Canterbury. We may judge of the violence of military men and laymen, when ecclesiastics could proceed to such extremities. Cardinal Haguezun being sent, in 1176, as legate into Britain, summoned an assembly of the clergy at London; and as both the archbishops pretended to sit on his right hand, this question of precedency begat a controversy between them. The monks and retainers of archbishop Richard fell upon Roger, in the presence of the cardinal and of the synod, threw him to the ground, trampled him under foot, and so bruised him with blows, that he was taken up half dead, and his life was with difficulty saved from their violence. The archbishop of Canterbury was obliged to pay a large sum of money to the legate, in order to suppress all complaints with regard to this enormity.

We are told by Gyraldus Cambrensis, that the monks and prior of St. Swithun threw themselves one day prostrate on the ground, and in the mire, before Henry, complaining, with many tears and much doleful lamentation, that the bishop of Winchester, who was also their abbot, had cut off three dishes from their table. "How many has he left you?" said the king. "Ten only," replied the disconsolate monks. "I myself," exclaimed the king, "never have more than three; and I enjoin your bishop to reduce you to the same number."

The king left only two legitimate sons, Richard, who succeeded him, and John, who inherited no territory, though his father had often intended to leave him a part of his extensive dominions. He was thence commonly denominated *Lackland*. Henry left three legitimate daughters: Maud, born in 1156, and married to Henry, duke of Saxony; Eleanor, born in 1162, and married to Alphonso, king of Castile; Joan, born in 1165, and married to William, king of Sicily.

Henry is said by ancient historians to have been of a very amorous disposition: they mention two of his natural sons by Rosamond, daughter of lord Clifford; namely, Richard Longespée, or Longsword, (so called from the sword he usually wore,) who was afterwards married to Ela, the daughter and heir of the earl of Salisbury; and Geoffrey, first bishop of Lincoln, then archbishop of York. All the other circumstances of the story commonly told of that lady seem to be fabulous.

CHAPTER X.

RICHARD I.

The King's Preparations for the Crusade — Scheme of the Crusade — Transactions in Sicily — His Arrival in Palestine — State of Palestine — Disorders in England — The King's Warlike Actions in Palestine — His Return from Palestine — Captivity in Germany — War with France — The King's Delivery — Return to England — War with France — Death and Character of the King — Miscellaneous Transactions of this Reign.

THE compunction of Richard for his undutiful behaviour towards his father was durable, and influenced him in the choice of his ministers and servants after his accession. Those who had seconded and favoured his rebellion, instead of meeting with that trust and honour which they expected, were surprised to find that they lay under disgrace with the new king, and were on all occasions hated and despised by him. The faithful ministers of Henry, who had vigorously opposed all the enterprises of his sons, were received with open arms, and were continued in those offices which they had honourably discharged to their former master. This prudent conduct might be the result of reflection: but in a prince like Richard, so much guided by passion, and so little by policy, it was commonly ascribed to a principle still more virtuous and more honourable.

Richard, that he might make atonement to one parent for his breach of duty to the other, immediately sent orders for releasing the queen-dowager from the confinement in which she had long been detained; and he entrusted her with the government of England till his arrival in that kingdom. His bounty to his brother John was rather profuse and imprudent. Besides bestowing on him the county of Mortaigne in Normandy, granting him a pension of four thousand marks a year, and marrying him to Avisa, the daughter of the earl of Gloucester, by whom he inherited all the possessions of that opulent family, he increased his appanage, which the late king had destined him, by other extensive grants and concessions. He conferred on him the whole estate of William Peverell, which had escheated to the crown: he put him in possession

of eight castles, with all the forests and honours annexed to them: he delivered over to him no less than six earldoms, Cornwall, Devon, Somerset, Nottingham, Dorset, Lancaster, and Derby: and endeavouring by favours to fix that vicious prince in his duty, he put it too much in his power, whenever he pleased, to depart from it.

THE KING'S PREPARATION FOR THE CRUSADE. 1189.

The king, impelled more by the love of military glory than by superstition, acted, from the beginning of his reign, as if the sole purpose of his government had been the relief of the Holy Land, and the recovery of Jerusalem from the Saracens. This zeal against infidels being communicated to his subjects, broke out in London on the day of his coronation, and made them find a crusade less dangerous, and attained with more immediate profit. The prejudices of the age had made the lending of money on interest pass by the invidious name of usury: yet the necessity of the practice had still continued it, and the greater part of that kind of dealing fell everywhere into the hands of the Jews; who, being already infamous on account of their religion, had no honour to lose, and were apt to exercise a profession, odious in itself, by every kind of rigour, and even sometimes by rapine and extortion. The industry and frugality of this people had put them in possession of all the ready money, which the idleness and profusion common to the English with other European nations enabled them to lend at exorbitant and unequal interest. The monkish writers represent it as a great stain on the wise and equitable government of Henry, that he had carefully protected this infidel race from all injuries and insults; but the zeal of Richard afforded the populace a pretence for venting their animosity against them. The king had issued an edict, prohibiting their appearance at his coronation; but some of them, bringing him large presents from their nation, presumed, in confidence of that merit, to approach the hall in which he dined: being discovered, they were exposed to the insults of the bystanders; they took to flight; the people pursued them; the rumour was spread, that the king had issued orders to massacre all the Jews; a command so agreeable was executed in an instant on such as fell into the hands of the populace. Those who had kept at home were exposed to equal danger: the people, moved by rapacity and zeal, broke into their houses, which they plundered, after having murdered the owners; where the Jews barricaded their doors and defended themselves with vigour, the rabble set fire to the houses, and made way through the flames to exercise their pillage and violence; the usual licentiousness of London, which the sovereign power with difficulty restrained, broke out with fury, and continued these outrages; the houses of the richest citizens, though Christians, were next attacked and plundered; and weariness and satiety at last put an end to the disorder. Yet, when the king empowered Glanville, the justiciary, to inquire into the authors of these crimes, the guilt was found to involve so many of the most considerable citizens, that it was deemed more prudent to drop the prosecution; and very few suffered the punishment due to this enormity. But the disorder stopped not at London. The inhabitants of the other cities of England, hearing of this slaughter of the Jews, imitated the example: in York, five hundred of that nation, who had retired into the castle for safety, and found themselves unable to defend the place, murdered their own wives and children, threw the dead bodies over the walls upon the populace, and then setting fire to the houses, perished in the flames. The gentry of the neighbourhood, who were all indebted to the Jews, ran to the cathedral, where their bonds were kept, and made a solemn bonfire of the papers before the altar. The compiler of the Annals of Waverley, in relating these events, blesses the Almighty for thus delivering over this impious race to destruction.

The ancient situation of England, when the people possessed little riches and the public no credit, made it impossible for sovereigns to bear the expense of a steady or durable war even on their frontiers; much less could they find regular means for the support of distant expeditions like those into Palestine, which were more the result of popular frenzy than of sober reason or deliberate policy. Richard, therefore, knew that he must carry with him all the treasure necessary for his enterprise; and that both the remoteness of his own country and its poverty made it unable to furnish him with those continued supplies which the exigencies of so perilous a war must necessarily require. His father had left him a treasure of above a hundred thousand marks; and the king, negligent of every consideration but his present object, endeavoured to augment this sum by all expedients, how pernicious soever to the public, or dangerous to royal authority. He put to sale the revenues and manors of the crown; the offices of greatest trust and power, even those of forester and sheriff, which anciently were so important,* became venal; the dignity of chief justiciary, in whose hands was lodged the whole execution of the laws, was sold to Hugh de Puzas, bishop of Durham, for a thousand marks; the same prelate bought the earldom of Northumberland for life; many of the champions of the cross, who had repented of their vow, purchased the liberty of violating it; and Richard, who stood less in need of men than of money, dispensed, on these conditions, with their attendance. Elated with the hopes of fame, which in that age attended no wars but those against the infidels, he was blind to every other consideration; and when some of his wiser ministers objected to this dissipation of the revenue and power of the crown, he replied, that he would sell London itself, could he find a purchaser. Nothing indeed could be a stronger proof how negligent he was of all future interests in comparison of the crusade, than his selling, for so small a sum as 10,000 marks, the vassalage of Scotland, together with the fortresses of Roxburgh and Berwick, the greatest acquisition that had been made by his father during the course of his victorious reign; and his accepting the homage of William in the usual terms, merely for the territories which that prince held in England. The English, of all ranks and stations, were oppressed by numerous exactions: menaces were employed, both against the innocent and the guilty, in order to extort money from them: and where a pretence was wanting against the rich, the king obliged them, by the fear of his displeasure, to lend him sums which, he knew, it would never be in his power to repay.

But Richard, though he sacrificed every interest and consideration to the success of this pious enterprise, carried so little the appearance of sanctity in his conduct, that Fulk, curate of Neuilly, a zealous preacher of the crusade, who from that merit had acquired the privilege of speaking the boldest truths, advised him to rid himself of his notorious vices, particularly his pride, avarice, and voluptuousness, which he called the king's three favourite daughters. *You counsel well,* replied Richard; *and I hereby dispose of the first to the Templars, of the second to the Benedictines, and of the third to my prelates.*

Richard, jealous of attempts which might be made on England during his absence, laid prince John, as well as his natural brother Geoffrey, archbishop of York, under engagements, confirmed by their oaths, that neither of them should enter the kingdom till his return; though he thought proper, before his departure, to withdraw this prohibition. The administration was left in the hands of Hugh, bishop of Durham, and of Longchamp, bishop of Ely, whom he appointed

* The sheriff had anciently both the administration of justice and the management of the king's revenue committed to him in the county. See HALE, "of Sheriff's Account."

justiciaries and guardians of the realm. The latter was a Frenchman of mean birth, and of a violent character; who by art and address had insinuated himself into favour, whom Richard had created chancellor, and whom he had engaged the pope also to invest with the legantine authority, that, by centring every kind of power in his person, he might the better ensure the public tranquillity. All the military and turbulent spirits flocked about the person of the king, and were impatient to distinguish themselves against the infidels in Asia; whither his inclinations, his engagements led him, and whither he was impelled by messages from the king of France, ready to embark in this enterprise.

The emperor Frederic, a prince of great spirit and conduct, had already taken the road to Palestine at the head of 150,000 men, collected from Germany and all the northern states. Having surmounted every obstacle thrown in his way by the artifices of the Greeks and the power of the infidels, he had penetrated to the borders of Syria; when bathing in the cold river Cydnus during the greatest heat of the summer season, he was seized with a mortal distemper, which put an end to his life and his rash enterprise. His army, under the command of his son Conrade, reached Palestine; but was so diminished by fatigue, famine, maladies, and the sword, that it scarcely amounted to eight thousand men; and was unable to make any progress against the great power, valour, and conduct of Saladin. These reiterated calamities attending the crusades had taught the kings of France and England the necessity of trying another road to the Holy Land; and they determined to conduct their armies thither by sea, to carry provisions along with them, and, by means of their naval power, to maintain an open communication with their own states and with the western parts of Europe. The place of rendezvous was appointed [June 29, 1190] in the plains of Vezelay on the borders of Burgundy: Philip and Richard, on their arrival there, found their combined army amount to 100,000 men; a mighty force, animated with glory and religion, conducted by two warlike monarchs, provided with everything which their several dominions could supply, and not to be overcome but by their own misconduct, or by the unsurmountable obstacles of nature.

THE KING SETS OUT ON THE CRUSADE.

The French prince and the English here reiterated their promises of cordial friendship, pledged their faith not to invade each other's dominions during the crusade, mutually exchanged the oaths of all their barons and prelates to the same effect, and subjected themselves to the penalty of interdicts and excommunications, if they should ever violate this public and solemn engagement. They then separated; Philip took the road to Genoa, Richard that to Marseilles, with a view of meeting their fleets, which were severally appointed to rendezvous in these harbours. They put to sea; and, nearly about the same time, (14th September,) were obliged by stress of weather, to take shelter in Messina, where they were detained during the whole winter. This incident laid the foundation of animosities which proved fatal to their enterprise.

Richard and Philip were, by the situation and extent of their dominions, rivals in power; by their age and inclinations, competitors for glory; and these causes of emulation which, had the princes been employed in the field against the common enemy, might have stimulated them to martial enterprises, soon excited, during the present leisure and repose, quarrels between monarchs of such a fiery character. Equally haughty, ambitious, intrepid, and inflexible, they were irritated with the least appearance of injury, and were incapable, by mutual condescensions, to efface those causes of complaint which unavoidably arose between them. Richard, candid, sincere, undesigning, impolitic, violent, laid himself open on every occasion to the designs of his antagonist; who, provident, interested, intriguing, failed not to take all advantages against him: and thus, both the circumstances of their disposition in which they were similar, and those in which they differed, rendered it impossible for them to persevere in that harmony which was so necessary to the success of their undertaking.

TRANSACTIONS IN SICILY. 1190.

The last king of Sicily and Naples was William II., who had married Joan, sister to Richard, and who, dying without issue, had bequeathed his dominions to his paternal aunt, Constantia, the only legitimate descendant surviving of Roger, the first sovereign of those states who had been honoured with the royal title. This princess had, in expectation of that rich inheritance, been married to Henry VI., the reigning emperor; but Tancred, her natural brother, had fixed such an interest among the barons, that, taking advantage of Henry's absence, he had acquired possession of the throne, and maintained his claim, by force of arms, against all the efforts of the Germans. The approach of the crusaders naturally gave him apprehensions for his unstable government; and he was uncertain whether he had most reason to dread the presence of the French or of the English monarch. Philip was engaged in a strict alliance with the emperor, his competitor; Richard was disgusted by his rigours towards the queen-dowager, whom the Sicilian prince had confined in Palermo, because she had opposed with all her interest his succession to the crown. Tancred, therefore, sensible of the present necessity, resolved to pay court to both these formidable princes; and he was not unsuccessful in his endeavours. He persuaded Philip that it was highly improper for him to interrupt his enterprise against the infidels by any attempt against a Christian state: he restored queen Joan to her liberty; and even found means to make an alliance with Richard, who stipulated by treaty to marry his nephew, Arthur, the young duke of Britanny, to one of the daughters of Tancred. But before these terms of friendship were settled, Richard, jealous both of Tancred and of the inhabitants of Messina, had taken up his quarters in the suburbs, and had possessed himself of a small fort, which commanded the harbour; and he kept himself extremely on his guard against their enterprises. The citizens took umbrage. Mutual insults and attacks passed between them and the English. Philip, who had quartered his troops in the town, (3rd October,) endeavoured to accommodate the quarrel, and held a conference with Richard for that purpose. While the two kings, meeting in the open fields, (4th October,) were engaged in discourse on this subject, a body of those Sicilians seemed to be drawing towards them; and Richard pushed forwards, in order to inquire into the reason of this extraordinary movement. The English, insolent from their power, and inflamed with former animosities, wanted but a pretence for attacking the Messinese: they soon chased them off the field, drove them into the town, and entered with them at the gates. The king employed his authority to restrain them from pillaging and massacring the defenceless inhabitants; but he gave orders in token of his victory, that the standard of England should be erected on the walls. Philip, who considered that place as his quarters, exclaimed against the insult, and ordered some of his troops to pull down the standard: but Richard informed him by a messenger, that, though he himself would willingly remove that ground of offence, he would not permit it to be done by others; and if the French king attempted such an insult upon him, he should not succeed but by the utmost effusion of blood. Philip, content with this species of haughty submission, recalled his orders: the difference was seemingly accommodated; but still left the re-

mains of rancour and jealousy in the breasts of the two monarchs. Tancred, who, for his own security, desired to inflame their mutual hatred, employed an artifice which might have been attended with consequences still more fatal. He showed Richard a letter, signed by the French king, and delivered to him, as he pretended, by the duke of Burgundy, in which that monarch desired Tancred to fall upon the quarters of the English, and promised to assist him in putting them to the sword, as common enemies. The unwary Richard gave credit to the information; but was too candid not to betray his discontent to Philip, who absolutely denied the letter, and charged the Sicilian prince with forgery and falsehood. Richard either was, or pretended to be, entirely satisfied.

Lest these jealousies and complaints should multiply between them, it was proposed that they should, by a solemn treaty, obviate all future differences, and adjust every point that could possibly hereafter become a controversy between them. But this expedient started a new dispute, which might have proved more dangerous than any of the foregoing, and which deeply concerned the honour of Philip's family. When Richard, in every treaty with the late king, insisted so strenuously on being allowed to marry Alice of France, he had only sought a pretence for quarrelling; and never meant to take to his bed a princess suspected of a criminal amour with his own father. After he became master, he no longer spoke of that alliance: he even took measures for espousing Berengaria, daughter of Sanchez, king of Navarre, with whom he had become enamoured during his abode in Guienne; Queen Eleanor was daily expected with that princess at Messina: and when Philip renewed to him his applications for espousing his sister Alice, Richard was obliged to give him an absolute refusal. It is pretended by Hoveden, and other historians, that he was able to produce such convincing proofs of Alice's infidelity, and even of her having borne a child to Henry, that her brother desisted from his applications, and chose to wrap up the dishonour of his family in silence and oblivion. It is certain, from the treaty itself, which remains, that, whatever were his motives, he permitted Richard to give his hand to Berengaria; and having settled all other controversies with that prince, he immediately set sail for the Holy Land. Richard awaited some time the arrival of his mother and bride; and when they joined him, he separated his fleet into two squadrons, and set forward on his enterprise. Queen Eleanor returned to England; but Berengaria, and the queen dowager of Sicily, his sister, attended him on the expedition.

The English fleet, on leaving the port of Messina, met with a furious tempest; and the squadron on which the two princesses were embarked, was driven on the coast of Cyprus, (12th April,) and some of the vessels were wrecked near Limisso, in that island. Isaac, prince of Cyprus, who assumed the magnificent title of emperor, pillaged the ships that were stranded, threw the seamen and passengers into prison, and even refused to the princesses liberty, in their dangerous situation, of entering the harbour of Limisso. But Richard, who arrived soon after, took ample vengeance on him for the injury. He disembarked his troops; defeated the tyrant, who opposed his landing; entered Limisso by storm; gained next day a second victory; obliged Isaac to surrender at discretion; and established governors over the island. The Greek prince, being thrown into prison and loaded with irons, complained of the little regard with which he was treated: upon which Richard ordered silver fetters to be made for him; and this emperor, pleased with the distinction, expressed a sense of the generosity of his conqueror. The king here espoused Berengaria, (12th of May,) who, immediately embarking, carried along with her to Palestine the daughter of the Cypriot prince; a dangerous rival, who was believed to have seduced the affections of her husband. Such were the libertine character and conduct of the heroes engaged in this pious enterprise!

THE KING'S ARRIVAL IN PALESTINE.

The English army arrived in time to partake in the glory of the siege of Acre, or Ptolemais, which had been attacked for above two years by the united force of all the Christians in Palestine, and had been defended by the utmost efforts of Saladin and the Saracens. The remains of the German army, conducted by the emperor Frederic, and the separate bodies of adventurers who continually poured in from the West, had enabled the king of Jerusalem to form this important enterprise: but Saladin, having thrown a strong garrison into the place, under the command of Caracos, his own master in the art of war, and molesting the besiegers with continual attacks and sallies, had protracted the success of the enterprise, and wasted the force of his enemies. The arrival of Philip and Richard inspired new life into the Christians; and these princes, acting by concert, and sharing the honour and danger of every action, gave hopes of a final victory over the infidels. They agreed on this plan of operations—when the French monarch attacked the town, the English guarded the trenches: next day, when the English prince conducted the assault, the French succeeded him in providing for the safety of the assailants. The emulation between those rival kings and rival nations produced extraordinary acts of valour: Richard in particular, animated with a more precipitate courage than Philip, and more agreeable to the romantic spirit of that age, drew to himself the general attention, and acquired a great and splendid reputation. But this harmony was of short duration; and occasions of discord soon arose between these jealous and haughty princes.

STATE OF PALESTINE.

The family of Bouillon, which had first been placed on the throne of Jerusalem, ending in a female, Fulk, count of Anjou, grandfather to Henry II. of England, married the heiress of that kingdom, and transmitted his title to the younger branches of his family. The Anjevin race ending also in a female, Guy de Lusignan, by espousing Sibylla, the heiress, had succeeded to the title; and though he lost his kingdom by the invasion of Saladin, he was still acknowledged by all the Christians for king of Jerusalem. But as Sibylla died without issue during the siege of Acre, Isabella, her younger sister, put in her claim to that titular kingdom, and required Lusignan to resign his pretensions to her husband, Conrade, marquis of Montferrat. Lusignan, maintaining that the royal title was unalienable and indefeisible, had recourse to the protection of Richard, attended on him before he left Cyprus, and engaged him to embrace his cause. There needed no other reason for throwing Philip into the party of Conrade; and the opposite views of these great monarchs brought faction and dissension into the Christian army, and retarded all its operations. The Templars, the Genoese, and the Germans declared for Philip and Conrade: the Flemings, the Pisans, the knights of the hospital of St. John adhered to Richard and Lusignan. But notwithstanding these disputes, as the length of the siege had reduced the Saracen garrison to the last extremity, they surrendered themselves prisoners; (12th July;) stipulated, in return for their lives, other advantages to the Christians, such as the restoring of the Christian prisoners, and the delivery of the wood of the true cross;* and this great enterprise, which had long engaged the attention of all Europe and Asia, was at last, after the loss of 300,000 men, brought to a happy period.

* This true cross was lost in the battle of Tiberiade, to which it had been carried by the crusaders for their protection. Rigord, an author of that age says, that after this dismal event, all the children who were born throughout all Christendom had only twenty or twenty-two teeth, instead of thirty-two, or thirty-two, which was their former complement. P. 14.

But Philip, instead of pursuing the hopes of further conquest, and of redeeming the holy city from slavery, being disgusted with the ascendant assumed and acquired by Richard, and having views of many advantages which he might reap by his presence in Europe, declared his resolution of returning to France; and he pleaded his bad state of health as an excuse for his desertion of the common cause. He left, however, to Richard, ten thousand of his troops, under the command of the duke of Burgundy; and he renewed his oath never to commence hostilities against that prince's dominions during his absence. But he had no sooner reached Italy than he applied, it is pretended, to pope Celestine III. for a dispensation from this vow; and when denied that request, he still proceeded, though after a covert manner, in a project which the present situation of England rendered inviting, and which gratified, in an eminent degree, both his resentment and his ambition.

DISORDERS IN ENGLAND. 1191.

Immediately after Richard had left England, and begun his march to the Holy Land, the two prelates, whom he had appointed guardians of the realm, broke out into animosities against each other, and threw the kingdom into combustion. Longchamp, presumptuous in his nature, elated by the favour which he enjoyed with his master, and armed with the legantine commission, could not submit to an equality with the bishop of Durham: he even went so far as to arrest his colleague, and to extort from him a resignation of the earldom of Northumberland, and of his other dignities, as the price of his liberty. The king, informed of these dissensions, ordered, by letters from Marseilles, that the bishop should be reinstated in his offices; but Longchamp had still the boldness to refuse compliance, on pretence that he himself was better acquainted with the king's secret intentions. He proceeded to govern the kingdom by his sole authority; to treat all the nobility with arrogance; and to display his power and riches with an invidious ostentation. He never travelled without a strong guard of fifteen hundred foreign soldiers, collected from that licentious tribe with which the age was generally infested: nobles and knights were proud of being admitted into his train: his retinue wore the aspect of royal magnificence; and when, in his progress through the kingdom, he lodged in any monastery, his attendants, it is said, were sufficient to devour, in one night, the revenue of several years. The king, who was detained in Europe longer than the haughty prelate expected, hearing of this ostentation, which exceeded even what the habits of that age indulged in ecclesiastics, being also informed of the insolent, tyrannical conduct of his minister, thought proper to restrain his power: he sent new orders, appointing Walter, archbishop of Roüen, William Mareshal, earl of Strigul, Geoffrey Fitz-Peter, William Briwere, and Hugh Bardolf, counsellors to Longchamp, and commanding him to take no measure of importance without their concurrence and approbation. But such general terror had this man impressed by his violent conduct, that even the archbishop of Roüen and the earl of Strigul durst not produce this mandate of the king's; and Longchamp still maintained an uncontrolled authority over the nation. But when he proceeded so far as to throw into prison Geoffrey, archbishop of York, who had opposed his measures, this breach of ecclesiastical privileges excited such an universal ferment, that prince John, disgusted with the small share he possessed in the government, and personally disobliged by Longchamp, ventured to summon, at Reading, a general council of the nobility and prelates, and cite him to appear before them. Longchamp thought it dangerous to entrust his person in their hands, and he shut himself up in the Tower of London; but being soon obliged to surrender that fortress, he fled beyond sea, concealed under a female habit, and was deprived of his offices of chancellor and chief justiciary; the last of which was conferred on the archbishop of Roüen, a prelate of prudence and moderation. The commission of legate, however, which had been renewed to Longchamp by pope Celestine, still gave him, notwithstanding his absence, great authority in the kingdom, enabled him to disturb the government, and forwarded the views of Philip, who watched every opportunity of annoying Richard's dominions. That monarch first attempted [1192] to carry open war into Normandy; but as the French nobility refused to follow him in an invasion of a state which they had sworn to protect, and as the pope, who was the general guardian of all princes that had taken the cross, threatened him with ecclesiastical censures, he desisted from his enterprise, and employed against England the expedient of secret policy and intrigue. He debauched prince John from his allegiance; promised him his sister Alice in marriage; offered to give him possession of all Richard's transmarine dominions; and had not the authority of queen Eleanor, and the menaces of the English council, prevailed over the inclinations of that turbulent prince, he was ready to have crossed the seas, and to have put in execution his criminal enterprises.

THE KING'S HEROIC ACTIONS IN PALESTINE. 1192.

The jealousy of Philip was every moment excited by the glory which the great actions of Richard were gaining him in the East, and which, being compared to his own desertion of that popular cause, threw a double lustre on his rival. His envy, therefore, prompted him to obscure that fame which he had not equalled; and he embraced every pretence of throwing the most violent and most improbable calumnies on the king of England. There was a petty prince in Asia, commonly called *The old man of the mountain*, who had acquired such an ascendant over his fanatical subjects, that they paid the most implicit deference to his commands; esteemed assassination meritorious, when sanctified by his mandate; courted danger, and even certain death, in the execution of his orders; and fancied, that when they sacrificed their lives for his sake, the highest joys of paradise were the infallible reward of their devoted obedience. It was the custom of this prince, when he imagined himself injured, to dispatch secretly some of his subjects against the aggressor, to charge them with the execution of his revenge, to instruct them in every art of disguising their purpose; and no precaution was sufficient to guard any man, however powerful, against the attempts of those subtle and determined ruffians. The greatest monarch stood in awe of this prince of the Assassins, (for that was the name of this people; whence the word has passed into most European languages,) and it was the highest indiscretion in Conrade, marquis of Montferrat, to offend and affront him. The inhabitants of Tyre, who were governed by that nobleman, had put to death some of this dangerous people; the prince demanded satisfaction; for, as he piqued himself on never beginning any offence, he had his regular and established formalities in requiring atonement: Conrade treated his messengers with disdain: the prince issued the fatal orders: two of his subjects, who had insinuated themselves in disguise among Conrade's guards, openly, in the streets of Sidon, wounded him mortally; and when they were seized and put to the most cruel tortures, they triumphed amidst their agonies, and rejoiced that they had been destined by Heaven to suffer in so just and meritorious a cause.

Every one in Palestine knew from what hand the blow came, Richard was entirely free from suspicion. Though that monarch had formerly maintained the cause of Lusignan against Conrade, he had become sensible of the bad effects attending those dissensions, and had voluntarily conferred on the former the kingdom of Cyprus, on condition that he should resign to his rival all pretensions to the crown of Jerusalem.

Conrade himself, with his dying breath, had recommended his widow to the protection of Richard; the prince of the Assassins avowed the action in a formal narrative which he sent to Europe; yet on this foundation the king of France thought fit to build the most egregious calumnies, and to impute to Richard the murder of the marquis of Montferrat, whose elevation he had once openly opposed. He filled all Europe with exclamations against the crime; appointed a guard for his own person, in order to defend himself against a like attempt; and endeavoured, by these shallow artifices, to cover the infamy of attacking the dominions of a prince whom he himself had deserted, and who was engaged with so much glory in a war universally acknowledged to be the common cause of Christendom.

But Richard's heroic actions in Palestine were the best apology for his conduct. The Christian adventurers under his command determined, on opening the campaign, to attempt the siege of Ascalon, in order to prepare the way for that of Jerusalem; and they marched along the sea-coast with that intention. Saladine purposed to intercept their passage; and he placed himself on the road with an army amounting to 300,000 combatants. On this occasion was fought one of the greatest battles of that age; and the most celebrated for the military genius of the commanders, for the number and valour of the troops, and for the great variety of events which attended it. Both the right wing of the Christians, commanded by d'Avesnes: and the left, conducted by the duke of Burgundy, were, in the beginning of the day, broken and defeated; when Richard, who led on the main body, restored the battle; attacked the enemy with intrepidity and presence of mind; performed the part both of a consummate general and gallant soldier; and not only gave his two wings leisure to recover from their confusion, but obtained a complete victory over the Saracens, of whom forty thousand are said to have perished in the field. Ascalon soon after fell into the hands of the Christians: other sieges were carried on with equal success: Richard was even able to advance within sight of Jerusalem, the object of his enterprise; when he had the mortification to find, that he must abandon all hopes of immediate success, and must put a stop to his career of victory. The crusaders, animated with an enthusiastic ardour for the holy wars, broke at first through all regards to safety or interest in the prosecution of their purpose; and, trusting to the immediate assistance of Heaven, set nothing before their eyes but fame and victory in this world, and a crown of glory in the next. But long absence from home, fatigue, disease, want, and the variety of incidents which naturally attend war, had gradually abated that fury, which nothing was able directly to withstand; and every one, except the king of England, expressed a desire of speedily returning into Europe. The Germans and the Italians declared their resolution of desisting from the enterprise: the French were still more obstinate in this purpose: the duke of Burgundy, in order to pay court to Philip, took all opportunities of mortifying and opposing Richard: and there appeared an absolute necessity of abandoning for the present all hopes of further conquest, and of securing the acquisitions of the Christians by an accommodation with Saladin. Richard, therefore, concluded a truce with that monarch, and stipulated that Acre, Joppa, and other seaport towns of Palestine, should remain in the hands of the Christians, and that every one of that religion should have liberty to perform his pilgrimage to Jerusalem unmolested. This truce was concluded for three years, three months, three weeks, three days, and three hours; a magical number, which had probably been devised by the Europeans, and which was suggested by a superstition well suited to the object of the war.

The liberty in which Saladin indulged the Christians to perform their pilgrimages to Jerusalem was an easy sacrifice on his part; and the furious wars which he waged in defence of the barren territory of Judea, were not with him, as with the European adventurers, the result of superstition, but of policy. The advantage indeed of science, moderation, humanity, was at that time entirely on the side of the Saracens; and this gallant emperor, in particular, displayed, during the course of the war, a spirit and generosity, which even his bigoted enemies were obliged to acknowledge and admire. Richard, equally martial and brave, carried with him more of the barbarian character; and was guilty of acts of ferocity which threw a stain on his celebrated victories. When Saladin refused to ratify the capitulation of Acre, the king of England ordered all his prisoners, to the number of five thousand, to be butchered; and the Saracens found themselves obliged to retaliate upon the Christians by a like cruelty. Saladin died at Damascus soon after concluding this truce with the princes of the crusade: it is memorable, that before he expired, he ordered his winding-sheet to be carried as a standard through every street of the city; while a crier went before, and proclaimed with a loud voice, *This is all that remains to the mighty Saladin, the conqueror of the East.* By his last will he ordered charities to be distributed to the poor, without distinction of Jew, Christian, or Mahometan.

THE KING'S RETURN FROM PALESTINE.

There remained after the truce no business of importance to detain Richard in Palestine; and the intelligence which he received concerning the intrigues of his brother John, and those of the king of France, made him sensible that his presence was necessary in Europe. As he dared not to pass through France, he sailed to the Adriatic; and being shipwrecked near Aquileia, he put on the disguise of a pilgrim, with a purpose of taking his journey secretly through Germany. Pursued by the governor of Istria, he was forced out of the direct road to England, and was obliged to pass by Vienna; where his expenses and liberalities betrayed the monarch in the habit of the pilgrim; and he was arrested (20th December) by orders of Leopold, duke of Austria. The prince had served under Richard at the siege of Acre; but being disgusted by some insult of that haughty monarch, he was so ungenerous as to seize the present opportunity [1193] of gratifying at once his avarice and revenge; and he threw the king into prison. The emperor, Henry VI., who also considered Richard as an enemy, on account of the alliance contracted by him with Tancred, king of Sicily, dispatched messengers to the duke of Austria, required the royal captive to be delivered to him, and stipulated a large sum of money as a reward for this service. Thus the king of England, who had filled the whole world with his renown, found himself, during the most critical state of his affairs, confined in a dungeon, and loaded with irons, in the heart of Germany, and entirely at the mercy of his enemies, the basest and most sordid of mankind.

The English council was astonished on receiving this fatal intelligence; and foresaw all the dangerous consequences which might naturally arise from that event. The queen-dowager wrote reiterated letters to pope Celestine, exclaiming against the injury which her son had sustained; representing the impiety of detaining in prison the most illustrious prince that had yet carried the banners of Christ into the Holy Land; claiming the protection of the apostolic see, which was due even to the meanest of those adventurers; and upbraiding the pope, that, in a cause where justice, religion, and the dignity of the church, were so much concerned, a cause which it might well befit his holiness himself to support by taking in person a journey to Germany, the spiritual thunders should so long be suspended over those sacrilegious offenders. The zeal of Celestine corresponded not to the impatience of the queen-mother; and the regency of Eng-



land were, for a long time, left to struggle alone with all their domestic and foreign enemies.

WAR WITH FRANCE.

The king of France, quickly informed of Richard's confinement by a message from the emperor, prepared himself to take advantage of the incident; and he employed every means of force and intrigue, of war and negociation, against the dominions and the person of his unfortunate rival. He revived the calumny of Richard's assassinating the marquis of Montferrat; and by that absurd pretence he induced his barons to violate their oaths, by which they had engaged that, during the crusade, they never would, on any account, attack the dominions of the king of England. He made the emperor the largest offers, if he would deliver into his hands the royal prisoner, or at least detain him in perpetual captivity: he even formed an alliance by marriage with the king of Denmark, desired that the ancient Danish claim to the crown of England should be transferred to him, and solicited a supply of shipping to maintain it. But the most successful of Philip's negociations was with prince John, who, forgetting every tie to his brother, his sovereign, and his benefactor, thought of nothing but how to make his own advantage of the public calamities. That traitor, on the first invitation from the court of France, suddenly went abroad, had a conference with Philip, and made a treaty, of which the object was the perpetual ruin of his unhappy brother. He stipulated to deliver into Philip's hands a great part of Normandy; he received, in return, the investiture of all Richard's transmarine dominions; and it is reported by several historians, that he even did homage to the French king for the crown of England.

In consequence of this treaty, Philip invaded Normandy; and by the treachery of John's emissaries, made himself master, without opposition, of many fortresses, Neufchatel, Neaufle, Gisors, Pacey, Ivrée: he subdued the counties of Eu and Aumale; and advancing to form the siege of Roüen, he threatened to put all the inhabitants to the sword if they dared to make resistance. Happily, Robert, earl of Leicester, appeared in that critical moment; a gallant nobleman, who had acquired great honour during the crusade, and who, being more fortunate than his master in finding his passage homewards, took on him the command in Roüen, and exerted himself, by his exhortations and example, to infuse courage into the dismayed Normans. Philip was repulsed in every attack; the time of service from his vassals expired; and he consented to a truce with the English regency, received in return the promise of 20,000 marks, and had four castles put into his hands, as security for the payment.

Prince John, who, with a view of increasing the general confusion, went over to England, was still less successful in his enterprises. He was only able to make himself master of the castles of Windsor and Wallingford; but when he arrived in London, and claimed the kingdom as heir to his brother, of whose death he pretended to have received certain intelligence, he was rejected by all the barons, and measures were taken to oppose and subdue him. The justiciaries, supported by the general affection of the people, provided so well for the defence of the kingdom, that John was obliged, after some fruitless efforts, to conclude a truce with them; and before its expiration, he thought it prudent to return to France, where he openly avowed his alliance with Philip.

Meanwhile the high spirit of Richard suffered in Germany every kind of insult and indignity. The French ambassadors, in their master's name, renounced him as a vassal to the crown of France, and declared all his fiefs to be forfeited to his liege lord. The emperor, that he might render him more impatient for the recovery of his liberty, and make him submit to the payment of a larger ransom, treated him with the greatest severity, and reduced him to a condition worse than that of the meanest malefactor. He was even produced before the diet of the empire at Worms, and accused by Henry of many crimes and misdemeanours: of making an alliance with Tancred, the usurper of Sicily; of turning the arms of the crusade against a Christian prince, and subduing Cyprus; of affronting the duke of Austria before Acre; of obstructing the progress of the Christian arms by his quarrels with the king of France; of assassinating Conrade, marquis of Montferrat; and of concluding a truce with Saladin, and leaving Jerusalem in the hands of the Saracen emperor. Richard, whose spirit was not broken by his misfortunes, and whose genius was rather roused by these frivolous or scandalous imputations; after premising that his dignity exempted him from answering before any jurisdiction, except that of Heaven; yet condescended, for the sake of his reputation, to justify his conduct before that great assembly. He observed, that he had no hand in Tancred's elevation, and only concluded a treaty with a prince whom he found in possession of the throne: that the king, or rather tyrant of Cyprus, had provoked his indignation by the most ungenerous and unjust proceedings; and though he chastised this aggressor, he had not retarded a moment the progress of his chief enterprise: that if he had at any time been wanting in civility to the duke of Austria, he had already been sufficiently punished for that sally of passion; and it better became men, embarked together in so holy a cause, to forgive each other's infirmities, than to pursue a slight offence with such unrelenting vengeance: that it had sufficiently appeared by the event, whether the king of France or he were most zealous for the conquest of the Holy Land, and were most likely to sacrifice private passions and animosities to that great object: that if the whole tenor of his life had not shown him incapable of a base assassination, and justified him from that imputation in the eyes of his very enemies, it was in vain for him, at present, to make his apology, or plead the many irrefragable arguments which he could produce in his own favour: and that, however he might regret the necessity, he was so far from being ashamed of his truce with Saladin, that he rather gloried in that event; and thought it extremely honourable, that, though abandoned by all the world, supported only by his own courage, and by the small remains of his national troops, he could yet obtain such conditions from the most powerful and most warlike emperor that the East had ever yet produced. Richard, after thus deigning to apologize for his conduct, burst out into indignation at the cruel treatment which he had met with: that he, the champion of the cross, still wearing that honourable badge, should, after expending the blood and treasure of his subjects in the common cause of Christendom, be intercepted by Christian princes in his return to his own country, be thrown into a dungeon, be loaded with irons, be obliged to plead his cause, as if he were a subject and a malefactor; and, what he still more regretted, be thereby prevented from making preparations for a new crusade, which he had projected, after the expiration of the truce, and from redeeming the sepulchre of Christ, which had so long been profaned by the dominion of infidels. The spirit and eloquence of Richard made such impression on the German princes, that they exclaimed loudly against the conduct of the emperor; the pope threatened him with excommunication; and Henry, who had hearkened to the proposals of the king of France and prince John, found that it would be impracticable for him to execute his and their base purposes, or to detain the king of England any longer in captivity. He therefore concluded with him a treaty for his ransom, and agreed to restore him to his freedom for the sum of 150,000 marks, about 300,000 pounds of our present money; of which 100,000 marks were to be paid before he received his liberty, and sixty-seven hostages delivered for the remainder. The emperor, as if to

gloss over the infamy of this transaction, made at the same time a present to Richard of the kingdom of Arles, comprehending Provence, Dauphiny, Narbonne, and other states, over which the empire had some antiquated claims; a present which the king very wisely neglected.

The captivity of the superior lord was one of the cases provided for by the feudal tenures; and all the vassals were in that event obliged to give an aid for his ransom. Twenty shillings were therefore levied on each knight's fee in England; but as this money came in slowly, and was not sufficient for the intended purpose, the voluntary zeal of the people readily supplied the deficiency. The churches and monasteries melted down their plate, to the amount of 30,000 marks; the bishops, abbots, and nobles paid a fourth of their yearly rent; the parochial clergy contributed a tenth of their tithes: and the requisite sum being thus collected, queen Eleanor, and Walter, archbishop of Roüen, set out (4th February, 1194) with it for Germany; paid the money to the emperor and the duke of Austria at Mentz; delivered them hostages for the remainder; and freed Richard from captivity. His escape was very critical. Henry had been detected in the assassination of the bishop of Liege, and in an attempt of a like nature on the duke of Louvaine; and finding himself extremely obnoxious to the German princes on account of these odious practices, he had determined to seek support from an alliance with the king of France; to detain Richard, the enemy of that prince, in perpetual captivity; to keep in his hands the money which he had already received for his ransom; and to extort fresh sums from Philip and prince John, who were very liberal in their offers to him. He therefore gave orders that Richard should be pursued and arrested; but the king, making all imaginable haste, had already embarked at the mouth of the Schelde, and was out of sight of land when the messengers of the emperor reached Antwerp.

THE KING'S RETURN TO ENGLAND,
March 20.

The joy of the English was extreme on the appearance of their monarch, who had suffered so many calamities, who had acquired so much glory, and who had spread the reputation of their name into the furthest East, whither their fame had never before been able to extend. He gave them, soon after his arrival, an opportunity of publicly displaying their exultation, by ordering himself to be crowned anew at Winchester; as if he intended by that ceremony to reinstate himself in his throne, and to wipe off the ignominy of his captivity. Their satisfaction was not damped, even when he declared his purpose of resuming all those exorbitant grants, which he had been necessitated to make before his departure for the Holy Land. The barons, also, in a great council, confiscated, on account of his treason, all prince John's possessions in England; and they assisted the king in reducing the fortresses which still remained in the hands of his brother's adherents. Richard having settled everything in England, passed over with an army into Normandy; being impatient to make war on Philip, and to revenge himself for the many injuries which he had received from that monarch. As soon as Philip heard of the king's deliverance from captivity, he wrote to his confederate John, in these terms, *Take care of yourself: the devil is broken loose.*

WAR WITH FRANCE.

When we consider such powerful and martial monarchs inflamed with personal animosity against each other, enraged by mutual injuries, excited by rivalship, impelled by opposite interests, and instigated by the pride and violence of their own temper, our curiosity is naturally raised, and we expect an obstinate and furious war, distinguished by the greatest events, and concluded by some remarkable catastrophe. Yet are the incidents which attend those hostilities so frivolous, that scarce any historian can entertain such a passion for military descriptions as to venture on a detail of them: a certain proof of the extreme weakness of princes in those ages, and of the little authority they possessed over their refractory vassals! The whole amount of the exploits on both sides is, the taking of a castle, the surprise of a straggling party, a rencounter of horse, which resembles more a rout than a battle. Richard obliged Philip to raise the siege of Verneüil: he took Loches, a small town in Anjou; he made himself master of Beaumont, and some other places of little consequence; and after these trivial exploits, the two kings began already to hold conferences for an accommodation. Philip insisted that, if a general peace were concluded, the barons on each side should, for the future, be prohibited from carrying on private wars against each other: but Richard replied, that this was a right claimed by his vassals, and he could not debar them from it. After this fruitless negociation, there ensued an action between the French and English cavalry at Fretteval, in which the former were routed, and the king of France's cartulary and records, which commonly at that time attended his person, were taken. But this victory leading to no important advantages, a truce for a year was at last, from mutual weakness, concluded between the two monarchs.

During this war, prince John deserted from Philip, threw himself at his brother's feet, craved pardon for his offences, and by the intercession of queen Eleanor was received into favour. *I forgive him*, said the king; *and hope I shall as easily forget his injuries, as he will my pardon.* John was incapable even of returning to his duty without committing a baseness. Before he left Philip's party, he invited to dinner all the officers of the garrison which that prince had placed in the citadel of Evreux; he massacred them during the entertainment; fell, with the assistance of the townsmen, on the garrison, whom he put to the sword, and then delivered up the place to his brother.

The king of France was the great object of Richard's resentment and animosity: the conduct of John, as well as that of the emperor and duke of Austria, had been so base, and was exposed to such general odium and reproach, that the king deemed himself sufficiently revenged for their injuries; and he seems never to have entertained any project of vengeance against any of them. The duke of Austria, about this time, having crushed his leg by the fall of his horse at a tournament, was thrown into a fever; and being struck, on the approaches of death, with remorse for his injustice to Richard, he ordered by will, all the English hostages in his hands to be set at liberty, and the remainder of the debt due to him to be remitted: his son, who seemed inclined to disobey these orders, was constrained by his ecclesiastics to execute them. The emperor also made advances [1195] for Richard's friendship, and offered to give him a discharge of all the debt not yet paid to him, provided he would enter into an offensive alliance against the king of France; a proposal which was very acceptable to Richard, and was greedily embraced by him. The treaty with the emperor took no effect; but it served to rekindle the war between France and England before the expiration of the truce. This war was not distinguished by any more remarkable incidents than the foregoing. After mutually ravaging the open country, and taking a few insignificant castles, the two kings concluded a peace at Louviers and made an exchange of some territories with each other. [1196.] Their inability to wage war occasioned the peace: their mutual antipathy engaged them again in war before two months expired. Richard imagined that he had now found an opportunity of gaining great advantages over his rival,

by forming an alliance with the counts of Flanders, Toulouse, Boulogne, Champagne, and other considerable vassals of the crown of France. But he soon experienced the insincerity of those princes; and was not able to make any impression on that kingdom, while governed by a monarch of so much vigour and activity as Philip. The most remarkable incident of this war was the taking prisoner in battle the bishop of Beauvais, a martial prelate, who was of the family of Dreux, and a near relation of the French king's. Richard, who hated that bishop, threw him into prison, and loaded him with irons; and when the pope demanded his liberty, and claimed him as his son, the king sent to his holiness the coat-of-mail which the prelate had worn in battle, and which was all besmeared with blood: and he replied to him, in terms employed by Jacob's sons to the patriarch, *This have we found: know now whether it be thy son's coat or no.* This new war between England and France, though carried on with such animosity that both kings frequently put out the eyes of their prisoners, was soon finished by a truce of five years; and immediately after signing this treaty, the kings were ready, on some new offence, to break out again into hostilities; when the mediation of the cardinal of St. Mary, the pope's legate, accommodated the difference. This prelate even engaged the princes to commence a treaty for a more durable peace; but the death of Richard put an end to the negociation.

1199. Vidomer, viscount of Limoges, a vassal of the king's, had found a treasure, of which he sent part to that prince as a present. Richard, as superior lord, claimed the whole; and at the head of some Brabançons, besieged the viscount in the castle of Chalos, near Limoges, in order to make him comply with his demand. The garrison offered to surrender; but the king replied, that, since he had taken the pains to come thither and besiege the place in person, he would take it by force, and would hang every one of them. The same day Richard, accompanied by Marcadée, leader of his Brabançons, approached the castle in order to survey it; when one Bertrand de Gourdon, an archer, took aim at him, and pierced his shoulder with an arrow. The king, however, gave orders (28th March) for the assault, took the place, and hanged all the garrison, except Gourdon, who had wounded him, and whom he reserved for a more deliberate and more cruel execution.

DEATH AND CHARACTER OF THE KING.

April 6.

The wound was not in itself dangerous; but the unskilfulness of the surgeon made it mortal: he so rankled Richard's shoulder in pulling out the arrow, that a gangrene ensued; and that prince was now sensible that his life was drawing towards a period. He sent for Gourdon, and asked him, *Wretch! what have I ever done to you, to oblige you to seek my life?* —*What have you done to me?* replied coolly the prisoner: *you killed with your own hands my father and my two brothers: and you intended to have hanged myself: I am now in your power, and you may take revenge, by inflicting on me the most severe torments: but I shall endure them all with pleasure, provided I can think that I have been so happy as to rid the world of such a nuisance.* Richard, struck with the reasonableness of this reply, and humbled by the near approach of death, ordered Gourdon to be set at liberty, and a sum of money to be given him; but Marcadée, unknown to him, seized the unhappy man, flayed him alive, and then hanged him. Richard died in the tenth year of his reign, and the forty-second of his age; and he left no issue behind him.

The most shining part of this prince's character are his military talents. No man, even in that romantic age, carried personal courage and intrepidity to a greater height; and this quality gained him the appellation of "the Lion-hearted," *Cœur de Lion.* He passionately loved glory, chiefly military glory; and as his conduct in the field was not inferior to his valour, he seems to have possessed every talent necessary for acquiring it. His resentments also were high; his pride unconquerable; and his subjects, as well as his neighbours, had therefore reason to apprehend from the continuance of his reign a perpetual scene of blood and violence. Of an impetuous and vehement spirit, he was distinguished by all the good, as well as the bad qualities incident to that character: he was open, frank, generous, sincere, and brave: he was revengeful, domineering, ambitious, haughty, and cruel; and was thus better calculated to dazzle men by the splendour of his enterprises, than either to promote their happiness or his own grandeur by a sound and well-regulated policy. As military talents make great impression on the people, he seems to have been much beloved by his English subjects; and he is remarked to have been the first prince of the Norman line that bore any sincere regard to them. He passed however only four months of his reign in that kingdom: the crusade employed him near three years; he was detained about fourteen months in captivity: the rest of his reign was spent either in war or preparations for war against France; and he was so pleased with the fame which he had acquired in the East, that he determined, notwithstanding his past misfortunes, to have further exhausted his kingdom, and to have exposed himself to new hazards, by conducting another expedition against the infidels.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN.

Though the English pleased themselves with the glory which the king's martial genius procured them, his reign was very oppressive and somewhat arbitrary, by the high taxes which he levied on them, and often without consent of the states or great council. In the ninth year of his reign, he levied five shillings on each hyde of land; and because the clergy refused to contribute their share, he put them out of the protection of law, and ordered the civil courts to give them no sentence for any debts which they might claim. Twice in his reign he ordered all his charters to be sealed anew, and the parties to pay fees for the renewal. It is said that Hubert, his justiciary, sent him over to France, in the space of two years, no less a sum than 1,100,000 marks, besides bearing all the charges of the government in England. But this account is quite incredible, unless we suppose that Richard made a thorough dilapidation of the demesnes of the crown, which it is not likely he could do with any advantage after his former resumption of all grants. A king who possessed such a revenue, could never have endured fourteen months captivity for not paying 150,000 marks to the emperor, and be obliged at last to leave hostages for a third of the sum. The prices of commodities in this reign are also a certain proof that no such enormous sum could be levied on the people. A hyde of land, or about a hundred and twenty acres, was commonly let at twenty shillings a year, money of that time. As there were 243,600 hydes in England, it is easy to compute the amount of all the landed rents of the kingdom. The general and stated price of an ox was four shillings; of a labouring horse the same; of a sow, one shilling; of a sheep with fine wool, ten pence; with coarse wool, sixpence. These commodities seem not to have advanced in their prices since the conquest, [*See note* S, *at the end of this Vol.*] and to have still been ten times cheaper than at present.

Richard renewed the severe laws against transgressors in his forests, whom he punished by castration, and putting out their eyes, as in the reign of his great-grandfather. He established by law one weight and measure throughout his kingdom: a useful institution, which the mercenary disposition and necessities of his successor engaged him to dispense with for money.

The disorders in London, derived from its bad police

had risen to a great height during this reign; and in the year 1196, there seemed to be formed so regular a conspiracy among the numerous malefactors, as threatened the city with destruction. There was one William Fitz-Osbert, commonly called *Longbeard*, a lawyer, who had rendered himself extremely popular among the lower rank of citizens; and, by defending them on all occasions, had acquired the appellation of the advocate or saviour of the poor. He exerted his authority, by injuring and insulting the more substantial citizens, with whom he lived in a state of hostility, and who were every moment exposed to the most outrageous violences from him and his licentious emissaries. Murders were daily committed in the streets; houses were broken open and pillaged in daylight; and it is pretended, that no less than fifty-two thousand persons had entered into an association, by which they bound themselves to obey all the orders of this dangerous ruffian. Archbishop Hubert, who was then chief justiciary, summoned him before the council to answer for his conduct; but he came so well attended, that no one durst accuse him, or give evidence against him; and the primate, finding the impotence of law, contented himself with exacting from the citizens hostages for their good behaviour. He kept, however, a watchful eye on Fitz-Osbert; and seizing a favourable opportunity, attempted to commit him to custody; but the criminal, murdering one of the public officers, escaped with his concubine to the church of St. Mary-le-Bow, where he defended himself by force of arms. He was at last forced from his retreat, condemned, and executed amidst the regrets of the populace, who were so devoted to his memory, that they stole his gibbet, paid the same veneration to it as to the cross, and were equally zealous in propagating and attesting reports of the miracles wrought by it. But though the sectaries of this superstition were punished by the justiciary, it received so little encouragement from the established clergy, whose property was endangered by such seditious practices, that it suddenly sunk and vanished.

It was during the crusades that the custom of using coats of arms was first introduced into Europe. The knights, cased up in armour, had no way to make themselves be known and distinguished in battle but by the devices on their shields; and these were gradually adopted by their posterity and families, who were proud of the pious and military enterprises of their ancestors.

King Richard was a passionate lover of poetry: there even remain some poetical works of his composition: and he bears a rank among the Provençal poets or *Trobadores*, who were the first of the modern Europeans that distinguished themselves by attempts of that nature.

CHAPTER XI.

JOHN.

Accession of the King.—His Marriage.—War with France.—Murder of Arthur, Duke of Britanny.—The King expelled the French Provinces.—The King's Quarrel with the Court of Rome.—Cardinal Langton appointed Archbishop of Canterbury.—Interdict of the Kingdom.—Excommunication of the King.—The King's Submission to the Pope.—Discontents of the Barons.—Insurrection of the Barons.—Magna Charta.—Renewal of the Civil Wars.—Prince Louis called over.—Death and Character of the King.

ACCESSION OF THE KING. 1199.

THE noble and free genius of the ancients, which made the government of a single person be always regarded as a species of tyranny and usurpation, and kept them from forming any conception of a legal and regular monarchy, had rendered them entirely ignorant both of the rights of *primogeniture* and a *representation* in succession; inventions so necessary for preserving order in the lines of princes, for obviating the evils of civil discord and of usurpation, and for begetting moderation in that species of government, by giving security to the ruling sovereign. These innovations arose from the feudal law; which, first introducing the right of primogeniture, made such a distinction between the families of the elder and younger brothers, that the son of the former was thought entitled to succeed to his grandfather, preferably to his uncles, though nearer allied to the deceased monarch. But though this progress of ideas was natural, it was gradual. In the age of which we treat, the practice of representation was indeed introduced, but not thoroughly established; and the minds of men fluctuated between opposite principles. Richard, when he entered on the holy war, declared his nephew, Arthur, duke of Britanny, his successor; and by a formal deed, he set aside, in his favour, the title of his brother John, who was younger than Geoffrey, the father of that prince. But John so little acquiesced in that destination, that when he gained the ascendant in the English ministry, by expelling Longchamp, the chancellor and great justiciary, he engaged all the English barons to swear that they would maintain his right of succession; and Richard, on his return, took no steps towards restoring or securing the order which he had at first established. He was even careful, by his last will, to declare his brother John heir to all his dominions; whether, that he now thought Arthur, who was only twelve years of age, incapable of asserting his claim against John's faction, or was influenced by Eleanor, the queen-mother, who hated Constantia, mother of the young duke, and who dreaded the credit which that princess would naturally acquire if her son should mount the throne. The authority of a testament was great in that age, even where the succession of a kingdom was concerned; and John had reason to hope that this title, joined to his plausible right in other respects, would ensure him the succession. But the idea of representation seems to have made, at this time, greater progress in France than in England: the barons of the transmarine provinces, Anjou, Maine, and Touraine, immediately declared in favour of Arthur's title, and applied for assistance to the French monarch as their superior lord. Philip, who desired only an occasion to embarrass John, and dismember his dominions, embraced the cause of the young duke of Britanny, took him under his protection, and sent him to Paris to be educated, along with his own son Louis. In this emergence, John hastened to establish his authority in the chief members of the monarchy; and after sending Eleanor into Poictou and Guienne, where her right was incontestable, and was readily acknowledged, he hurried to Roüen, and having secured the dutchy of Normandy, he passed over, without loss of time, to England. Hubert, archbishop of Canterbury, William Mareschal, earl of Strigul, who also passes by the name of earl of Pembroke, and Geoffrey Fitz-Peter, the justiciary, the three most favoured ministers of the late king, were already engaged on his side; and the submission or acquiescence of all the other barons put him, without opposition, in possession of the throne.

The king soon returned to France, in order to conduct the war against Philip, and to recover the revolted provinces from his nephew Arthur. The alliances which Richard had formed with the earl of Flanders, and other potent French princes, though they had not been very effectual, still subsisted, and enabled John to defend himself against all the efforts of his enemy. In an action between the French and Flemings, the elect bishop of Cambray was taken prisoner by the former; and when the cardinal of Capua claimed his liberty, Philip, instead of complying, reproached him with the weak efforts which he had employed in favour of the bishop of Beauvais, who was in a like condition. The legate, to show his impartiality, laid at the same time the kingdom of France and the dutchy of Normandy under an interdict; and the two kings found themselves obliged to make an exchange of these military prelates.

1200. Nothing enabled the king to bring this war to a happy issue so much as the selfish intriguing charac-

ter of Philip, who acted in the provinces that had declared for Arthur without any regard to the interests of that prince. Constantia, seized with a violent jealousy that he intended to usurp the entire dominion of them, found means to carry off her son secretly from Paris: she put him into the hands of his uncle; restored the provinces which had adhered to the young prince; and made him do homage for the dutchy of Britanny, which was regarded as a rere-fief of Normandy. From this incident, Philip saw that he could not hope to make any progress against John; and being threatened with an interdict on account of his irregular divorce from Ingelburga, the Danish princess whom he had espoused, he became desirous of concluding a peace with England. After some fruitless conferences, the terms were at last adjusted; and the two monarchs seemed in this treaty to have an intention, besides ending the present quarrel, of preventing all future causes of discord, and of obviating every controversy which could hereafter arise between them. They adjusted the limits of all their territories; mutually secured the interests of their vassals; and, to render the union more durable, John gave his niece, Blanche of Castile, in marriage to prince Louis, Philip's eldest son, and with her the baronies of Issoudun and Graçai, and other fiefs in Berri. Nine barons of the king of England, and as many of the king of France, were guarantees of this treaty; and all of them swore, that, if the sovereign violated any article of it, they would declare themselves against him, and embrace the cause of the injured monarch.

THE KING'S MARRIAGE.

John, now secure, as he imagined, on the side of France, indulged his passion for Isabella, the daughter and heir of Aymar Tailleffer, count of Angouleme, a lady with whom he had become much enamoured. His queen, the heiress of the family of Gloucester, was still alive, Isabella was married to the count de la Marche, and was already consigned to the care of that nobleman; though, by reason of her tender years, the marriage had not been consummated. The passion of John made him overlook all these obstacles; he persuaded the count of Angouleme to carry off his daughter from her husband; and having, on some pretence or other, procured a divorce from his own wife, he espoused Isabella; regardless both of the menaces of the pope, who exclaimed against these irregular proceedings, and of the resentment of the injured count, who soon found means of punishing his powerful and insolent rival.

1201. John had not the art of attaching his barons either by affection or by fear. The count de la Marche, and his brother, the count d'Eu, taking advantage of the general discontent against him, excited commotions in Poictou and Normandy; and obliged the king to have recourse to arms, in order to suppress the insurrection of his vassals. He summoned together the barons of England, and required them to pass the sea under his standard, and to quell the rebels: he found that he possessed as little authority in that kingdom as in his transmarine provinces. The English barons unanimously replied, that they would not attend him on this expedition, unless he would promise to restore and preserve their privileges: the first symptom of a regular association and plan of liberty among those noblemen! but affairs were not yet fully ripe for the revolution projected. John, by menacing the barons, broke the concert; and both engaged many of them to follow him into Normandy, and obliged the rest, who stayed behind, to pay him a scutage of two marks on each knight's fee, as the price of their exemption from the service.

The force which John carried abroad with him, and that which joined him in Normandy, rendered him much superior to his malcontent barons; and so much the more as Philip did not publicly give them any countenance, and seemed as yet determined to persevere steadily in the alliance which he had contracted with England. But the king, elated with his superiority, advanced claims which gave an universal alarm to his vassals, and diffused still wider the general discontent. As the jurisprudence of those times required that the causes in the lord's court should be chiefly decided by duel, he carried along with him certain bravos, whom he retained as champions, and whom he destined to fight with his barons, in order to determine any controversy which he might raise against them. The count de la Marche, and other noblemen, regarded this proceeding as an affront, as well as an injury; and declared, that they would never draw their sword against men of such inferior quality. The king menaced them with vengeance; but he had not vigour to employ against them the force in his hands, or to prosecute the injustice, by crushing entirely the nobles who opposed it.

WAR WITH FRANCE. 1201.

This government, equally feeble and violent, gave the injured barons courage as well as inclination to carry further their opposition; they appealed to the king of France; complained of the denial of justice in John's court; demanded redress from him as their superior lord; and entreated him to employ his authority, and prevent their final ruin and oppression. Philip perceived his advantage, opened his mind to great projects, interposed in behalf of the French barons, and began to talk in a high and menacing style to the king of England. [1202.] John, who could not disavow Philip's authority, replied that it belonged to himself first to grant them a trial by their peers in his own court; it was not till he failed in this duty that he was answerable to his peers in the supreme court of the French king; and he promised, by a fair and equitable judicature, to give satisfaction to his barons. When the nobles, in consequence of this engagement, demanded a safe conduct, that they might attend his court, he at first refused it; upon the renewal of Philip's menaces, he promised to grant their demand; he violated this promise; fresh menaces extorted from him a promise to surrender to Philip the fortresses of Tillieres and Boutavant, as a security for performance; he again violated his engagement; his enemies, sensible both of his weakness and want of faith, combined still closer in the resolution of pushing him to extremities; and a new and powerful ally soon appeared to encourage them in their invasion of this odious and despicable government.

1203. The young duke of Britanny, who was now rising to man's estate, sensible of the dangerous character of his uncle, determined to seek both his security and elevation by an union with Philip and the malcontent barons. He joined the French army, which had begun hostilities against the king of England: he was received with great marks of distinction by Philip; was knighted by him; espoused his daughter Mary; and was invested not only in the dutchy of Britanny, but in the counties of Anjou and Maine, which he had formerly resigned to his uncle. Every attempt succeeded with the allies. Tillieres and Boutavant were taken by Philip, after making a feeble defence: Mortimar and Lyons fell into his hands almost without resistance. That prince next invested Gournai; and opening the sluices of a lake which lay in the neighbourhood, poured such a torrent of water into the place that the garrison deserted it, and the French monarch, without striking a blow, made himself master of that important fortress. The progress of the French arms was rapid, and promised more considerable success than usually in that age attended military enterprises. In answer to every advance which the king made towards peace, Philip still insisted, that he should resign all his transmarine dominions to his nephew, and rest contented with the

kingdom of England; when an event happened, which seemed to turn the scales in favour of John, and to give him a decisive superiority over his enemies.

Young Arthur, fond of military renown, had broken into Poictou, at the head of a small army; and passing near Mirabeau, he heard that his grandmother, queen Eleanor, who had always opposed his interests, was lodged in that place, and was protected by a weak garrison and ruinous fortifications. He immediately determined to lay siege to the fortress, and make himself master of her person; but John, roused from his indolence by so pressing an occasion, collected an army of English and Brabançons, and advanced from Normandy with hasty marches to the relief of the queen-mother. He fell on Arthur's camp before that prince was aware of the danger; dispersed his army; took him prisoner, together with the count de la Marche, Geoffrey de Lusignan, and the most considerable of the revolted barons; and returned in triumph (August 1st) to Normandy. Philip, who was lying before Arques in that dutchy, raised the siege and retired, upon his approach. The greater part of the prisoners were sent over to England; but Arthur was shut up in the castle of Falaise.

MURDER OF ARTHUR, DUKE OF BRITANNY. 1203.

The king had here a conference with his nephew; represented to him the folly of his pretensions; and required him to renounce the French alliance, which had encouraged him to live in a state of enmity with all his family: but the brave, though imprudent youth, rendered more haughty from misfortunes, maintained the justice of his cause; asserted his claim, not only to the French provinces, but to the crown of England; and, in his turn, required the king to restore the son of his elder brother to the possession of his inheritance. John, sensible, from these symptoms of spirit, that the young prince, though now a prisoner, might hereafter prove a dangerous enemy, determined to prevent all future peril by dispatching his nephew; and Arthur was never more heard of. The circumstances which attended this deed of darkness were, no doubt, carefully concealed by the actors, and are variously related by historians; but the most probable account is as follows: The king, it is said, first proposed to William de la Bray, one of his servants, to dispatch Arthur; but William replied, that he was a gentleman, not a hangman; and he positively refused compliance. Another instrument of murder was found, and was dispatched with proper orders to Falaise; but Hubert de Bourg, chamberlain to the king, and constable of the castle, feigning that he himself would execute the king's mandate, sent back the assassin, spread the report that the young prince was dead, and publicly performed all the ceremonies of his interment: but finding that the Bretons vowed revenge for the murder, and that all the revolted barons persevered more obstinately in their rebellion, he thought it prudent to reveal the secret, and to inform the world that the duke of Britanny was still alive and in his custody. This discovery proved fatal to the young prince: John first removed him to the castle of Roüen; and coming in a boat, during the night-time, to that place, commanded Arthur to be brought forth to him. The young prince, aware of his danger, and now more subdued by the continuance of his misfortunes, and by the approach of death, threw himself on his knees before his uncle and begged for mercy: but the barbarous tyrant, making no reply, stabbed him with his own hands; and fastening a stone to the dead body, threw it into the Seine.

All men were struck with horror at this inhuman deed; and from that moment the king, detested by his subjects, retained a very precarious authority over both the people and the barons in his dominions. The Bretons, enraged at this disappointment in their fond hopes, waged implacable war against him; and fixing the succession of their government, put themselves in a posture to revenge the murder of their sovereign. John had got into his power his niece Eleanor, sister to Arthur, commonly called *the Damsel of Britanny*; and carrying her over to England, detained her ever after in captivity: but the Bretons, in despair of recovering this princess, chose Alice for their sovereign; a younger daughter of Constantia, by her second marriage with Gui de Thouars; and they entrusted the government of the dutchy to that nobleman. The states of Britanny, meanwhile, carried their complaints before Philip as their liege lord, and demanded justice for the violence committed by John on the person of Arthur, so near a relation; who, notwithstanding the homage which he did to Normandy, was always regarded as one of the chief vassals of the crown. Philip received their application with pleasure; summoned John to stand a trial before him; and on his non-appearance passed sentence, with the concurrence of the peers, upon that prince; declared him guilty of felony and parricide; and adjudged him to forfeit to his superior lord all his seignories and fiefs in France.

THE KING EXPELLED FROM THE FRENCH PROVINCES.

The king of France, whose ambitious and active spirit had been hitherto confined, either by the sound policy of Henry, or the martial genius of Richard, seeing now the opportunity favourable against this base and odious prince, embraced the project of expelling the English, or rather the English king, from France, and of annexing to the crown so many considerable fiefs, which, during several ages, had been dismembered from it. Many of the other great vassals whose jealousy might have interposed, and have obstructed the execution of this project, were not at present in a situation to oppose it; and the rest either looked on with indifference, or gave their assistance to this dangerous aggrandisement of their superior lord. The earls of Flanders and Blois were engaged in the holy war: the count of Champagne was an infant, and under the guardianship of Philip: the dutchy of Britanny, enraged at the murder of their prince, vigorously promoted all his measures: and the general defection of John's vassals made every enterprise easy and successful against him. Philip, after taking several castles and fortresses beyond the Loire, which he either garrisoned or dismantled, received the submission of the count Alençon, who deserted John, and delivered up all the places under his command to the French: upon which Philip broke up his camp, in order to give the troops some repose after the fatigues of the campaign. John, suddenly collecting some forces, laid siege to Alençon; and Philip, whose dispersed army could not be brought together in time to succour it, saw himself exposed to the disgrace of suffering the oppression of his friend and confederate. But his active and fertile genius found an expedient against this evil. There was held at that very time a tournament at Moret, in the Gatinois; whither all the chief nobility of France and the neighbouring countries had resorted, in order to signalize their prowess and address. Philip presented himself before them; craved their assistance in his distress; and pointed out the plains of Alençon, as the most honourable field in which they could display their generosity and martial spirit. Those valorous knights vowed, that they would take vengeance on the base parricide, the stain of arms and of chivalry: and putting themselves, with all their retinue, under the command of Philip, instantly marched to raise the siege of Alençon. John, hearing of their approach, fled from before the place; and in the hurry abandoned all his tents, machines, and baggage to the enemy.

This feeble effort was the last exploit of that slothful and cowardly prince for the defence of his dominions

He thenceforth remained in total inactivity at Roüen: passing all his time with his young wife, in pastimes and amusements, as if his state had been in the most profound tranquillity, or his affairs in the most prosperous condition. If he ever mentioned war, it was only to give himself vaunting airs, which, in the eyes of all men, rendered him still more despicable and ridiculous. *Let the French go on*, said he; *I will retake in a day what it has cost them years to acquire.* His stupidity and indolence appeared so extraordinary, that the people endeavoured to account for the infatuation by sorcery, and believed that he was thrown into this lethargy by some magic or witchcraft. The English barons, finding that their time was wasted to no purpose, and that they must suffer the disgrace of seeing without resistance, the progress of the French arms, withdrew from their colours, and secretly returned to their own country. No one thought of defending a man who seemed to have deserted himself; and his subjects regarded his fate with the same indifference to which, in this pressing exigency, they saw him totally abandoned.

John, while he neglected all domestic resources, had the meanness to betake himself to a foreign power, whose protection he claimed: he applied to the pope, Innocent III., and entreated him to interpose his authority between him and the French monarch. Innocent, pleased with any occasion of exerting his superiority, sent Philip orders to stop the progress of his arms, and to make peace with the king of England. But the French barons received the message with indignation; disclaimed the temporal authority assumed by the pontiff; and vowed that they would, to the uttermost, assist their prince against all his enemies: Philip, seconding their ardour, proceeded, instead of obeying the pope's envoys, to lay siege to Chateau Gaillard, the most considerable fortress which remained to guard the frontiers of Normandy.

1204. Chateau Gaillard was situated partly on an island in the river Seine, partly on a rock opposite to it; and was secured by every advantage which either art or nature could bestow upon it. The late king, having cast his eye on this favourable situation, had spared no labour or expense in fortifying it; and it was defended by Roger de Laci, constable of Chester, a determined officer, at the head of a numerous garrison. Philip, who despaired of taking the place by force, purposed to reduce it by famine; and that he might cut off its communication with the neighbouring country, he threw a bridge across the Seine, while he himself with his army blockaded it by land. The earl of Pembroke, the man of greatest vigour and capacity in the English court, formed a plan for breaking through the French entrenchments, and throwing relief into the place. He carried with him an army of 4000 infantry and 3000 cavalry, [1205,] and suddenly attacked, with great success, Philip's camp in the night-time; having left orders that a fleet of seventy flat-bottomed vessels should sail up the Seine, and fall at the same instant on the bridge. But the wind and the current of the river, by retarding the vessels, disconcerted this plan of operations; and it was morning before the fleet appeared; when Pembroke, though successful in the beginning of the action, was already repulsed with considerable loss, and the king of France had leisure to defend himself against these new assailants, who also met with a repulse. After this misfortune, John made no further efforts for the relief of Chateau Gaillard; and Philip had all the leisure requisite for conducting and finishing the siege. Roger de Laci defended himself for a twelvemonth with great obstinacy; and, having bravely repelled every attack, and patiently borne all the hardships of famine, he was at last overpowered by a sudden assault in the night-time, and made prisoner of war, with his garrison. Philip, who knew how to respect valour even in an enemy, treated him with civility, and gave him the whole city of Paris for the place of his confinement.

When the bulwark of Normandy was once subdued, all the province lay open to the inroads of Philip; and the king of England despaired of being any longer able to defend it. He secretly prepared vessels for a scandalous flight; and that the Normans might no longer doubt of his resolution to abandon them, he ordered the fortifications of Pont de l'Arche, Moulineaux, and Montfort l'Amauri, to be demolished. Not daring to repose confidence in any of his barons, whom he believed to be universally engaged in a conspiracy against him, he entrusted the government of the province to Archas Martin and Lupicaire, two mercenary Brabançons, whom he had retained in his service. Philip, now secure of his prey, pushed his conquests with vigour and success against the dismayed Normans. Falaise was first besieged; and Lupicaire, who commanded in this impregnable fortress, after surrendering the place, enlisted himself with his troops in the service of Philip, and carried on hostilities against his ancient master. Caen, Coutance, Seez, Evreux, Baieux, soon fell into the hands of the French monarch, and all the lower Normandy was reduced under his dominion. To forward his enterprises on the other division of the province, Gui de Thouars, at the head of the Bretons, broke into the territory, and took Mount St. Michael, Avranches, and all the other fortresses in that neighbourhood. The Normans, who abhorred the French yoke, and who would have defended themselves to the last extremity if their prince had appeared to conduct them, found no resource but in submission; and every city opened its gates as soon as Philip appeared before it. Roüen alone, Arques, and Verneüil, determined to maintain their liberties; and formed a confederacy for mutual defence. Philip began with the siege of Roüen. The inhabitants were so inflamed with hatred to France, that, on the appearance of his army, they fell on all the natives of that country whom they found within their walls, and put them to death. But after the French king had begun his operations with success, and had taken some of their outworks, the citizens, seeing no resource, offered to capitulate; (1st June;) and demanded only thirty days to advertise their prince of their danger, and to require succours against the enemy. Upon the expiration of the term, as no supply had arrived, they opened their gates to Philip; and the whole province soon after imitated the example, and submitted to the victor. Thus was this important territory reunited to the crown of France, about three centuries after the cession of it by Charles the Simple to Rollo, the first duke: and the Normans, sensible that this conquest was probably final, demanded the privilege of being governed by French laws; which Philip, making a few alterations on the ancient Norman customs, readily granted them. But the French monarch had too much ambition and genius to stop in his present career of success. He carried his victorious army into the western provinces; soon reduced Anjou, Maine, Touraine, and part of Poictou; and in this manner the French crown, during the reign of one able and active prince, received such an accession of power and grandeur, as, in the ordinary course of things, it would have required several ages to attain.

John, on his arrival in England, that he might cover the disgrace of his own conduct, exclaimed loudly against his barons, who, he pretended, had deserted his standard in Normandy; and he arbitrarily extorted from them a seventh of all their moveables, as a punishment for the offence. Soon after he forced them to grant him a scutage of two marks and a half on each knight's fee for an expedition into Normandy; but he did not attempt to execute the service for which he pretended to exact it. Next year he summoned all the barons of his realm to attend him on his foreign expedition, and collected ships from all the sea-ports; but meeting with opposition from some of his ministers, and abandoning his design, he dismissed both fleet and army, and then renewed his exclamations against the

barons for deserting him. He next put to sea with a small army, and his subjects believed that he was resolved to expose himself to the utmost hazard for the defence and recovery of his dominions; but they were surprised after a few days to see him return again into harbour, without attempting anything. In the subsequent season, [1206,] he had the courage to carry his hostile measures a step further. Gui de Thouars, who governed Britanny, jealous of the rapid progress made by his ally, the French king, promised to join the king of England with all his forces; and John ventured abroad with a considerable army, and landed at Rochelle. He marched to Angers; which he took and reduced to ashes. But the approach of Philip with an army threw him into a panic; and he immediately made proposals for peace, and fixed a place of interview with his enemy: but instead of keeping his engagement, he stole off with his army, embarked at Rochelle, and returned, loaded with new shame and disgrace, into England. The mediation of the pope procured him at last a truce for two years with the French monarch; almost all the transmarine provinces were ravished from him; and his English barons, though harassed with arbitrary taxes and fruitless expeditions, saw themselves and their country baffled and affronted in every enterprise.

In an age when personal valour was regarded as the chief accomplishment, such conduct as that of John, always disgraceful, must be exposed to peculiar contempt; and he must thenceforth have expected to rule his turbulent vassals with a very doubtful authority. But the government exercised by the Norman princes had wound up the royal power to so high a pitch, and so much beyond the usual tenor of the feudal constitutions, that it still behoved him to be debased by new affronts and disgraces, ere his barons could entertain the view of conspiring against him, in order to retrench his prerogatives. The church, which, at that time, declined not a contest with the most powerful and most vigorous monarchs, took first advantage of John's imbecility; and, with the most aggravating circumstances of insolence and scorn, fixed her yoke upon him.

THE KING'S QUARREL WITH THE COURT OF ROME. 1207.

The papal chair was then filled by Innocent III., who, having attained that dignity at the age of thirty-seven years, and being endowed with a lofty and enterprising genius, gave full scope to his ambition, and attempted, perhaps more openly than any of his predecessors, to convert that superiority which was yielded him by all the European princes, into a real dominion over them. The hierarchy, protected by the Roman pontiff, had already carried to an enormous height its usurpations upon the civil power; but in order to extend them further, and render them useful to the court of Rome, it was necessary to reduce the ecclesiastics themselves under an absolute monarchy, and to make them entirely dependent on their spiritual leader. For this purpose Innocent first attempted to impose taxes at pleasure upon the clergy, and in the first year of this century, taking advantage of the popular frenzy for crusades, he sent collectors over all Europe, who levied, by his authority, the fortieth of all ecclesiastical revenues for the relief of the Holy Land, and received the voluntary contributions of the laity to a like amount. The same year, Hubert, archbishop of Canterbury, attempted another innovation, favourable to ecclesiastical and papal power: in the king's absence, he summoned, by his legantine authority, a synod of all the English clergy, contrary to the inhibition of Geoffrey Fitz-Peter, the chief justiciary; and no proper censure was ever passed on this encroachment, the first of the kind, upon the royal power. But a favourable incident soon after happened, which enabled so aspiring a pontiff as Innocent to extend still further his usurpations on so contemptible a prince as John.

Hubert, the primate, died in 1205; and as the monks or Canons of Christ Church, Canterbury, possessed a right of voting in the election of their archbishop, some of the juniors of the order, who lay in wait for that event, met clandestinely the very night of Hubert's death; and, without any congé d'élire from the king, chose Reginald, their sub-prior, for the successor; installed him in the archiepiscopal throne before midnight; and, having enjoined him the strictest secrecy, sent him immediately to Rome, in order to solicit the confirmation of his election. The vanity of Reginald, prevailed over his prudence; and he no sooner arrived in Flanders, than he revealed to every one the purpose of his journey, which was immediately known in England. The king was enraged at the novelty and temerity of the attempt, in filling so important an office without his knowledge or consent: the suffragan bishops of Canterbury, who were accustomed to concur in the choice of their primate, were no less displeased at the exclusion given them in this election; the senior monks of Christ-church were injured by the irregular proceedings of their juniors: the juniors themselves, ashamed of their conduct, and disgusted with the levity of Reginald, who had broken his engagements with them, were willing to set aside his election: and all men concurred in the design of remedying the false measures which had been taken. But as John knew that this affair would be canvassed before a superior tribunal, where the interposition of royal authority of bestowing ecclesiastical benefices was very invidious; where even the cause of suffragan bishops was not so favourable as that of monks; he determined to make the new election entirely unexceptionable: he submitted the affair wholly to the canons of Christ-church; and, departing from the right claimed by his predecessors, ventured no further than to inform them privately, that they would do him an acceptable service if they chose John de Gray, bishop of Norwich, for their primate. The election of that prelate was accordingly made without a contradictory vote; and the king, to obviate all contests, endeavoured to persuade the suffragan bishops not to insist on their claim of concurring in the election; but those prelates, persevering in their pretensions, sent an agent to maintain their cause before Innocent; while the king and the convent of Christ-church dispatched twelve monks of that order to support, before the same tribunal, the election of the bishop of Norwich.

Thus there lay three different claims before the pope, whom all parties allowed to be the supreme arbiter in the contest. The claim of the suffragans being so opposite to the usual maxims of the papal court, was soon set aside: the election of Reginald was so obviously fraudulent and irregular, that there was no possibility of defending it: but Innocent maintained, that though this election was null and invalid, it ought previously to have been declared such by the sovereign pontiff, before the monks could proceed to a new election: and that the choice of the bishop of Norwich was of course as uncanonical as that of his competitor. Advantage was therefore taken of this subtlety for introducing a precedent, by which the see of Canterbury, the most important dignity in the church after the papal throne, should ever after be at the disposal of the court of Rome.

While the pope maintained so many fierce contests, in order to wrest from princes the right of granting investitures, and to exclude laymen from all authority in conferring ecclesiastical benefices, he was supported by the united influence of the clergy, who, aspiring to independence, fought, with all the ardour of ambition, and all the zeal of superstition, under his sacred banners. But no sooner was this point, after a great effusion of blood and the convulsions of many states, established in some tolerable degree, than the victorious

leader, as is usual, turned his arms against his own community, and aspired to centre all power in his person. By the invention of reserves, provisions, commendams, and other devices, the pope gradually assumed the right of filling vacant benefices; and the plenitude of his apostolic power, which was not subject to any limitations, supplied all defects of title in the person on whom he bestowed preferment. The canons which regulated elections were purposely rendered intricate and involved; frequent disputes arose among candidates: appeals were every day carried to Rome: the apostolic see, besides reaping pecuniary advantages from these contests, often exercised the power of setting aside both the litigants, and, on pretence of appeasing faction, nominated a third person, who might be more acceptable to the contending parties.

CARDINAL LANGTON APPOINTED ARCHBISHOP OF CANTERBURY.

The present controversy about the election to the see of Canterbury afforded Innocent an opportunity of claiming this right; and he failed not to perceive and avail himself of the advantage. He sent for the twelve monks deputed by the convent to maintain the cause of the bishop of Norwich; and commanded them, under the penalty of excommunication, to choose for their primate, cardinal Langton, an Englishman by birth, but educated in France, and connected, by his interest and attachments, with the see of Rome. In vain did the monks represent, that they had received from their convent no authority for this purpose; that an election, without a previous writ from the king, would be deemed highly irregular; and that they were merely agents for another person, whose right they had no power or pretence to abandon. None of them had the courage to persevere in this opposition, except one, Elias de Brantefield: all the rest, overcome by the menaces and authority of the pope, complied with his orders, and made the election required of them.

Innocent, sensible that this flagrant usurpation would be highly resented by the court of England, wrote John a mollifying letter; sent him four golden rings, set with precious stones; and endeavoured to enhance the value of the present, by informing him of the many mysteries implied in it. He begged him to consider seriously the *form* of the rings, their *number*, their *matter*, and their *colour*. Their form, he said, being round, shadowed out Eternity, which had neither beginning nor end; and he ought thence to learn his duty of aspiring from earthly objects to heavenly, from things temporal to things eternal. The number four, being a square, denoted Steadiness of Mind, not to be subverted either by adversity or prosperity, fixed for ever on the firm basis of the four cardinal virtues. Gold, which is the matter, being the most precious of metals, signified Wisdom, which is the most valuable of all accomplishments, and justly preferred by Solomon to riches, power, and all exterior attainments. The blue colour of the sapphire represented Faith; the verdure of the emerald Hope; the redness of the ruby, Charity; and the splendour of the topaz, Good Works. By these conceits Innocent endeavoured to repay John for one of the most important prerogatives of his crown, which he had ravished from him; conceits probably admired by Innocent himself: for it is easily possible for a man, especially in a barbarous age, to unite strong talents for business with an absurd taste for literature and the arts.

John was inflamed with the utmost rage when he heard of this attempt of the court of Rome; and he immediately vented his passion on the monks of Christchurch, whom he found inclined to support the election made by their fellows at Rome. He sent Fulke de Cantelupe and Henry de Cornhulle, two knights of his retinue, men of violent tempers and rude manners, to expel them the convent, and take possession of their revenues. These knights entered the monastery with drawn swords, commanded the prior and the monks to depart the kingdom, and menaced them, that in case of disobedience, they would instantly burn them, with the convent. Innocent prognosticating, from the violence and imprudence of these measures, that John would finally sink in the contest, persevered the more vigorously in his pretensions; and exhorted the king not to oppose God and the church any longer, nor to prosecute that cause for which the holy martyr St. Thomas had sacrificed his life, and which had exalted him equal to the highest saints in heaven: a clear hint to John to profit by the example of his father, and to remember the prejudices and established principles of his subjects, who bore a profound veneration to that martyr, and regarded his merits as the subject of their chief glory and exultation.

Innocent, finding that John was not sufficiently tamed to submission, sent three prelates, the bishops of London, Ely, and Worcester, to intimate that if he persevered in his disobedience, the sovereign pontiff would be obliged to lay the kingdom under an interdict. All the other prelates threw themselves on their knees before him, and entreated him, with tears in their eyes, to prevent the scandal of this sentence, by making a speedy submission to his spiritual father, by receiving from his hands the new-elected primate, and by restoring the monks of Christ-church to all their rights and possessions. He burst out into the most indecent invectives against the prelates; swore by God's teeth, (his usual oath,) that if the pope presumed to lay his kingdom under an interdict, he would send to him all the bishops and clergy in England, and would confiscate all their estates; and threatened, that if thenceforth he caught any Romans in his dominions, he would put out their eyes and cut off their noses, in order to set a mark upon them which might distinguish them from all other nations. Amidst all this idle violence, John stood on such bad terms with his nobility, that he never dared to assemble the states of the kingdom, who, in so just a cause, would probably have adhered to any other monarch, and have defended with vigour the liberties of the nation against these palpable usurpations of the court of Rome. Innocent, therefore, perceiving the king's weakness, fulminated at last the sentence of interdict, which he had for some time held suspended over him.

The sentence of interdict was at that time the great instrument of vengeance and policy employed by the court of Rome; was denounced against sovereigns for the slightest offences; and made the guilt of one person involve the ruin of millions, even in their spiritual and eternal welfare. The execution of it was calculated to strike the senses in the highest degree, and to operate with irresistible force on the superstitious minds of the people. The nation was of a sudden deprived of all exterior exercise of its religion: the altars were despoiled of their ornaments: the crosses, the relics, the images, the statues of the saints were laid on the ground; and, as if the air itself were profaned, and might pollute them by its contact, the priests carefully covered them up, even from their own approach and veneration. The use of bells entirely ceased in all the churches: the bells themselves were removed from the steeples, and laid on the ground with the other sacred utensils. Mass was celebrated with shut doors, and none but the priests were admitted to that holy institution. The laity partook of no religious rite, except baptism to new-born infants, and the communion to the dying: the dead were not interred in consecrated ground: they were thrown into ditches, or buried in common fields; and their obsequies were not attended with prayers or any hallowed ceremony. Marriage was celebrated in the churchyards; and that every action in life might bear the marks of this dreadful situation, the people were prohibited the use of meat, as in Lent, or times of the highest penance; were debarred from all pleasures and entertainments, and even to salute each other, or so much as to shave

their beards, and give any decent attention to their person and apparel. Every circumstance carried symptoms of the deepest distress, and of the most immediate apprehension of divine vengeance and indignation.

The king, that he might oppose *his* temporal to *their* spiritual terrors, immediately, from his own authority, confiscated the estates of all the clergy who obeyed the interdict; banished the prelates, confined the monks in their convent, and gave them only such a small allowance from their own estates as would suffice to provide them with food and raiment. He treated with the utmost rigour all Langton's adherents, and every one that showed any disposition to obey the commands of Rome; and in order to distress the clergy in the tenderest point, and at the same time expose them to reproach and ridicule, he threw into prison all their concubines, and required high fines as the price of their liberty.

After the canons which established the celibacy of the clergy were, by the zealous endeavours of archbishop Anselm, more rigorously executed in England, the ecclesiastics gave, almost universally and avowedly, into the use of concubinage; and the court of Rome, which had no interest in prohibiting this practice, made very slight opposition to it. The custom was become so prevalent, that in some cantons of Switzerland, before the Reformation, the laws not only permitted, but, to avoid scandal, enjoined the use of concubines to the younger clergy, and it was usual everywhere for priests to apply to the ordinary, and obtain from him a formal liberty for this indulgence. The bishop commonly took care to prevent the practice from degenerating into licentiousness; he confined the priest to the use of one woman, required him to be constant to her bed, obliged him to provide for her subsistence and that of her children; and though the offspring was, in the eye of the law, deemed illegitimate, this commerce was really a kind of inferior marriage, such as is still practised in Germany among the nobles; and may be regarded by the candid as an appeal from the tyranny of civil and ecclesiastical institutions, to the more virtuous and more unerring laws of nature.

The quarrel between the king and the see of Rome continued for some years; and though many of the clergy, from the fear of punishment, obeyed the orders of John, and celebrated divine service, they complied with the utmost reluctance, and were regarded, both by themselves and the people, as men who betrayed their principles, and sacrificed their conscience to temporal regards and interests. During this violent situation, the king, in order to give a lustre to his government, attempted military expeditions against Scotland, against Ireland, against the Welsh; and he commonly prevailed, more from the weakness of his enemies than from his own vigour or abilities. Meanwhile, the danger to which his government stood continually exposed from the discontents of the ecclesiastics, increased his natural propension to tyranny; and he seems to have even wantonly disgusted all orders of men, especially his nobles, from whom alone he could reasonably expect support and assistance. He dishonoured their families by his licentious amours; he published edicts, prohibiting them from hunting feathered game, and thereby restrained them from their favourite occupation and amusement; he ordered all the hedges and fences near his forests to be levelled, that his deer might have more ready access into the fields for pasture; and he continually loaded the nation with arbitrary impositions. Conscious of the general hatred which he had incurred, he required [1203] his nobility to give him hostages for security of their allegiance; and they were obliged to put into his hands their sons, nephews, or near relations. When his messengers came with like orders to the castle of William de Braouse, a baron of great note, the lady of that nobleman replied, That she would never entrust her son into the hands of one who had murdered his own nephew while in his custody. Her husband reproved her for the severity of this speech; but, sensible of his danger, he immediately fled with his wife and son into Ireland, where he endeavoured to conceal himself. The king discovered the unhappy family in their retreat; seized the wife and son, whom he starved to death in prison; and the baron himself narrowly escaped, by flying into France.

1209. The court of Rome had artfully contrived a gradation of sentences; by which she kept offenders in awe, still afforded them an opportunity of preventing the next anathema by submission; and, in case of their obstinacy, was able to refresh the horror of the people against them, by new denunciations of the wrath and vengeance of Heaven. As the sentence of interdict had not produced the desired effect on John, and as his people, though extremely discontented, had hitherto been restrained from rising in open rebellion against him, he was soon to look for the sentence of excommunication: and he had reason to apprehend, that, notwithstanding all his precautions, the most dangerous consequences might ensue from it. He was witness of the other scenes which at that very time were acting in Europe, and which displayed the unbounded and uncontrolled power of the papacy. Innocent, far from being dismayed at his contests with the king of England, had excommunicated the emperor Otho, John's nephew; and soon brought that powerful and haughty prince to submit to his authority. He published a crusade against the Albigenses, a species of enthusiasts in the south of France, whom he denominated heretics; because, like other enthusiasts, they neglected the rights of the church, and opposed the power and influence of the clergy: the people from all parts of Europe, moved by their superstition and their passion for wars and adventures, flocked to his standard: Simon de Montfort, the general of the crusade, acquired to himself a sovereignty in these provinces: the count of Toulouse, who protected, or perhaps only tolerated the Albigenses, was stripped of his dominions: and these sectaries themselves, though the most innocent and inoffensive of mankind, were exterminated with all the circumstances of extreme violence and barbarity. Here were therefore both an army and a general, dangerous from their zeal and valour, who might be directed to act against John; and Innocent, after keeping the thunder long suspended, gave at last authority to the bishops of London, Ely, and Worcester, to fulminate the sentence of excommunication against him. These prelates obeyed; though their brethren were deterred from publishing, as the pope required of them, the sentence in the several churches of their dioceses.

No sooner was the excommunication known, than the effects of it appeared. Geoffrey, archdeacon of Norwich, who was entrusted with a considerable office in the court of the exchequer, being informed of it while sitting on the bench, observed to his colleagues the danger of serving under an excommunicated king; and he immediately left his chair, and departed the court. John gave orders to seize him, to throw him into prison, to cover his head with a great leaden cope; and by this and other severe usage he put an end to his life: nor was there anything wanting to Geoffrey, except the dignity and rank of Becket, to exalt him to an equal station in heaven with that great and celebrated martyr. Hugh de Wells, the chancellor, being elected, by the king's appointment, bishop of Lincoln, upon a vacancy in that see, desired leave to go abroad, in order to receive consecration from the archbishop of Roüen; but he no sooner reached France than he hastened to Pontigny, where Langton then resided, and paid submission to him as his primate. The bishops, finding themselves exposed either to the jealousy of the king or hatred of the people, gradually stole out of the kingdom; and at last there remained only three prelates to perform the functions of the

episcopal office. Many of the nobility, terrified by John's tyranny, and obnoxious to him on different accounts, imitated the example of the bishops; and most of the others who remained were, with reason, suspected of having secretly entered into a confederacy against him. John was alarmed at his dangerous situation; a situation which prudence, vigour, and popularity might formerly have prevented, but which no virtues or abilities were now sufficient to retrieve. He desired a conference with Langton at Dover: offered to acknowledge him as primate, to submit to the pope, to restore the exiled clergy, even to pay them a limited sum as a compensation for the rents of their confiscated estates. But Langton, perceiving his advantage, was not satisfied with these concessions; he demanded that full restitution and reparation should be made to all the clergy; a condition so exorbitant that the king, who probably had not the power of fulfilling it, and who foresaw that this estimation of damages might amount to an immense sum, finally broke off the conference.

1212. The next gradation of papal sentences was to absolve John's subjects from their oaths of fidelity and allegiance, and to declare every one excommunicated who had any commerce with him in public or in private; at his table, in his council, or even in private conversation: and this sentence was accordingly, with all imaginable solemnity, pronounced against him. But as John still persevered in his contumacy, there remained nothing but the sentence of deposition; which, though intimately connected with the former, had been distinguished from it by the artifice of the court of Rome; and Innocent determined to dart this last thunderbolt against the refractory monarch. But as a sentence of this kind required an armed force to execute it, the pontiff, casting his eyes around, fixed at last on Philip, king of France, as the person into whose powerful hand he could most properly entrust that weapon, the ultimate resource of his ghostly authority. And he offered the monarch, besides the remission of all his sins and endless spiritual benefits, the property and possession of the kingdom of England, as the reward of his labour.

1213. It was the common concern of all princes to oppose these exorbitant pretensions of the Roman pontiff, by which they themselves were rendered vassals, and vassals totally dependent of the papal crown: yet even Philip, the most able monarch of the age, was seduced by present interest, and by the prospect of so tempting a prize, to accept this liberal offer of the pontiff, and thereby to ratify that authority which, if he ever opposed its boundless usurpations, might next day tumble him from the throne. He levied a great army; summoned all the vassals of the crown to attend him at Roüen; collected a fleet of 1700 vessels, great and small, in the seaports of Normandy and Picardy; and partly from the zealous spirit of the age, partly from the personal regard universally paid him, prepared a force, which seemed equal to the greatness of his enterprise. The king, on the other hand, issued out writs, requiring the attendance of all his military tenants at Dover, and even of all able-bodied men to defend the kingdom in this dangerous extremity. A great number appeared; and he selected an army of 60,000 men; a power invincible, had they been united in affection to their prince, and animated with a becoming zeal for the defence of their native country. But the people were swayed by superstition, and regarded their king with horror, as anathematised by papal censures: the barons, besides lying under the same prejudices, were all disgusted by his tyranny, and were, many of them, suspected of holding a secret correspondence with the enemy: and the incapacity and cowardice of the king himself, ill fitted to contend with those mighty difficulties, made men prognosticate the most fatal effects from the French invasion.

Pandolf, whom the pope had chosen for his legate, and appointed to head this important expedition, had, before he left Rome, applied for a secret conference with his master, and had asked him, whether if the king of England, in this desperate situation, were willing to submit to the apostolic see, the church should, without the consent of Philip, grant him any terms of accommodation? Innocent, expecting from his agreement with a prince so abject both in character and fortune, more advantage than from his alliance with a great and victorious monarch, who, after such mighty acquisitions, might become too haughty to be bound by spiritual chains, explained to Pandolf the conditions on which he was willing to be reconciled to the king of England. The legate, therefore, as soon as he arrived in the north of France, sent over two knights templars to desire an interview with John at Dover, which was readily granted: he there represented to him, in such strong, and probably in such true colours, his lost condition, the disaffection of his subjects, the secret combination of his vassals against him, the mighty armament of France, that John yielded at discretion, (13th May,) and subscribed to all the conditions which Pandolf was pleased to impose upon him. He promised, among other articles, that he would submit himself entirely to the judgment of the pope; that he would acknowledge Langton for primate; that he would restore all the exiled clergy and laity who had been banished on account of the contest; that he would make them full restitution of their goods, and compensation for all damages, and instantly consign eight thousand pounds in part of payment; and that every one outlawed or imprisoned for his adherence to the pope, should immediately be received into grace and favour. Four barons swore, along with the king, to the observance of this ignominious treaty.

But the ignominy of the king was not yet carried to its full height. Pandolf required him, as the first trial of obedience, to resign his kingdom to the church; and he persuaded him, that he could nowise so effectually disappoint the French invasion, as by thus putting himself under the immediate protection of the apostolic see. John, lying under the agonies of present terror, made no scruple of submitting to this condition. He passed a charter, in which he said, that not constrained by fear, but of his own free will, and by the common advice and consent of his barons, he had, for remission of his own sins, and those of his family, resigned England and Ireland to God, to St. Peter and St. Paul, and to pope Innocent and his successors in the apostolic chair: he agreed to hold these dominions as feudatory of the church of Rome, by the annual payment of a thousand marks; seven hundred for England, three hundred for Ireland: and he stipulated, that if he or his successors should ever presume to revoke or infringe this charter, they should instantly, except upon admonition they repented of their offence, forfeit all right to their dominions.

In consequence of this agreement John did homage (15th May) to Pandolf, as the pope's legate, with all the submissive rites which the feudal law required of vassals before their liege-lord and superior. He came disarmed into the legate's presence, who was seated on a throne; he flung himself on his knees before him; he lifted up his joined hands, and put them within those of Pandolf; he swore fealty to the pope; and he paid part of the tribute which he owed for his kingdom as the patrimony of St. Peter. The legate, elated by this supreme triumph of sacerdotal power, could not forbear discovering extravagant symptoms of joy and exultation, he trampled on the money, which was laid at his feet, as an earnest of the subjection of the kingdom: an insolence of which, however offensive to all the English, no one present, except the archbishop of Dublin, dared to take any notice. But though Pandolf had brought the king to submit to these base conditions, he still refused to free him from the excommunication and interdict, till an estimate should be taken of the losses of the ecclesiastics, and full compensation and restitution should be made them.

John, reduced to this abject situation under a foreign power, still showed the same disposition to tyrannize over his subjects, which had been the chief cause of all his misfortunes. One Peter of Pomfret, a hermit, had foretold that the king this very year should lose his crown; and for that rash prophecy he had been thrown into prison in Corfe-castle. John now determined to bring him to punishment as an impostor; and though the man pleaded that his prophecy was fulfilled, and that the king had lost the royal and independent crown which he formerly wore, the defence was supposed to aggravate his guilt: he was dragged at horses' tails, to the town of Warham, and there hanged on a gibbet, with his son.

When Pandolf, after receiving the homage of John, returned to France, he congratulated Philip on the success of his pious enterprise; and informed him, that John, moved by the terror of the French arms, had now come to a just sense of his guilt; had returned to obedience under the apostolic see, and even consented to do homage to the pope for his dominions; and having thus made his kingdom a part of St. Peter's patrimony, had rendered it impossible for any Christian prince, without the most manifest and most flagrant impiety, to attack him. Philip was enraged on receiving this intelligence: he exclaimed, that having, at the pope's instigations, undertaken an expedition, which had cost him above 60,000 pounds sterling, he was frustrated of his purpose, at the time when its success was become infallible: he complained, that all the expense had fallen upon him; all the advantages had accrued to Innocent: he threatened to be no longer the dupe of those hypocritical pretences: and assembling his vassals, he laid before them the ill-treatment which he had received, exposed the interested and fraudulent conduct of the pope, and required their assistance to execute his enterprise against England, in which he told them, that, notwithstanding the inhibitions and menaces of the legate, he was determined to persevere. The French barons were, in that age, little less ignorant and superstitious than the English: yet, so much does the influence of religious principles depend on the present dispositions of men! they all vowed to follow their prince on his intended expedition, and were resolute not to be disappointed of that glory and those riches which they had long expected from this enterprise. The earl of Flanders alone, who had previously formed a secret treaty with John, declaring against the injustice and impiety of the undertaking, retired with his forces, and Philip, that he might not leave so dangerous an enemy behind him, first turned his arms against the dominions of that prince. Meanwhile, the English fleet was assembled under the earl of Salisbury, the king's natural brother; and, though inferior in number, received orders to attack the French in their harbours. Salisbury performed this service with so much success, that he took three hundred ships, destroyed a hundred more; and Philip, finding it impossible to prevent the rest from falling into the hands of the enemy, set fire to them himself, and thereby rendered it impossible for him to proceed any further in his enterprise.

John, exulting in his present security, insensible to his past disgrace, was so elated with his success, that he thought of no less than invading France in his turn, and recovering all those provinces which the prosperous arms of Philip had formerly ravished from him. He proposed this expedition to the barons, who were already assembled for the defence of the kingdom. But the English nobles both hated and despised their prince: they prognosticated no success to any enterprise conducted by such a leader: and pretending that their time of service was elapsed, and all their provisions exhausted, they refused to second his undertaking. The king, however, resolute in his purpose, embarked with a few followers, and sailed to Jersey, in the foolish expectation that the barons would at last be ashamed to stay behind. But finding himself disappointed, he returned to England; and raising some troops, threatened to take vengeance on all his nobles for their desertion and disobedience. The archbishop of Canterbury, who was in a confederacy with the barons, here interposed; strictly inhibited the king from thinking of such an attempt; and threatened him with a renewal of the sentence of excommunication, if he pretended to levy war upon any of his subjects, before the kingdom were freed from the sentence of interdict.

The church had recalled the several anathemas pronounced against John, by the same gradual progress with which she had at first issued them. By receiving his homage, and admitting him to the rank of a vassal, his deposition had been virtually annulled, and his subjects were again bound by their oaths of allegiance. The exiled prelates had then returned in great triumph, with Langton at their head; and the king, hearing of their approach, went forth to meet them, and throwing himself on the ground before them, he entreated them with tears to have compassion on him and the kingdom of England. The primate, seeing these marks of sincere penitence, led him to the chapter-house of Winchester, (20th July,) and there administered an oath to him, by which he again swore fealty and obedience to pope Innocent and his successors; promised to love, maintain, and defend holy church and the clergy; engaged that he would re-establish the good laws of his predecessors, particularly those of St. Edward, and would abolish the wicked ones; and expressed his resolution of maintaining justice and right in all his dominions. The primate next gave him absolution in the requisite forms, and admitted him to dine with him, to the great joy of all the people. The sentence of interdict, however, was still upheld against the kingdom. A new legate, Nicholas, bishop of Frescati, came into England in the room of Pandolf; and he declared it to be the pope's intentions never to loosen that sentence till full restitution were made to the clergy of everything taken from them, and ample reparation for all damages which they had sustained. He only permitted mass to be said with a low voice in the churches, till those losses and damages could be estimated to the satisfaction of the parties. Certain barons were appointed to take an account of the claims; and John was astonished at the greatness of the sums to which the clergy made their losses to amount. No less than twenty thousand marks were demanded by the monks of Canterbury alone; twenty-three thousand for the see of Lincoln: and the king, finding these pretensions to be exorbitant and endless, offered the clergy the sum of a hundred thousand marks for a final acquittal. The clergy rejected the offer with disdain; but the pope, willing to favour his new vassal, whom he found zealous in his declarations of fealty; and regular in paying the stipulated tribute to Rome, directed his legate to accept of forty thousand. The issue of the whole was, that the bishops and considerable abbots got reparation beyond what they had any title to demand: the inferior clergy were obliged to sit down contented with their losses: and the king, after the interdict was taken off, renewed, in the most solemn manner, and by a new charter, sealed with gold, his professions of homage and obedience to the see of Rome.

1214. When this vexatious affair was at last brought to a conclusion, the king, as if he had nothing further to attend to but triumphs and victories, went over to Poictou, which still acknowledged his authority,* and he carried war into Philip's dominions. He besieged a castle near Angiers; but the approach of prince Louis, Philip's son, obliged him to raise the siege with such precipitation, that he left his tents, machines, and baggage behind him; and he returned to England with disgrace. About the same time, he heard of the great and decisive victory gained by the king of France at Bovines over the emperor Otho, who had entered

* Queen Eleanor died in 1203 or 1204.





France at the head of 150,000 Germans; a victory which established for ever the glory of Philip, and gave full security to all his dominions. John could, therefore, think henceforth of nothing further than of ruling peaceably his own kingdom; and his close connexions with the pope, which he was determined at any price to maintain, ensured him, as he imagined, the certain attainment of that object. But the last and most grievous scene of this prince's misfortunes still awaited him; and he was destined to pass through a series of more humiliating circumstances than had ever yet fallen to the lot of any other monarch.

DISCONTENTS OF THE BARONS.

The introduction of the feudal law into England by William the Conqueror had much infringed the liberties, however imperfect, enjoyed by the Anglo-Saxons in their ancient government, and had reduced the whole people to a state of vassalage under the king or barons, and even the greater part of them to a state of real slavery. The necessity also of intrusting great power in the hands of a prince, who was to maintain military dominion over a vanquished nation, had engaged the Norman barons to submit to a more severe and absolute prerogative than that to which men of their rank, in other feudal governments, were commonly subjected. The power of the crown, once raised to a high pitch, was not easily reduced: and the nation, during the course of a hundred and fifty years, was governed by an authority unknown, in the same degree, to all the kingdoms founded by the northern conquerors. Henry I., that he might allure the people to give an exclusion to his elder brother Robert, had granted them a charter, favourable in many particulars to their liberties; Stephen had renewed the grant: Henry II. had confirmed it: but the concessions of all these princes had still remained without effect; and the same unlimited, at least irregular authority, continued to be exercised both by them and their successors. The only happiness was, that arms were never yet ravished from the hands of the barons and people: the nation, by a great confederacy, might still vindicate its liberties: and nothing was more likely, than the character, conduct, and fortunes of the reigning prince, to produce such a general combination against him. Equally odious and contemptible, both in public and private life, he affronted the barons by his insolence, dishonoured their families by his gallantries, enraged them by his tyranny, and gave discontent to all ranks of men by his endless exactions and impositions. The effect of these lawless practices had already appeared in the general demand made by the barons of a restoration of their privileges; and after he had reconciled himself to the pope, by abandoning the independence of the kingdom, he appeared to all his subjects in so mean a light, that they universally thought they might with safety and honour insist upon their pretensions.

But nothing forwarded this confederacy so much as the concurrence of Langton, archbishop of Canterbury; a man whose memory, though he was obtruded on the nation by a palpable encroachment of the see of Rome, ought always to be respected by the English. This prelate, whether he was moved by the generosity of his nature, and his affection to public good; or had entertained an animosity against John on account of the long opposition made by that prince to his election; or thought that an acquisition of liberty to the people would serve to increase and secure the privileges of the church; had formed the plan of reforming the government, and had prepared the way for that great innovation, by inserting those singular clauses above mentioned in the oath which he administered to the king, before he would absolve him from the sentence of excommunication. Soon after, in a private meeting of some principal barons at London, he showed them a copy of Henry I.'s charter, which he said he had happily found in a monastery; and he exhorted them to insist on the renewal and observance of it: the barons swore, that they would sooner lose their lives than depart from so reasonable a demand. The confederacy began now to spread wider, and to comprehend almost all the barons in England; and a new and more numerous meeting was summoned by Langton (in November) at St. Edmondsbury, under colour of devotion. He again produced to the assembly the old charter of Henry; renewed his exhortations of unanimity and vigour in the prosecution of their purpose; and represented in the strongest colours the tyranny to which they had so long been subjected, and from which it now behoved them to free themselves and their posterity. The barons, inflamed by his eloquence, incited by the sense of their own wrongs, and encouraged by the appearance of their power and numbers, solemnly took an oath, before the high altar, to adhere to each other, to insist on their demands, and to make endless war on the king till he should submit to grant them. They agreed, that, after the festival of Christmas, they would prefer in a body their common petition; and, in the mean time, they separated, after mutually engaging, that they would put themselves in a posture of defence, would enlist men and purchase arms, and would supply their castles with the necessary provisions.

The barons appeared in London on the day appointed; (January 6, 1215;) and demanded of the king, that, in consequence of his own oath before the primate, as well as in deference to their just rights, he should grant them a renewal of Henry's charter, and a confirmation of the laws of St. Edward. The king, alarmed with their zeal and unanimity, as well as with their power, required a delay; promised that, at the festival of Easter, he would give them a positive answer to their petition; and offered them the archbishop of Canterbury, the bishop of Ely, and the earl of Pembroke, the mareschal, as sureties for his fulfilling this engagement. The barons accepted of the terms, and peaceably returned to their castles.

During this interval, John, in order to break or subdue the league of his barons, endeavoured to avail himself of the ecclesiastical power, of whose influence he had, from his own recent misfortunes, had such fatal experience. He granted to the clergy a charter (15th January) relinquishing for ever that important prerogative for which his father and all his ancestors had zealously contended; yielding to them the free election on all vacancies, reserving only the power to issue a congé d'elire, and to subjoin a confirmation of the election; and declaring that, if either of these were withheld, the choice should nevertheless be deemed just and valid. He made a vow to lead an army into Palestine against the infidels, and he took on him the cross; in hopes that he should receive from the church that protection which he tendered to every one that had entered into this sacred and meritorious engagement. And he sent to Rome his agent, William de Mauclerc, in order to appeal to the pope against the violence of his barons, and procure him a favourable sentence from that powerful tribunal. The barons also were not negligent on their part in endeavouring to engage the pope in their interests: they dispatched Eustace de Vescie to Rome; laid their case before Innocent as their feudal lord; and petitioned him to interpose his authority with the king, and oblige him to restore and confirm their just and undoubted privileges.

Innocent beheld with regret the disturbances which had arisen in England, and was much inclined to favour John in his pretensions. He had no hopes of retaining and extending his newly-acquired superiority over that kingdom, but by supporting so base and degenerate a prince, who was willing to sacrifice every consideration to his present safety: and he foresaw that if the administration should fall into the hands of those gallant and high-spirited barons, they would vindi

cate the honour, liberty, and independence of the nation, with the same ardour which they now exerted in defence of their own. He wrote letters therefore to the prelates, to the nobility, and to the king himself. He exhorted the first to employ their good offices in conciliating peace between the contending parties, and putting an end to civil discord: to the second, he expressed his disapprobation of their conduct in employing force to extort concessions from their reluctant sovereign: the last, he advised to treat his nobles with grace and indulgence, and to grant them such of their demands as should appear just and reasonable.

The barons easily saw, from the tenor of these letters, that they must reckon on having the pope, as well as the king, for their adversary; but they had already advanced too far to recede from their pretensions, and their passions were so deeply engaged, that it exceeded even the power of superstition itself any longer to control them. They also foresaw that the thunders of Rome, when not seconded by the efforts of the English ecclesiastics, would be of small avail against them; and they perceived, that the most considerable of the prelates, as well as all the inferior clergy, professed the highest approbation of their cause. Besides that these men were seized with the national passion for laws and liberty, blessings of which they themselves expected to partake, there concurred very powerful causes to loosen their devoted attachment to the apostolic see. It appeared, from the late usurpations of the Roman pontiff, that he pretended to reap alone all the advantages accruing from that victory, which under his banners, though at their own peril, they had everywhere obtained over the civil magistrate. The pope assumed a despotic power over all the churches: their particular customs, privileges, and immunities were treated with disdain: even the canons of general councils were set aside by his dispensing power: the whole administration of the church was centred in the court of Rome: all preferments ran of course in the same channel; and the provincial clergy saw, at least felt, that there was a necessity for limiting these pretensions. The legate, Nicholas, in filling those numerous vacancies which had fallen in England during an interdict of six years, had proceeded in the most arbitrary manner; and had paid no regard in conferring dignities to personal merit, to rank, to the inclination of the electors, or to the customs of the country. The English church was universally disgusted; and Langton himself, though he owed his elevation to an encroachment of the Romish see, was no sooner established in his high office, than he became jealous of the privileges annexed to it, and formed attachments with the country subjected to his jurisdiction. These causes, though they opened slowly the eyes of men, failed not to produce their effect; they set bounds to the usurpations of the papacy; the tide first stopped, and then turned against the sovereign pontiff: and it is otherwise inconceivable, how that age, so prone to superstition and so sunk in ignorance, or rather so devoted to a spurious erudition, could have escaped falling into an absolute and total slavery under the court of Rome.

INSURRECTION OF THE BARONS.

About the time that the pope's letters arrived in England, the malcontent barons, on the approach of the festival of Easter, when they were to expect the king's answer to their petition, met by agreement at Stamford; and they assembled a force, consisting of above 2000 knights, besides their retainers, and inferior persons without number. Elated with their power, they advanced in a body to Brackley, (27th of April,) within fifteen miles of Oxford, the place where the court then resided; and they there received a message from the king, by the archbishop of Canterbury and the earl of Pembroke, desiring to know what those liberties were which they so zealously challenged from their sovereign. They delivered to these messengers a schedule containing the chief articles of their demands; which was no sooner shown to the king, than he burst into a furious passion, and asked why the barons did not also demand of him his kingdom, swearing that he would never grant them such liberties as must reduce himself to slavery.

No sooner were the confederated nobles informed of John's reply, than they chose Robert Fitz-Walter their general, whom they called *the mareschal of the army of God and of holy church*; and they proceeded without further ceremony to levy war upon the king. They besieged the castle of Northampton during fifteen days, though without success. The gates of Bedford castle were willingly opened to them by William Beauchamp, its owner: they advanced to Ware, (24th of May,) in their way to London, where they held a correspondence with the principal citizens; they were received without opposition into that capital, and finding now the great superiority of their force, they issued proclamations requiring the other barons to join them; and menacing them, in case of refusal or delay, with committing devastation on their houses and estates. In order to show what might be expected from their prosperous arms, they made incursions from London, and laid waste the king's parks and palaces; and all the barons who had hitherto carried the semblance of supporting the royal party, were glad of this pretence for openly joining a cause which they always had secretly favoured. The king was left at Odiham, in Hampshire, with a poor retinue of only seven knights; and after trying several expedients to elude the blow, after offering to refer all differences to the pope alone, or to eight barons, four to be chosen by himself and four by the confederates, he found himself at last obliged to submit at discretion.

MAGNA CHARTA. *June* 15.

A conference between the king and the barons was appointed at Runnemede, between Windsor and Staines, a place which has ever since been extremely celebrated, on account of this great event. The two parties encamped apart, like open enemies; and after a debate of a few days, the king, with a facility somewhat suspicious, signed and sealed the charter which was required of him. (June 19.) This famous deed, commonly called the GREAT CHARTER, either granted or secured very important liberties and privileges to every order of men in the kingdom; to the clergy, to the barons, and to the people.

The freedom of elections was secured to the clergy: the former charter of the king was confirmed, by which the necessity of a royal congé d'elire and confirmation was superseded: all check upon appeals to Rome was removed, by the allowance granted every man to depart the kingdom at pleasure; and the fines to be imposed on the clergy for any offence, were ordained to be proportional to their lay estates, not to their ecclesiastical benefices.

The privileges granted to the barons were either abatements in the rigour of the feudal law, or determinations in points which had been left by that law, or had become, by practice, arbitrary and ambiguous. The reliefs of heirs succeeding to a military fee were ascertained; an earl's and baron's at a hundred marks, a knight's at a hundred shillings. It was ordained by the charter, that, if the heir be a minor, he shall, immediately upon his majority, enter upon his estate, without paying any relief; the king shall not sell his wardship; he shall levy only reasonable profits upon the estate, without committing waste, or hurting the property; he shall uphold the castles, houses, mills, parks, and ponds; and if he commit the guardianship of the estate to the sheriff or any other, he shall previously oblige them to find surety to the same purpose During the minority of a baron, while his lands are in wardship, and are not in his own possession, no debt which he owes to the Jews shall bear any interest.

Heirs shall be married without disparagement; and before the marriage be contracted, the nearest relations of the person shall be informed of it. A widow, without paying any relief, shall enter upon her dower, the third part of her husband's rents: she shall not be compelled to marry so long as she chooses to continue single; she shall only give security never to marry without her lord's consent. The king shall not claim the wardship of any minor who holds lands by military tenure of a baron, on pretence that he also holds lands of the crown, by soccage or any other tenure. Scutages shall be estimated at the same rate as in the time of Henry I.; and no scutage or aid, except in the three general feudal cases—the king's captivity, the knighting of his eldest son, and the marrying of his eldest daughter, shall be imposed but by the great council of the kingdom; the prelates, earls, and great barons shall be called to this great council, each by a particular writ; the lesser barons by a general summons of the sheriff. The king shall not seize any baron's land for a debt to the crown, if the baron possesses as many goods and chattels as are sufficient to discharge the debt. No man shall be obliged to perform more service for his fee than he is bound to by his tenure. No governor or constable of a castle shall oblige any knight to give money for castle-guard, if the knight be willing to perform the service in person, or by another able-bodied man; and if the knight be in the field himself, by the king's command, he shall be exempted from all other service of this nature. No vassal shall be allowed to sell so much of his land as to incapacitate himself from performing his service to his lord.

These were the principal articles calculated for the interest of the barons; and had the charter contained nothing further, national happiness and liberty had been very little promoted by it, as it would only have tended to increase the power and independence of an order of men who were already too powerful, and whose yoke might have become more heavy on the people than even that of an absolute monarch. But the barons, who alone drew and imposed on the prince this memorable charter, were necessitated to insert in it other clauses of a more extensive and more beneficent nature: they could not expect the concurrence of the people, without comprehending, together with their own, the interest of inferior ranks of men; and all provisions which the barons, for their own sake, were obliged to make, in order to ensure the free and equitable administration of justice, tended directly to the benefit of the whole community. The following were the principal clauses of this nature:—

It was ordained, that all the privileges and immunities above mentioned, granted to the barons against the king, should be extended by the barons to their inferior vassals. The king bound himself not to grant any writ, empowering a baron to levy aid from his vassals, except in the three feudal cases. One weight and one measure shall be established throughout the kingdom. Merchants shall be allowed to transact all business, without being exposed to any arbitrary tolls and impositions; they and all free men shall be allowed to go out of the kingdom and return to it at pleasure. London, and all cities and burghs, shall preserve their ancient liberties, immunities, and free customs: aids shall not be required of them but by the consent of the great council; no towns or individuals shall be obliged to make or support bridges but by ancient custom; the goods of every freeman shall be disposed of according to his will; if he die intestate, his heirs shall succeed to them. No officer of the crown shall take any horses, carts, or wood, without the consent of the owner. The king's courts of justice shall be stationary, and shall no longer follow his person; they shall be open to every one; and justice shall no longer be sold, refused, or delayed by them. Circuits shall be regularly held every year: the inferior tribunals of justice, the county court, sheriff's turn, and court-leet, shall meet at their appointed time and place: the sheriffs shall be incapacitated to hold pleas of the crown, and shall not put any person upon his trial, from rumour or suspicion alone, but upon the evidence, of lawful witnesses. No freeman shall be taken, or imprisoned, or dispossessed of his free tenement and liberties, or outlawed, or banished, or any wise hurt or injured, unless by the legal judgment of his peers, or by the law of the land; and all who suffered otherwise, in this or the two former reigns, shall be restored to their rights and possessions. Every freeman shall be fined in proportion to his fault, and no fine shall be levied on him to his utter ruin; even a villain or rustic shall not, by any fine, be bereaved of his carts, ploughs, and implements of husbandry. This was the only article calculated for the interests of this body of men, probably at that time the most numerous in the kingdom.

It must be confessed that the former articles of the Great Charter contain such mitigations and explanations of the feudal law as are reasonable and equitable, and that the latter involve all the chief outlines of a legal government, and provide for the equal distribution of justice and free enjoyment of property, the great objects for which political society was at first founded by men, which the people have a perpetual and unalienable right to recal, and which no time, nor precedent, nor statute, nor positive institution, ought to deter them from keeping ever uppermost in their thoughts and attention. Though the provisions made by this charter might, conformably to the genius of the age, be esteemed too concise and too bare of circumstances to maintain the execution of its articles, in opposition to the chicanery of lawyers, supported by the violence of power, time gradually ascertained the sense of all the ambiguous expressions; and those generous barons, who first extorted this concession, still held their swords in their hands, and could turn them against those who dared, on any pretence, to depart from the original spirit and meaning of the grant. We may now, from the tenor of this charter, conjecture what those laws were of king Edward, which the English nation, during so many generations, still desired, with such an obstinate perseverance, to have recalled and established. They were chiefly these latter articles of *Magna Charta:* and the barons who, at the beginning of these commotions, demanded the revival of the Saxon laws, undoubtedly thought that they had sufficiently satisfied the people by procuring them this concession, which comprehended the principal objects to which they had so long aspired. But what we are most to admire is, the prudence and moderation of these haughty nobles themselves, who were enraged by injuries, inflamed by oppositions, and elated by a total victory over their sovereign. They were content, even in this plenitude of power, to depart from some articles of Henry I.'s charter, which they made the foundation of their demands, particularly from the abolition of wardships, a matter of the greatest importance; and they seem to have been sufficiently careful not to diminish too far the power and revenue of the crown. If they appear, therefore, to have carried other demands to too great a height, it can be ascribed only to the faithless and tyrannical character of the king himself, of which they had long had experience, and which, they foresaw, would, if they provided no further security, lead him soon to infringe their new liberties, and revoke his own concessions. This alone gave birth to those other articles, seemingly exorbitant, which were added as a rampart for the safeguard of the Great Charter.

The barons obliged the king to agree that London should remain in their hands, and the Tower be consigned to the custody of the primate, till the 15th of August ensuing, or till the execution of the several articles of the Great Charter. The better to ensure the same end, he allowed them to choose five-and-twenty members from their own body, as conservators of the public liberties; and no bounds were set to the

authority of these men, either in extent or duration. If any complaint were made of a violation of the charter, whether attempted by the king, justiciaries, sheriffs, or foresters, any four of these barons might admonish the king to redress the grievance: if satisfaction were not obtained, they could assemble the whole council of twenty-five, who, in conjunction with the great council, were empowered to compel him to observe the charter; and, in case of resistance might levy war against him, attack his castles, and employ every kind of violence, except against his royal person, and that of his queen and children. All men throughout the kingdom were bound, under the penalty of confiscation, to swear obedience to the twenty-five barons; and the freeholders of each county were to choose twelve knights, who were to make report of such evil customs as required redress, conformably to the tenor of the Great Charter*. The names of those conservators were, the earls of Clare, Albemarle, Gloucester, Winchester, Hereford, Roger Bigod, earl of Norfolk, Robert de Vere, earl of Oxford, William Mareschal the younger, Robert Fitz-Walter, Gilbert de Clare, Eustace de Vescey, Gilbert Delaval, William de Moubray, Geoffrey de Say, Roger de Mombezon, William de Huntingfield, Robert de Ros, the constable of Chester, William de Aubenie, Richard de Perci, William Malet, John Fitz-Robert, William de Lanvalay, Hugh de Bigod, and Roger de Montfichet. These men were, by this convention, really invested with the sovereignty of the kingdom: they were rendered co-ordinate with the king, or rather superior to him, in the exercise of the executive power: and as there was no circumstance of government which, either directly or indirectly, might not bear a relation to the security or observance of the Great Charter, there could scarcely occur any incident in which they might not lawfully interpose their authority.

John seemed to submit passively to all these regulations, however injurious to majesty: he sent writs to all the sheriffs, ordering them to constrain every one to swear obedience to the twenty-five barons; he dismissed all his foreign forces; he pretended that his government was thenceforth to run in a new tenor, and be more indulgent to the liberty and independence of his people. But he only dissembled, till he should find a favourable opportunity for annulling all his concessions. The injuries and indignities which he had formerly suffered from the pope and the king of France, as they came from equals or superiors, seemed to make but small impression on him; but the sense of this perpetual and total subjection under his own rebellious vassals sunk deep in his mind, and he was determined, at all hazards, to throw off so ignominious a slavery. He grew sullen, silent, and reserved; he shunned the society of his courtiers and nobles; he retired into the Isle of Wight, as if desirous of hiding his shame and confusion; but in this retreat he meditated the most fatal vengeance against all his enemies. He secretly sent abroad his emissaries to enlist foreign soldiers, and to invite the rapacious Brabançons into his service, by the prospect of sharing the spoils of England, and reaping the forfeitures of so many opulent barons, who had incurred the guilt of rebellion by rising in arms against him: and he despatched a messenger to Rome, in order to lay before the pope the Great Charter, which he had been compelled to sign, and to complain, before that tribunal of the violence which had been imposed upon him.

Innocent, considering himself as feudal lord of the kingdom, was incensed at the temerity of the barons, who, though they pretended to appeal to his authority, had dared, without waiting for his consent, to impose such terms on a prince, who, by resigning to the Roman pontiff his crown and independence, had placed himself immediately under the papal protection. He issued, therefore, a bull, in which, from the plenitude of his apostolic power, and from the authority which God had committed to him, to build and destroy kingdoms, to plant and overthrow, he annulled and abrogated the whole charter, as unjust in itself, as obtained by compulsion, and as derogatory to the dignity of the apostolic see. He prohibited the barons from exacting the observance of it; he even prohibited the king himself from paying any regard to it; he absolved him and his subjects from all oaths which they had been constrained to take to that purpose; and he pronounced a general sentence of excommunication against every one who should persevere in maintaining such treasonable and iniquitous pretensions.

RENEWAL OF THE CIVIL WARS.

The king, as his foreign forces arrived along with this bull, now ventured to take off the mask; and under sanction of the pope's decree, recalled all the liberties which he had granted to his subjects, and which he had solemnly sworn to observe. But the spiritual weapon was found, upon trial, to carry less force with it than he had reason from his own experience to apprehend. The primate refused to obey the pope in publishing the sentence of excommunication against the barons; and though he was cited to Rome, that he might attend a general council there assembled, and was suspended on account of his disobedience to the pope, and his secret correspondence with the king's enemies; though a new and particular sentence of excommunication was pronounced by name against the principal barons, John still found that his nobility and people, and even his clergy, adhered to the defence of their liberties, and to their combination against him: the sword of his foreign mercenaries was all he had to trust to for restoring his authority.

The barons, after obtaining the Great Charter, seem to have been lulled into a fatal security, and to have taken no rational measures, in case of the introduction of a foreign force, for reassembling their armies. The king was, from the first, master of the field; and immediately laid siege to the castle of Rochester, which was obstinately defended by William de Aubenie, at the head of a hundred and forty knights with their retainers, but was at last reduced by famine. (30th Nov.) John, irritated with the resistance, intended to have hanged the governor and all the garrison; but, on the representation of William de Mauleon, who suggested to him the danger of reprisals, he was content to sacrifice, in this barbarous manner, the inferior prisoners only. The captivity of William de Aubenie, the best officer among the confederated barons, was an irreparable loss to their cause; and no regular opposition was thenceforth made to the progress of the royal arms. The ravenous and barbarous mercenaries, incited by a cruel and enraged prince, were let loose against the estates, tenants, manors, houses, parks of the barons, and spread devastation over the face of the kingdom. Nothing was to be seen but the flames of villages and castles reduced to ashes; the consternation and misery of the inhabitants, tortures exercised by the soldiery to make them reveal their concealed treasures, and reprisals no less barbarous committed by the barons and their partisans on the royal demesnes, and on the estates of such as still adhered to the crown. The king, marching through the whole extent of England, from Dover to Berwic, laid the provinces waste on each side of him, and considered every estate which was not his immediate property, as entirely hostile, and the object of military execution. The nobility of the north, in particular, who had shown greatest violence in the recovery of their liberties, and who, acting in a separate body, had expressed their discontent even at the concessions made by the Great Charter, as they could expect no mercy, fled before him with their wives

* This seems a very strong proof that the House of Commons was not then in being; otherwise the knights and burgesses from the several counties could have given in to the lords a list of grievances, without so unusual an election.

and families, and purchased the friendship of Alexander, the young king of Scots, by doing homage to him.

PRINCE LOUIS CALLED OVER. 1216.

The barons, reduced to this desperate extremity, and menaced with the total loss of their liberties, their properties, and their lives, employed a remedy no less desperate; and making applications to the court of France, they offered to acknowledge Louis, the eldest son of Philip, for their sovereign, on condition that he would afford them protection from the violence of their enraged prince. Though the sense of the common rights of mankind, the only rights that are entirely indefeasible, might have justified them in the deposition of their king, they declined insisting before Philip on a pretension which is commonly so disagreeable to sovereigns, and which sounds harshly in their royal ears. They affirmed that John was incapable of succeeding to the crown, by reason of the attainder passed upon him during his brother's reign; though that attainder had been reversed, and Richard had even, by his last will, declared him his successor. They pretended that he was already legally deposed by sentence of the peers of France, on account of the murder of his nephew; though that sentence could not possibly regard anything but his transmarine dominions, which alone he held in vassalage to that crown. On more plausible grounds they affirmed, that he had already deposed himself by doing homage to the pope, changing the nature of his sovereignty, and resigning an independent crown for a fee under a foreign power. And as Blanche of Castile, the wife of Louis, was descended by her mother from Henry II., they maintained, though many other princes stood before her in the order of succession, that they had not shaken off the royal family in choosing her husband for their sovereign.

Philip was strongly tempted to lay hold on the rich prize which was offered to him. The legate menaced him with interdicts and excommunications if he invaded the patrimony of St. Peter, or attacked a prince who was under the immediate protection of the holy see; but as Philip was assured of the obedience of his own vassals, his principles were changed with the times, and he now undervalued as much all papal censures, as he formerly pretended to pay respect to them. His chief scruple was with regard to the fidelity which he might expect from the English barons in their new engagements, and the danger of entrusting his son and heir into the hands of men who might, on any caprice or necessity, make peace with their native sovereign, by sacrificing a pledge of so much value. He therefore exacted from the barons twenty-five hostages of the most noble birth in the kingdom; and having obtained this security, he sent over first a small army to the relief of the confederates; then more numerous forces, which arrived with Louis himself at their head.

The first effect of the young prince's appearance in England was the desertion of John's foreign troops, who, being mostly levied in Flanders, and other provinces of France, refused to serve against the heir of their monarchy. The Gascons and Poictevins alone, who were still John's subjects, adhered to his cause; but they were too weak to maintain that superiority in the field which they had hitherto supported against the confederated barons. Many considerable noblemen deserted John's party—the earls of Salisbury, Arundel, Warrenne, Oxford, Albemarle, and William Mareschal the younger: his castles fell daily into the hands of the enemy; Dover was the only place which, from the valour and fidelity of Hubert de Burgh, the governor, made resistance to the progress of Louis; and the barons had the melancholy prospect of finally succeeding in their purpose, and of escaping the tyranny of their own king, by imposing on themselves and the nation a foreign yoke. But this union was of short duration between the French and English nobles; and the imprudence of Louis, who on every occasion showed too visible a preference to the former, increased that jealousy which it was so natural for the latter to entertain in their present situation. The viscount of Melun, too, it is said, one of his courtiers, fell sick at London, and finding the approaches of death, he sent for some of his friends among the English barons, and, warning them of their danger, revealed Louis's secret intentions of exterminating them and their families as traitors to their prince, and of bestowing their estates and dignities on his native subjects, in whose fidelity he could more reasonably place confidence. This story, whether true or false, was universally reported and believed; and, concurring with other circumstances which rendered it credible, did great prejudice to the cause of Louis. The earl of Salisbury, and other noblemen, deserted again to John's party; and as men easily change sides in a civil war, especially where their power is founded on an hereditary and independent authority, and is not derived from the opinion and favour of the people, the French prince had reason to dread a sudden reverse of fortune. The king was assembling a considerable army, with a view of fighting one great battle for his crown; but passing from Lynne to Lincolnshire, his road lay along the sea-shore, which was overflowed at high-water; and not choosing the proper time for his journey, he lost in the inundation all his carriages, treasure, baggage, and regalia. The affliction for this disaster, and vexation from the distracted state of his affairs, increased the sickness under which he then laboured, and though he reached the castle of Newark, he was obliged to halt there, and his distemper soon after put an end to his life, (17th October,) in the forty-ninth year of his age, and eighteenth of his reign; and freed the nation from the dangers to which it was equally exposed by his success or by his misfortunes.

CHARACTER OF THE KING.

The character of this prince is nothing but a complication of vices, equally mean and odious; ruinous to himself, and destructive to his people. Cowardice, inactivity, folly, levity, licentiousness, ingratitude, treachery, tyranny, and cruelty—all these qualities appear too evidently in the several incidents of his life, to give us room to suspect that the disagreeable picture has been anywise overcharged by the prejudices of the ancient historians. It is hard to say whether his conduct to his father, his brother, his nephew, or his subjects, was most culpable; or whether his crimes, in these respects, were not even exceeded by the baseness which appeared in his transactions with the king of France, the pope, and the barons. His European dominions, when they devolved to him by the death of his brother, were more extensive than have ever, since his time, been ruled by an English monarch: but he first lost, by his misconduct, the flourishing provinces in France, the ancient patrimony of his family; he subjected his kingdom to a shameful vassalage under the see of Rome; he saw the prerogatives of his crown diminished by law, and still more reduced by faction; and he died at last, when in danger of being totally expelled by a foreign power, and of either ending his life miserably in prison, or seeking shelter as a fugitive from the pursuit of his enemies.

The prejudices against this prince were so violent, that he was believed to have sent an embassy to the Miramoulin, or emperor of Morocco, and to have offered to change his religion and become Mahometan, in order to purchase the protection of that monarch. But though this story is told us, on plausible authority, by Matthew Paris, it is in itself utterly improbable; except that there is nothing so incredible but may be believed to proceed from the folly and wickedness of John.

The monks throw great reproaches on this prince for his impiety and even infidelity; and as an instance of it, they tell us, that having one day caught a very

fat stag, he exclaimed, *How plump and well fed is this animal! and yet I dare swear he never heard mass.* This sally of wit, upon the usual corpulency of the priests, more than all his enormous crimes and iniquities, made him pass with them for an atheist.

John left two legitimate sons behind him—Henry, born on the first of October, 1207, and now nine years of age; and Richard, born on the sixth of January, 1209: and three daughters—Jane, afterwards married to Alexander, king of Scots; Eleanor, married first to William Mareschal the younger, earl of Pembroke, and then to Simon Mountfort, earl of Leicester; and Isabella, married to the emperor, Frederic II. All these children were born to him by Isabella of Angoulesme, his second wife. His illegitimate children were numerous; but none of them were anywise distinguished.

It was this king who, in the ninth year of his reign, first gave by charter to the city of London, the right of electing annually a mayor out of its own body, an office which was till now held for life. He gave the city also power to elect and remove its sheriffs at pleasure, and its common council men annually. London bridge was finished in this reign; the former bridge was of wood. Maud the empress was the first that built a stone bridge in England.

APPENDIX II.

THE FEUDAL AND ANGLO-NORMAN GOVERNMENT AND MANNERS.

Origin of the Feudal Law—Its Progress—Feudal Government of England—The Feudal Parliament—The Commons—Judicial Power—Revenue of the Crown—Commerce—The Church—Civil Laws—Manners.

THE feudal law is the chief foundation, both of the political government and of the jurisprudence established by the Normans in England. Our subject, therefore, requires that we should form a just idea of this law, in order to explain the state as well of that kingdom as of all other kingdoms of Europe, which during those ages were governed by similar institutions. And though I am sensible that I must here repeat many observations and reflections which have been communicated by others; yet as every book, agreeably to the observation of a great historian, should be as complete as possible within itself, and should never refer for anything material to other books, it will be necessary in this place to deliver a short plan of that prodigious fabric which for several centuries preserved such a mixture of liberty and oppression, order and anarchy, stability and revolution, as was never experienced in any other age, or any other part of the world.

ORIGIN OF THE FEUDAL LAW.

After the northern nations had subdued the provinces of the Roman empire, they were obliged to establish a system of government which might secure their conquests, as well against the revolt of their numerous subjects who remained in the provinces, as from the inroads of other tribes, who might be tempted to ravish from them their new acquisitions. The great change of circumstances made them here depart from those institutions which prevailed among them while they remained in the forests of Germany; yet was it still natural for them to retain, in their present settlement, as much of their ancient customs as was compatible with their new situation.

The German governments, being more a confederacy of independent warriors than a civil subjection, derived their principal force from many inferior and voluntary associations, which individuals formed under a particular head or chieftain, and which it became the highest point of honour to maintain with inviolable fidelity. The glory of the chief consisted in the number, the bravery, and the zealous attachment of his retainers. The duty of the retainers required that they should accompany their chief in all wars and dangers, that they should fight and perish by his side, and that they should esteem his renown or his favour a sufficient recompense for all their services. The prince himself was nothing but a great chieftain, who was chosen from among the rest on account of his superior valour or nobility, and who derived his power from the voluntary association or attachment of the other chieftains.

When a tribe, governed by these ideas, and actuated by these principles, subdued a large territory, they found that though it was necessary to keep themselves in a military posture, they could neither remain united in a body, nor take up their quarters in several garrisons; and that their manners and institutions debarred them from using these expedients; the obvious ones, which in a like situation would have been employed by a more civilized nation. Their ignorance in the art of finances, and perhaps the devastations inseparable from such violent conquests, rendered it impracticable for them to levy taxes sufficient for the pay of numerous armies; and their repugnance to subordination, with their attachment to rural pleasures, made the life of the camp or garrison, if perpetuated during peaceful times, extremely odious and disgustful to them. They seized, therefore, such a portion of the conquered lands as appeared necessary; they assigned a share for supporting the dignity of their prince and government; they distributed other parts, under the title of fiefs, to the chiefs; these made a new partition among their retainers; the express condition of all these grants was, that they might be resumed at pleasure, and that the possessor, so long as he enjoyed them, should still remain in readiness to take the field for the defence of the nation. And though the conquerors immediately separated, in order to enjoy their new acquisitions, their martial disposition made them readily fulfil the terms of their engagement: they assembled on the first alarm; their habitual attachment to the chieftain made them willingly submit to his command, and thus a regular military force, though concealed, was always ready to defend, on any emergence, the interest and honour of the community.

We are not to imagine that all the conquered lands were seized by the northern conquerors, or that the whole of the land thus seized was subjected to those military services. This supposition is confuted by the history of all the nations on the continent. Even the idea given us of the German manners by the Roman historian, may convince us that that bold people would never have been content with so precarious a subsistence, or have fought to procure establishments which were only to continue during the good pleasure of their sovereign. Though the northern chieftains accepted of lands which, being considered as a kind of military pay, might be resumed at the will of the king or general; they also took possession of estates which, being hereditary and independent, enabled them to maintain their native liberty, and support, without court-favour, the honour of their rank and family.

PROGRESS OF THE FEUDAL LAW.

But there is a great difference, in the consequences, between the distribution of a pecuniary subsistence, and the assignment of lands burthened with the condition of military service. The delivery of the former

as the weekly, monthly, or annual terms of payment, still recalls the idea of a voluntary gratuity from the prince, and reminds the soldier of the precarious tenure by which he holds his commission. But the attachment, naturally formed with a fixed portion of land, gradually begets the idea of something like property, and makes the possessor forget his dependent situation, and the condition which was at first annexed to the grant. It seemed equitable, that one who had cultivated and sowed a field should reap the harvest; hence fiefs, which were at first entirely precarious, were soon made annual. A man who had employed his money in building, planting, or other improvements, expected to reap the fruits of his labour or expense: hence they were next granted during a term of years. It would be thought hard to expel a man from his possessions who had always done his duty, and performed the conditions on which he originally received them: hence the chieftains, in a subsequent period, thought themselves entitled to demand the enjoyment of their feudal lands during life. It was found, that a man would more willingly expose himself in battle, if assured that his family should inherit his possessions, and should not be left by his death in want and poverty: hence fiefs were made hereditary in families, and descended, during one age, to the son, then to the grandson, next to the brothers, and afterwards to more distant relations. The idea of property stole in gradually upon that of military pay; and each century made some sensible addition to the stability of fiefs and tenures.

In all these successive acquisitions, the chief was supported by his vassals; who, having originally a strong connexion with him, augmented by the constant intercourse of good offices, and by the friendship arising from vicinity and dependence, were inclined to follow their leader against all his enemies, and voluntarily, in his private quarrels, paid him the same obedience to which, by their tenure, they were bound in foreign wars. While he daily advanced new pretensions to secure the possession of his superior fief, they expected to find the same advantage, in acquiring stability to their subordinate ones; and they zealously opposed the intrusion of a new lord, who would be inclined, as he was fully entitled, to bestow the possession of their lands on his own favourites and retainers. Thus the authority of the sovereign gradually decayed; and each noble, fortified in his own territory by the attachment of his vassals, became too powerful to be expelled by an order from the throne; and he secured by law what he had at first acquired by usurpation.

During this precarious state of the supreme power, a difference would immediately be experienced between those portions of territory which were subjected to the feudal tenures, and those which were possessed by an allodial or free title. Though the latter possessions had at first been esteemed much preferable, they were soon found, by the progressive changes introduced into public and private law, to be of an inferior condition to the former. The possessors of a feudal territory, united by a regular subordination under one chief, and by the mutual attachments of the vassals, had the same advantage over the proprietors of the other, that a disciplined army enjoys over a dispersed multitude; and were enabled to commit with impunity all injuries on their defenceless neighbours. Every one, therefore, hastened to seek that protection which he found so necessary; and each allodial proprietor, resigning his possessions into the hands of the king, or of some nobleman respected for power or valour, received them back with the condition of feudal services, which, though a burden somewhat grievous, brought him ample compensation, by connecting him with the neighbouring proprietors, and placing him under the guardianship of a potent chieftain. The decay of the political government thus necessarily occasioned the extension of the feudal: the kingdoms of Europe were universally divided into baronies, and these into inferior fiefs: and the attachment of vassals to their chief, which was at first an essential part of the German manners, was still supported by the same causes from which it at first arose; the necessity of mutual protection, and the continued intercourse, between the head and the members, of benefits and services.

But there was another circumstance which corroborated these feudal dependencies, and tended to connect the vassals with their superior lord by an indissoluble bond of union. The northern conquerors, as well as the more early Greeks and Romans, embraced a policy, which is unavoidable to all nations that have made slender advances in refinement: they everywhere united the civil jurisdiction with the military power. Law, in its commencement, was not an intricate science, and was more governed by maxims of equity, which seem obvious to common sense, than by numerous and subtile principles, applied to a variety of cases by profound reasonings from analogy. An officer, though he had passed his life in the field, was able to determine all legal controversies which could occur within the district committed to his charge; and his decisions were the most likely to meet with a prompt and ready obedience, from men who respected his person, and were accustomed to act under his command. The profit arising from punishments, which were then chiefly pecuniary, was another reason for his desiring to retain the judicial power; and when his fief became hereditary, this authority, which was essential to it, was also transmitted to his posterity. The counts and other magistrates, whose power was merely official, were tempted, in imitation of the feudal lords, whom they resembled in so many particulars, to render their dignity perpetual and hereditary; and in the decline of the regal power, they found no difficulty in making good their pretensions. After this manner the vast fabric of feudal subordination became quite solid and comprehensive; it formed everywhere an essential part of the political constitution; and the Norman and other barons, who followed the fortunes of William, were so accustomed to it that they could scarcely form an idea of any other species of civil government.*

The Saxons who conquered England, as they exterminated the ancient inhabitants, and thought themselves secured by the sea against new invaders, found it less requisite to maintain themselves in a military posture: the quantity of land which they annexed to offices seems to have been of small value; and for that reason continued the longer in its original situation, and was always possessed during pleasure by those who were entrusted with the command. These conditions were too precarious to satisfy the Norman barons, who enjoyed more independent possessions and jurisdictions in their own country; and William was obliged, in the new distribution of land, to copy the tenures, which were now become universal on the continent. England of a sudden became a feudal kingdom; and received all the advantages, and was exposed to all the inconveniences, incident to that species of civil polity.

THE FEUDAL GOVERNMENT OF ENGLAND.

According to the principles of the feudal law, the king was the supreme lord of the landed property: all possessors who enjoyed the fruits or revenue of any part of it, held those privileges, either mediately or immediately, of him; and their property was conceived to be, in some degree, conditional. The land was still apprehended to be a species of *benefice*, which was the original conception of a feudal property: and the vassal owed, in return for it, stated services to his baron as the baron himself did for his land to the crown.

* The ideas of the feudal government were so rooted, that even lawyers, in those ages, could not form a notion of any other constitution. "Rexnum," (says Bracton, lib. 2 cap. 24) "quod ex comitatibus et baronibus dirivatur esse constitutum."

The vassal was obliged to defend his baron in war; and the baron, at the head of his vassals, was bound to fight in defence of the king and kingdom. But besides these military services, which were casual, there were others imposed of a civil nature, which were more constant and durable.

The northern nations had no idea that any man, trained up to honour and inured to arms, was ever to be governed, without his own consent, by the absolute will of another; or that the administration of justice was ever to be exercised by the private opinion of any one magistrate, without the concurrence of some other persons, whose interest might induce them to check his arbitrary and iniquitous decisions. The king, therefore, when he found it necessary to demand any service of his barons or chief tenants, beyond what was due by their tenures, was obliged to assemble them, in order to obtain their *consent:* and when it was necessary to determine any controversy which might arise among the barons themselves, the question must be discussed in their presence, and be decided according to their opinion or *advice*. In these two circumstances of consent and advice, consisted chiefly the civil services of the ancient barons: and these implied all the considerable incidents of government. In one view the barons regarded this attendance as their principal *privilege;* in another, as a grievous *burden*. That no momentous affairs could be transacted without their consent and advice, was in general esteemed the great security of their possessions and dignities: but as they reaped no immediate profit from their attendance at court, and were exposed to great inconvenience and charge by an absence from their own estates, every one was glad to exempt himself from each *particular* exertion of this power; and was pleased both that the call for that duty should seldom return upon him, and that others should undergo the burden in his stead. The king, on the other hand, was usually anxious, for several reasons, that the assembly of the barons should be full at every stated or casual meeting: this attendance was the chief badge of their subordination to his crown, and drew them from that independence which they were apt to affect in their own castles and manors; and where the meeting was thin or ill attended, its determinations had less authority, and commanded not so ready an obedience from the whole community.

The case was the same with the barons in their courts, as with the king in the supreme council of the nation. It was requisite to assemble the vassals, in order to determine by their vote any question which regarded the barony; and they sat along with the chief in all trials, whether civil or criminal, which occurred within the limits of their jurisdiction. They were bound to pay suit and service at the court of their baron; and as their tenure was military, and consequently honourable, they were admitted into his society, and partook of his friendship. Thus, a kingdom was considered only as a great barony, and a barony as a small kingdom. The barons were peers to each other in the national council, and, in some degree, companions to the king: the vassals were peers to each other in the court of barony, and companions to their baron.

But though this resemblance so far took place, the vassals, by the natural course of things, universally, in the feudal constitutions, fell into a greater subordination under the baron, than the baron himself under his sovereign; and these governments had a necessary and infallible tendency to augment the power of the nobles. The great chief, residing in his country-seat, which he was commonly allowed to fortify, lost, in a great measure, his connexion or acquaintance with the prince; and added every day new force to his authority over the vassals of the barony. They received from him education in all military exercises: his hospitality invited them to live and enjoy society in his hall: their leisure, which was great, made them perpetual retainers on his person, and partakers of his country sports and amusements: they had no means of gratifying their ambition but by making a figure in his train: his favour and countenance was their greatest honour: his displeasure exposed them to contempt and ignominy: and they felt every moment the necessity of his protection, both in the controversies which occurred with other vassals, and, what was more material, in the daily inroads and injuries which were committed by the neighbouring barons. During the time of general war, the sovereign, who marched at the head of his armies, and was the great protector of the state, always acquired some accession to his authority, which he lost during the intervals of peace and tranquillity: but the loose police, incident to the feudal constitutions, maintained a perpetual, though secret hostility, between the several members of the state; and the vassals found no means of securing themselves against the injuries to which they were continually exposed, but by closely adhering to their chief, and falling into a submissive dependence upon him.

If the feudal government was so little favourable to the true liberty even of the military vassal, it was still more destructive of the independence and security of the other members of the state, or what, in a proper sense, we call the people. A great part of them were *serfs*, and lived in a state of absolute slavery or villainage: the other inhabitants of the country paid their rent in services, which were in a great measure arbitrary; and they could expect no redress of injuries, in a court of barony, from men who thought they had a right to oppress and tyrannize over them: the towns were situated either within the demesnes of the king or the lands of the great barons, and were almost entirely subjected to the absolute will of their master. The languishing state of commerce kept the inhabitants poor and contemptible; and the political institutions were calculated to render that poverty perpetual. The barons and gentry, living in rustic plenty and hospitality, gave no encouragement to the arts, and had no demand for any of the more elaborate manufactures: every profession was held in contempt but that of arms: and if any merchant or manufacturer rose by industry and frugality to a degree of opulence, he found himself but the more exposed to injuries, from the envy and avidity of the military nobles.

These concurring causes gave the feudal governments so strong a bias towards aristocracy, that the royal authority was extremely eclipsed in all the European states; and, instead of dreading the growth of monarchical power, we might rather expect that the community would everywhere crumble into so many independent baronies, and lose the political union by which they were cemented. In elective monarchies, the event was commonly answerable to this expectation; and the barons, gaining ground on every vacancy of the throne, raised themselves almost to a state of sovereignty, and sacrificed to their power both the rights of the crown and the liberties of the people. But hereditary monarchies had a principle of authority which was not so easily subverted; and there were several causes which still maintained a degree of influence in the hands of the sovereign.

The greatest baron could never lose view entirely of those principles of the feudal constitution which bound him as a vassal, to submission and fealty towards his prince; because he was every moment obliged to have recourse to those principles, in exacting fealty and submission from his own vassals. The lesser barons, finding that the annihilation of royal authority left them exposed without protection, to the insults and injuries of more potent neighbours, naturally adhered to the crown, and promoted the execution of general and equal laws. The people had still a stronger interest to desire the grandeur of the sovereign; and the king, being the legal magistrate, who suffered by every internal convulsion or oppression, and who regarded the great nobles as his immediate rivals, as-

sumed the salutary office of general guardian or protector of the commons. Besides the prerogatives with which the law invested him, his large demesnes and numerous retainers rendered him, in one sense, the greatest baron in his kingdom; and where he was possessed of personal vigour and abilities, (for his situation required these advantages,) he was commonly able to preserve his authority, and maintain his station as head of the community, and the chief fountain of law and justice.

The first kings of the Norman race were favoured by another circumstance which preserved them from the encroachments of their barons. They were generals of a conquering army, which was obliged to continue in a military posture, and to maintain great subordination under their leader, in order to secure themselves from the revolt of the numerous natives, whom they had bereaved of all their properties and privileges. But though this circumstance supported the authority of William and his immediate successors, and rendered them extremely absolute, it was lost as soon as the Norman barons began to incorporate with the nation, to acquire a security in their possessions, and to fix their influence over their vassals, tenants, and slaves. And the immense fortunes which the Conqueror had bestowed on his chief captains, served to support their independence, and make them formidable to the sovereign.

He gave, for instance, to Hugh de Abrincis, his sister's son, the whole county of Chester, which he erected into a palatinate, and rendered by his grant almost independent of the crown. Robert, earl of Mortaigne, had 973 manors and lordships: Allan, earl of Britanny and Richmond, 442: Odo, bishop of Baieux, 439: Geoffrey, bishop of Coutance, 280: Walter Giffard, earl of Buckingham, 107: William, earl Warrenne, 298, besides 28 towns or hamlets in Yorkshire: Todenei, 81: Roger Bigod, 123: Robert, earl of Eu, 119: Roger Mortimer, 132, besides several hamlets: Robert de Stafford, 130: Walter de Eurus, earl of Salisbury, 46: Geoffrey de Mandeville, 118: Richard de Clare, 171: Hugh de Beauchamp, 47: Baldwin de Ridvers, 164: Henry de Ferrars, 222: William de Percy, 119: Norman d'Arcy, 33.* Sir Henry Spelman computes, that in the large county of Norfolk, there were not, in the Conqueror's time, above sixty-six proprietors of land. Men, possessed of such princely revenues and jurisdictions, could not long be retained in the rank of subjects. The great earl of Warrenne, in a subsequent reign, when he was questioned concerning his right to the lands which he possessed, drew his sword, which he produced as his title: adding that William the Bastard did not conquer the kingdom himself; but that the barons, and his ancestor among the rest, were joint adventurers in the enterprise.

THE FEUDAL PARLIAMENT.

The supreme legislative power of England was lodged in the king and great council, or what was afterwards called the parliament. It is not doubted but the archbishops, bishops, and most considerable abbots were constituent members of this council. They sat by a double title: by prescription, as having always possessed that privilege, through the whole Saxon period, from the first establishment of Christianity; and by their right of baronage, as holding of the king *in capite* by military service. These two titles of the prelates were never accurately distinguished. When the usurpations of the church had risen to such a height as to make the bishops affect a separate dominion, and regard their seat in parliament as a degradation of their episcopal dignity, the king insisted that they were barons, and, on that account, obliged by the general principles of the feudal law, to attend on him in his great councils. Yet there still remained some practices, which supposed their title to be derived merely from ancient possession: when a bishop was elected, he sat in parliament before the king had made him restitution of his temporalities; and during the vacancy of a see, the guardian of the spiritualties was summoned to attend along with the bishops.

The barons were another constituent part of the great council of the nation. These held immediately of the crown by a military tenure: they were the most honourable members of the state, and had a *right* to be consulted in all public deliberations: they were the immediate vassals of the crown, and owed as a *service* their attendance in the court of their supreme lord. A resolution taken without their consent was likely to be but ill executed; and no determination of any cause or controversy among them had any validity, where the vote and advice of the body did not concur. The dignity of earl or count was official and territorial, as well as hereditary; and as all the earls were also barons, they were considered as military vassals of the crown, were admitted in that capacity into the general council, and formed the most honourable and powerful branch of it.

But there was another class of the immediate military tenants of the crown, no less, or probably more numerous than the barons—the tenants *in capite* by knight's service; and these, however inferior in power or property, held by a tenure which was equally honourable with that of the others. A barony was commonly composed of several knights' fees: and, though the number seems not to have been exactly defined, seldom consisted of less than fifty hydes of land:* but where a man held of the king only one or two knights' fees, he was still an immediate vassal of the crown, and as such had a title to have a seat in the general councils. But as this attendance was usually esteemed a burthen, and one too great for a man of slender fortune to bear constantly; it is probable that, though he had a title, if he pleased to be admitted, he was not obliged, by any penalty, like the barons, to pay a regular attendance. All the immediate military tenants of the crown amounted not fully to 700, when Domesday-book was framed; and as the members were well pleased, on any pretext, to excuse themselves from attendance, the assembly was never likely to become too numerous for the dispatch of public business.

THE COMMONS.

So far the nature of a general council, or ancient parliament, is determined without any doubt or controversy. The only question seems to be with regard to the commons, or the representatives of counties and boroughs; whether they were also, in more early times, constituent parts of parliament? This question was once disputed in England with great acrimony: but such is the force of time and evidence, that they can sometimes prevail even over faction; and the question seems, by general consent, and even by their own, to be at last determined against the ruling party. It is agreed, that the commons were no part of the great council till some ages after the Conquest; and that the military tenants alone of the crown composed that supreme and legislative assembly.

The vassals of a baron were by their tenure immediately dependent on him, owed attendance at his court, and paid all their duty to the king, through that dependence which their lord was obliged by his tenure to acknowledge to his sovereign and superior. Their land, comprehended in the barony, was represented in parliament by the baron himself, who was supposed,

* It is remarkable that this family of d'Arcy seems to be the only male descendants of any of the Conqueror's barons now remaining among the peers. Lord Holdernesse is the heir of that family.

* Four hydes made one knight's fee; the relief of a barony was twelve times greater than that of a knight's fee: whence we may conjecture its usual value. Spelm. Gloss. *in voce* Feodum. There were 243,600 hydes in England, and 60,217 knights' fees: whence it is evident that there were ill de more than four hydes in each knight's fee.

according to the fictions of the feudal law, to possess the direct property of it; and it would have been deemed incongruous to give it any other representation. They stood in the same capacity to him that he and the other barons did to the king: the former were peers of the barony; the latter were peers of the realm: the vassals possessed a subordinate rank within their district; the baron enjoyed a superior dignity in the great assembly: they were in some degree his companions at home; he the king's companion at court: and nothing can be more evidently repugnant to all feudal ideas, and to that gradual subordination which was essential to those ancient institutions, than to imagine that the king would apply either for the advice or consent of men who were of a rank so much inferior, and whose duty was immediately paid to the mesne lord that was interposed between them and the throne.

If it be unreasonable to think that the vassals of a barony, though their tenure was military and noble and honourable, were ever summoned to give their opinion in national councils, much less can it be supposed that the tradesmen or inhabitants of boroughs, whose condition was so much inferior, would be admitted to that privilege. It appears from Domesday, that the greatest boroughs were, at the time of the Conquest, scarcely more than country villages; and that the inhabitants lived in entire dependence on the king or great lords, and were of a station little better than servile.* They were not then so much as incorporated; they formed no community; were not regarded as a body politic; and being really nothing but a number of low dependent tradesmen, living without any particular civil tie, in neighbourhood together, they were incapable of being represented in the states of the kingdom. Even in France, a country which made more early advances in arts and civility than in England, the first corporation is sixty years posterior to the conquest under the duke of Normandy; and the erecting of these communities was an invention of Louis the Gross, in order to free the people from slavery under the lords, and to give them protection by means of certain privileges and a separate jurisdiction. An ancient French writer calls them a new and wicked device, to procure liberty to slaves, and encourage them in shaking off the dominion of their masters. The famous charter, as it is called, of the Conqueror to the city of London, though granted at a time when he assumed the appearance of gentleness and lenity, is nothing but a letter of protection, and a declaration that the citizens should not be treated as slaves. By the English feudal law, the superior lord was prohibited from marrying his female ward to a burgess or a villain; so near were these two ranks esteemed to each other, and so much inferior to the nobility and gentry. Besides possessing the advantages of birth, riches, civil powers and privileges, the nobles and gentlemen alone were armed, a circumstance which gave them a mighty superiority, in an age when nothing but the military profession was honourable, and when the loose execution of laws gave so much encouragement to open violence, and rendered it so decisive in all disputes and controversies.

The great similarity among the feudal governments of Europe is well known to every man that has any acquaintance with ancient history; and the antiquaries of all foreign countries, where the question was never embarrassed by party disputes, have allowed, that the commons came very late to be admitted to a share in the legislative power. In Normandy particularly, whose constitution was most likely to be William's model in raising his new fabric of English government, the states were entirely composed of the clergy and nobility; and the first incorporated boroughs in communities of that dutchy were Roüen and Falaise, which enjoyed their privileges by a grant of Philip Augustus in the year 1207. All the ancient English historians, when they mention the great council of the nation, call it an assembly of the baronage, nobility, or great men; and none of their expressions, though several hundred passages might be produced, can, without the utmost violence, be tortured to a meaning which will admit the commons to be constituent members of that body.* If in the long period of 200 years, which elapsed between the Conquest and the latter end of Henry III., and which abounded in factions, revolutions, and convulsions of all kinds, the house of commons never performed one single legislative act so considerable as to be once mentioned by any of the numerous historians of that age, they must have been totally insignificant: and in that case, what reason can be assigned for their ever being assembled? Can it be supposed, that men of so little weight or importance possessed a negative voice against the king and the barons? Every page of the subsequent histories discovers their existence; though these histories are not written with greater accuracy than the preceding ones, and indeed scarcely equal them in that particular. The *Magna Charta* of king John provides, that no scutage or aid should be imposed, either on the land or towns, but by consent of the great council: and, for more security, it enumerates the persons entitled to a seat in that assembly, the prelates and immediate tenants of the crown, without any mention of the commons: an authority so full, certain, and explicit, that nothing but the zeal of party could ever have procured credit to any contrary hypothesis.

It was probably the example of the French barons which first emboldened the English to require greater independence from their sovereign: it is also probable, that the boroughs and corporations of England were established in imitation of those of France. It may, therefore, be proposed as no unlikely conjecture, that both the chief privileges of the peers in England and the liberty of the commons were originally the growth of that foreign country.

In ancient times, men were little solicitous to obtain a place in the legislative assemblies; and rather regarded their attendance as a burden, which was not compensated by any return of profit or honour proportionate to the trouble and expense. The only reason for instituting those public councils was, on the part of the subject, that they desired some security from the attempts of arbitrary power; and on the part of the sovereign, that he despaired of governing men of such independent spirits without their own consent and concurrence. But the commons, or the inhabitants of boroughs, had not as yet reached such a degree of consideration as to desire *security* against their prince, or to imagine, that even if they were assembled in a representative body, they had power or rank sufficient to enforce it. The only protection which they aspired to, was against the immediate violence and injustice of their fellow-citizens; and this advantage each of them looked for from the courts of justice, or from the authority of some great lord, to whom, by law or his own choice, he was attached. On the other hand, the sovereign was sufficiently assured of obedience in the whole community, if he procured the concurrence of the nobles; nor had he reason to apprehend that any order of the state could resist his and their united authority. The military sub-vassals could entertain no idea of opposing both their prince and their superiors: the burgesses and tradesmen could much less aspire to such a thought: and thus, even if

* "Liber homo" anciently signified a gentleman: for scarce any one beside was entirely free. Spelm. Gloss. *in verbo.*

* Sometimes the historians mention the people, *populus*, as a part of the parliament; but they always mean the laity, in opposition to the clergy. Sometimes the word *communitas* is found; but it always means *communitas baronagii*. These points are clearly proved by Dr. Brady. There is also mention of sometimes needless a crowd or multitude that attended upon the great council on particular interesting occasions: but as the notices from Lord-scribes are never once spoke of, the proof that they had not then any existence, becomes the more certain and undeniable. These never could make a crowd, as they must have had a regular place assigned them, if they had made a regular part of the legislative body. There were only 130 boroughs who received writs of summons from Edward I. It is expressly said in Gesta Reg. Steph. p. 932, that it was usual for the populace, *vulgus*, to crowd into the great councils; where they were plainly mere spectators, and could only gratify their curiosity

history were silent on the head, we have reason to conclude, from the known situation of society during those ages, that the commons were never admitted as members of the legislative body.

The *executive* power of the Anglo-Norman government was lodged in the king. Besides the stated meetings of the national council at the three great festivals of Christmas, Easter, and Whitsuntide, he was accustomed, on any sudden exigence, to summon them together. He could at his pleasure command the attendance of his barons and their vassals, in which consisted the military force of the kingdom; and could employ them, during forty days, either in resisting a foreign enemy, or reducing his rebellious subjects. And, what was of great importance, the whole *judicial* power was ultimately in his hands, and was exercised by officers and ministers of his appointment.

JUDICIAL POWER.

The general plan of the Anglo-Norman government was, that the court of barony was appointed to decide such controversies as arose between the several vassals or subjects of the same barony; the hundred-court and county-court, which were still continued as during the Saxon times, to judge between the subjects of different baronies;* and the *curia regis*, or king's court, to give sentence among the barons themselves. But this plan, though simple, was attended with some circumstances which, being derived from a very extensive authority assumed by the Conqueror, contributed to increase the royal prerogative; and as long as the state was not disturbed by arms, reduced every order of the community to some degree of dependence and subordination.

The king himself often sat in his court, which always attended his person: he there heard causes, and pronounced judgment; and though he was assisted by the advice of the other members, it is not to be imagined that a decision could easily be obtained contrary to his inclination or opinion. In his absence the chief justiciary presided, who was the first magistrate in the state, and a kind of viceroy, on whom depended all the civil affairs of the kingdom. The other chief officers of the crown, the constable, mareschal, seneschal, chamberlain, treasurer, and chancellor,† were members, together with such feudal barons as thought proper to attend, and the barons of the exchequer, who at first were also feudal barons appointed by the king. This court, which was sometimes called the king's court, sometimes the court of exchequer, judged in all causes, civil and criminal, and comprehended the whole business which is now shared out among four courts—the Chancery, the King's Bench, the Common Pleas, and the Exchequer.

Such an accumulation of powers was itself a great source of authority, and rendered the jurisdiction of the court formidable to all the subjects; but the turn which judicial trials took soon after the conquest, served still more to increase its authority, and to augment the royal prerogatives. William, among the other violent changes which he attempted and effected, had introduced the Norman law into England, had ordered all the pleadings to be in that tongue, and had interwoven with the English jurisprudence, all the maxims and principles which the Normans, more advanced in cultivation, and naturally litigious, were accustomed to observe in the distribution of justice. Law now became a science, which at first fell entirely into the hands of the Normans; and which, even after it was communicated to the English, required so much study and application, that the laity, in those ignorant ages, were incapable of attaining it; and it was a mystery almost solely confined to the clergy, and chiefly to the monks. The great officers of the crown, and the feudal barons, who were military men, found themselves unfit to penetrate into those obscurities; and though they were entitled to a seat in the supreme judicature, the business of the court was wholly managed by the chief justiciary and the law barons, who were men appointed by the king, and entirely at his disposal. This natural course of things was forwarded by the multiplicity of business which flowed into that court, and which daily augmented by the appeals from all the subordinate judicatures of the kingdom.

In the Saxon times, no appeal was received in the king's court, except upon the denial or delay of justice by the inferior courts; and the same practice was still observed in most of the feudal kingdoms of Europe. But the great power of the Conqueror established at first in England an authority which the monarchs in France were not able to attain till the reign of St. Louis, who lived near two centuries after: he empowered his court to receive both appeals from the courts of barony and the county-courts, and by that means brought the administration of justice ultimately into the hands of the sovereign. And lest the expense or trouble of a journey to court should discourage suitors, and make them acquiesce in the decision of the inferior judicatures, itinerant judges were afterwards established, who made their circuits throughout the kingdom, and tried all causes that were brought before them.* By this expedient the courts of barony were kept in awe; and if they still preserved some influence, it was only from the apprehensions which the vassals might entertain of disobliging their superior, by appealing from his jurisdiction. But the county-courts were much discredited; and as the freeholders were found ignorant of the intricate principles and forms of the new law, the lawyers gradually brought all business before the king's judges, and abandoned the ancient simple and popular judicature. After this manner the formalities of justice, which, though they appear tedious and cumbersome, are found requisite to the support of liberty in all monarchical governments, proved at first, by a combination of causes, very advantageous to royal authority in England.

REVENUE OF THE CROWN.

The power of the Norman kings was also much supported by a great revenue; and by a revenue that was fixed, perpetual, and independent of the subject. The people, without betaking themselves to arms, had no check upon the king, and no regular security for the due administration of justice. In those days of violence, many instances of oppression passed unheeded; and soon after were openly pleaded as precedents which is was unlawful to dispute or control. Princes and ministers were too ignorant to be themselves sensible of the advantages attending an equitable administration, and there was no established council or assembly which could protect the people, and, by withdrawing supplies, regularly and peaceably admonish the king of his duty, and ensure the execution of the laws.

The first branch of the king's stated revenue was the royal demesnes or crown-lands, which were very extensive, and comprehended, beside a great number of manors, most of the chief cities of the kingdom. It was established by law, that the king could alienate no part of his demesne, and that he himself or his succes-

* None of the feudal governments in Europe had such institutions as the county-courts, which the great authority of the Conqueror still retained from the Saxon customs. All the freeholders of the county, even the greatest barons, were obliged to attend the sheriffs in these courts, and to assist them in the administration of justice. By these means they received frequent and sensible admonitions of their dependence on the king or supreme magistrate: they formed a kind of community with their fellow barons and freeholders; they were often drawn from their individual and independent state, peculiar to the feudal system; and were made members of a political body: and, perhaps, this institution of county-courts in England has had greater effects on the government than has yet been distinctly pointed out by historians, or traced by antiquaries. The barons were never able to free themselves from this attendance on the sheriffs and itinerant justices till the reign of Henry the Third.

† The Normans introduced the practice of sealing charters; and the chancellor's office was to keep the Great Seal.—*Ingulf. Dugd.* p. 33, 34.

* What made the Anglo-Norman barons more readily submit to appeals from their court to the king's court of exchequer, was their being accustomed to like appeals in Normandy to the ducal court. See Gilbert's History of the Exchequer, p. 1, 2; though the authority is but doubtful whether the Norman court was not rather copied from the English. p. 3

sor could at any time resume such donations; but this law was never regularly observed, which happily rendered in time the crown somewhat more dependent. The rent of the crown-lands, considered merely as so much riches, was a source of power; the influence of the king over his tenants and the inhabitants of his towns, increased this power; but the other numerous branches of his revenue, besides supplying his treasury, gave, by their very nature, a great latitude to arbitrary authority, and were a support of the prerogative, as will appear from an enumeration of them.

The king was never content with the stated rents, but levied heavy talliages at pleasure on the inhabitants both of town and country, who lived within his demesne. All bargains of sale, in order to prevent theft, being prohibited, except in boroughs and public markets, he pretended to exact tolls on all goods which were there sold. He seized two hogsheads, one before, and one behind the mast, from every vessel that imported wine. All goods paid to his customs a proportionable part of their value:* passage over bridges and on rivers was loaded with tolls at pleasure; and though the boroughs by degrees bought the liberty of farming these impositions, yet the revenue profited by these bargains; new sums were often exacted for the renewal and confirmation of their charters, and the people were thus held in perpetual dependence.

Such was the situation of the inhabitants within the royal demesnes. But the possessors of land, or the military tenants, though they were better protected both by law and by the great privilege of carrying arms, were, from the nature of their tenures, much exposed to the inroads of power, and possessed not what we should esteem, in our age, a very durable security. The Conqueror ordained that the barons should be obliged to pay nothing beyond their stated services, except a reasonable aid to ransom his person if he were taken in war, to make his eldest son a knight, and to marry his eldest daughter. What should on these occasions be deemed a reasonable aid, was not determined; and the demands of the crown were so discretionary.

The king could require in war the personal attendance of his vassals, that is, of almost all the landed proprietors; and if they declined the service, they were obliged to pay him a composition in money, which was called a scutage. The sum was, during some reigns, precarious and uncertain; it was sometimes levied without allowing the vassal the liberty of personal service; and it was a usual artifice of the king's to pretend an expedition, that he might be entitled to levy the scutage from his military tenants. Danegelt was another species of land-tax levied by the early Norman kings, arbitrarily, and contrary to the laws of the Conqueror. Moneyage was also a general land-tax of the same nature, levied by the two first Norman kings, and abolished by the charter of Henry I. It was a shilling paid every three years by each hearth, to induce the king not to use his prerogative in debasing the coin. Indeed it appears from that charter, that though the Conqueror had granted his military tenants an immunity from all taxes and talliages, he and his son William had never thought themselves bound to observe that rule, but had levied impositions at pleasure on all the landed estates of the kingdom. The utmost that Henry grants is, that the land cultivated by the military tenant himself, shall not be so burdened; but he reserves the power of taxing the farmers; and as it is known that Henry's charter was never observed in any one article, we may be assured that this prince and his successors retracted even this small indulgence, and levied arbitrary impositions on all the lands of all their subjects. These taxes were sometimes very heavy, since Malmesbury tells us, that in the reign of William Rufus, the farmers, on account of them, abandoned tillage, and a famine ensued.

* This author says a fifteenth. But it is not easy to reconcile this account to other authorities.

The escheats were a great branch both of power and of revenue, especially during the first reigns after the conquest. In default of posterity from the first baron, his land reverted to the crown, and continually augmented the king's possessions. The prince had indeed by law a power of alienating these escheats; but by this means he had an opportunity of establishing the fortunes of his friends and servants, and thereby enlarging his authority. Sometimes he retained them in his own hands, and they were gradually confounded with the royal demesnes, and became difficult to be distinguished from them. This confusion is probably the reason why the king acquired the right of alienating his demesnes.

But besides escheats from default of heirs, those which ensued from crimes, or breach of duty towards the superior lord were frequent in ancient times. If the vassal, being thrice summoned to attend his superior's court, and do fealty, neglected or refused obedience, he forfeited all title to his land. If he denied his tenure, or refused his service, he was exposed to the same penalty. If he sold his estate without licence from his lord, or if he sold it upon any other tenure or title than that by which he himself held it, he lost all right to it. The adhering to his lord's enemies, deserting him in war, betraying his secrets, debauching his wife or his near relations, or even using indecent freedoms with them, might be punished by forfeiture. The higher crimes, rape, robbery, murder, arson, &c. were called felony; and being interpreted want of fidelity to his lord, made him lose his fief. Even where the felon was vassal to a baron, though his immediate lord enjoyed the forfeiture, the king might retain possession of his estate during a twelvemonth, and had the right of spoiling and destroying it, unless the baron paid him a reasonable composition. We have not here enumerated all the species of felonies, or of crimes by which forfeiture was incurred; we have said enough to prove, that the possession of feudal property was anciently somewhat precarious, and that the primary idea was never lost, of its being a kind of *fee* or *benefice*.

When a baron died, the king immediately took possession of the estate; and the heir, before he recovered his right, was obliged to make application to the crown, and desire that he might be admitted to do homage for his land, and pay a composition to the king. This composition was not at first fixed by law, at least by practice: the king was often exorbitant in his demands, and kept possession of the land till they were complied with.

If the heir were a minor, the king retained the whole profit of the estate till his majority; and might grant what sum he thought proper for the education and maintenance of the young baron. This practice was also founded on the notion that a fief was a benefice, and that while the heir could not perform his military services, the revenue devolved to the superior, who employed another in his stead. It is obvious, that a great proportion of the landed property must, by means of this device, be continually in the hands of the prince, and that all the noble families were thereby held in perpetual dependence. When the king granted the wardship of a rich heir to any one, he had the opportunity of enriching a favourite or minister; if he sold it, he thereby levied a considerable sum of money. Simon de Mountfort paid Henry III. 10,000 marks, an immense sum in those days, for the wardship of Gilbert de Umfreville. Geoffrey de Mandeville paid to the same prince the sum of 20,000 marks, that he might marry Isabel, countess of Gloucester, and possess all her lands and knights' fees. This sum would be equivalent to 300,000, perhaps 400,000 pounds in our time.

If the heir were a female, the king was entitled to offer her any husband of her rank he thought proper; and if she refused him, she forfeited her land. Even a male heir could not marry without the royal consent; and it was usual for men to pay large sums for the liberty of making their own choice in marriage. No

man could dispose of his land, either by sale or will, without the consent of his superior. The possessor was never considered as full proprietor; he was still a kind of beneficiary, and could not oblige his superior to accept of any vassal that was not agreeable to him.

Fines, amerciaments, and oblatas, as they were called, were another considerable branch of the royal power and revenue. The ancient records of the exchequer, which are still preserved, give surprising accounts of the numerous fines and amerciaments levied in those days, and of the strange inventions fallen upon to exact money from the subject. It appears that the ancient kings of England put themselves entirely on the foot of the barbarous Eastern princes, whom no man must approach without a present, who sell all their good offices, and who intrude themselves into every business, that they may have a pretence for extorting money. Even justice was avowedly bought and sold: the king's court itself, though the supreme judicature of the kingdom, was open to none that brought not presents to the king; the bribes given for the expedition, delay, suspension, and, doubtless, for the perversion of justice, were entered in the public registers of the royal revenue, and remain as monuments of the perpetual iniquity and tyranny of the times. The barons of the exchequer, for instance, the first nobility of the kingdom, were not ashamed to insert, as an article in their records, that the county of Norfolk paid a sum that they might be fairly dealt with; the borough of Yarmouth, that the king's charters, which they have for their liberties, might not be violated; Richard, son of Gilbert, for the king's helping him to recover his debt from the Jews;* Serlo, son of Terlavaston, that he might be permitted to make his defence, in case he were accused of a certain homicide; Walter de Burton, for free law, if accused of wounding another; Robert de Essart, for having an inquest to find whether Roger the Butcher, and Wace, and Humphrey, accused him of robbery and theft out of envy and ill-will or not; William Buhurst, for having an inquest to find whether he were accused of the death of one Godwin, out of ill-will, or for just cause. I have selected these few instances from a great number of a like kind, which Madox had selected from a still greater number, preserved in the ancient rolls of the exchequer.

Sometimes the party litigant offered the king a certain portion, a half, a third, a fourth, payable out of the debts which he, as the executor of justice, should assist him in recovering. Theophania de Westland agreed to pay the half of 212 marks, that she might recover that sum against James de Fughleston; Solomon, the Jew, engaged to pay one mark out of every seven that he should recover against Hugh de la Hose; Nicholas Morrel promised to pay sixty pounds, that the earl of Flanders might be distrained to pay him 343 pounds, which the earl had taken from him; and these sixty pounds were to be paid out of the first money that Nicholas should recover from the earl.

As the king assumed the entire power over trade, he was to be paid for a permission to exercise commerce or industry of any kind. Hugh Oisel paid 400 marks for liberty to trade in England. Nigel de Havene gave fifty marks for the partnership in merchandise which he had with Gervase de Hanton: the men of Worcester paid 100 shillings, that they might have the liberty of selling and buying dyed cloth as formerly: several other towns paid for a like liberty. The commerce, indeed, of the kingdom was so much under the control of the king, that he erected gilds, corporations, and monopolies wherever he pleased, and levied sums for these exclusive privileges.

There were no profits so small as to be below the king's attention. Henry, son of Arthur, gave ten dogs to have a recognition against the countess of Copland for one knight's fee. Roger, son of Nicholas, gave twenty lampreys and twenty shads for an inquest, to find whether Gilbert, son of Alured, gave to Roger 200 muttons to obtain his confirmation for certain lands, or whether Roger took them from him by violence: Geoffrey Fitz-Pierre, the chief justiciary, gave two good Norway hawks, that Walter de Madine might have leave to export a hundred weight of cheese out of the king's dominions.

It is really amusing to remark the strange business in which the king sometimes interfered, and never without a present: the wife of Hugh de Neville gave the king 200 hens, that she might lie with her husband one night; and she brought with her two sureties, who answered each for a hundred hens. It is probable that her husband was a prisoner, which debarred her from having access to him. The abbot of Rucford paid ten marks for leave to erect houses and place men upon his land near Welhang, in order to secure his wood there from being stolen. Hugh, archdeacon of Wells, gave one tun of wine for leave to carry 600 sums of corn whither he would. Peter de Peraris gave twenty marks for leave to salt fishes, as Peter Chevalier used to do.

It was usual to pay high fines, in order to gain the king's good-will, or mitigate his anger. In the reign of Henry II., Gilbert, the son of Fergus, fines in 919 pounds 9 shillings, to obtain that prince's favour; William de Chataignes a thousand marks, that he would remit his displeasure. In the reign of Henry III. the city of London fines in no less a sum than 20,000 pounds on the same account.

The king's protection and good offices of every kind were bought and sold. Robert Grislet paid twenty marks of silver, that the king would help him against the earl of Mortaigne in a certain plea: Robert de Cundet gave thirty marks of silver, that the king would bring him to an accord with the bishop of Lincoln: Ralph de Breckham gave a hawk, that the king would protect him; and this is a very frequent reason for payments: John, son of Ordgar, gave a Norway hawk to have the king's request to the king of Norway, to let him have his brother Godard's chattels: Richard de Neville gave twenty palfreys to obtain the king's request to Isolda Bisset, that she should take him for a husband: Roger Fitz-Walter gave three good palfreys to have the king's letter to Roger Bertram's mother, that she should marry him. Eling, the dean, paid 100 marks, that his whore and his children might be let out upon bail: the bishop of Winchester gave one tun of good wine for his not putting the king in mind to give a girdle to the countess of Albemarle: Robert de Veaux gave five of the best palfreys, that the king would hold his tongue about Henry Pinel's wife. There are, in the records of the exchequer, many other singular instances of a like nature.* It will, however, be just to remark, that the same ridiculous practices and dangerous abuses prevailed in Normandy, and probably in all the other states of Europe: England was not, in this respect, more barbarous than its neighbours.

These iniquitous practices of the Norman kings were so well known, that on the death of Hugh Bigod, in the reign of Henry II., the best and most just of these princes, the eldest son and the widow of this nobleman came to court, and strove, by offering large

* paid 200 marks, a great sum in those days.

* We shall gratify the reader's curiosity by subjoining a few more instances from Madox, p. 552.—Hugh Oisel was to give the king two robes of a good green colour, to have the king's letters patent to the merchants of Flanders, with a request to render him 1000 marks, which he lost in Flanders. The abbot of Hyde paid thirty marks, to have the king's letters of request to the archbishop of Canterbury, to remove certain monks that were against the abbot. Roger de Tribaldeton paid twenty marks and a palfrey, to have the king's request to Richard de Humeville to give him his sister to wife, and to the sister that she would accept of him for a husband. William de Cleveringworth paid five marks to have the king's letter to the abbot of Persore, to let him enjoy peaceably his tithes as formerly. Matthew de Hereford, clerk, paid ten marks for a letter of request to the bishop of Landaff, to let him enjoy peaceably his church of Schenfrith. Andrew Neulin gave three Flemish caps for the king's request to the prior of Chikesand, for performance of an agreement made between them. Henry de Pontibus gave a Lombards horse of value to have the king's request to Henry Fitz Harvey, that he would give him his daughter to wife. Roger, son of Nicholas, promised all the lampreys he could get, to have the king's request to earl William Marshal, that he would grant him the manor of Langeshil at Frim. The burgesses of Gloucester promised 300 lampreys, that they might not be distrained to find the prisoners of Poictou with necessaries or less they pleased. Jordan, son of Ingemald, paid twenty marks to have the king's request to William Paniel, that he would grant him the land of Mill Nereraut, and the custody of his heirs; and if Jordan obtained the same, he was to pay the twenty marks, otherwise not. *Madox, Hist. of Exch.* p. 334.

presents to the king, each of them to acquire possession of that rich inheritance. The king was so equitable as to order the cause to be tried by the great council! But in the mean time he seized all the money and treasure of the deceased. Peter of Blois, a judicious and even an elegant writer for that age, gives a pathetic description of the venality of justice, and the oppressions of the poor under the reign of Henry; and he scruples not to complain to the king himself of these abuses. We may judge what the case would be under the government of worse princes. The articles of inquiry concerning the conduct of sheriffs, which Henry promulgated in 1170, show the great power, as well as the licentiousness of these officers.

Amerciaments or fines for crimes and trespasses were another considerable branch of the royal revenue. Most crimes were atoned for by money; the fines imposed were not limited by any rule or statute; and frequently occasioned the total ruin of the person, even for the slightest trespasses. The forest-laws, particularly, were a great source of oppression. The king possessed sixty-eight forests, thirteen chases, and seven hundred and eighty-one parks, in different parts of England; and, considering the extreme passion of the English and Normans for hunting, these were so many snares laid for the people, by which they were allured into trespasses, and brought within the reach of arbitrary and rigorous laws, which the king had thought proper to enact by his own authority.

But the most barefaced acts of tyranny and oppression were practised against the Jews, who were entirely out of the protection of law, were extremely odious from the bigotry of the people, and were abandoned to the immeasurable rapacity of the king and his ministers. Besides many other indignities to which they were continually exposed, it appears that they were once all thrown into prison, and the sum of 66,000 marks exacted for their liberty:* at another time, Isaac the Jew paid alone 5100 marks; Brun, 3000 marks; Jurnet, 2000; Bennet, 500: at another, Licorica, widow of David, the Jew of Oxford, was required to pay 6000 marks; and she was delivered over to six of the richest and discreetest Jews in England, who were to answer for the sum. Henry III. borrowed 5000 marks from the earl of Cornwall, and for his repayment consigned over to him all the Jews in England. The revenue arising from exactions upon this nation was so considerable, that there was a particular court of exchequer set apart for managing it.

COMMERCE.

We may judge concerning the low state of commerce among the English, when the Jews, notwithstanding these oppressions, could still find their account in trading among them, and lending them money. And as the improvements of agriculture were also much checked by the immense possessions of the nobility, by the disorders of the times, and by the precarious state of feudal property, it appears that industry of no kind could then have place in the kingdom.†

It is asserted by Sir Harry Spelman,‡ as an undoubted truth, that, during the reigns of the first Norman princes, every edict of the king, issued with the consent of his privy-council, had the full force of law. But the barons, surely, were not so passive as to entrust a power, entirely arbitrary and despotic into the hands of the sovereign. It only appears, that the constitution had not fixed any precise boundaries to the royal power; that the right of issuing proclamations on any emergence, and of exacting obedience to them, a right which was always supposed inherent in the crown, is very difficult to be distinguished from a legislative authority, that the extreme imperfection of the ancient laws, and the sudden exigencies which often occurred in such turbulent governments, obliged the prince to exert frequently the latent powers of his prerogative; that he naturally proceeded, from the acquiescence of the people, to assume, in many particulars of moment, an authority from which he had excluded himself by express statutes, charters, or concessions, and which was, in the main, repugnant to the general genius of the constitution; and that the lives, the personal liberty, and the properties of all his subjects, were less secured by law against the exertion of his arbitrary authority, than by the independent power and private connexions of each individual. It appears from the Great Charter itself, that not only John, a tyrannical prince, and Richard, a violent one, but their father Henry, under whose reign the prevalence of gross abuses is the least to be suspected, were accustomed, from their sole authority, without process of law, to imprison, banish, and attaint the freemen of their kingdom.

A great baron, in ancient times, considered himself as a kind of sovereign within his territory; and was attended by courtiers and dependents more zealously attached to him than the ministers of state and the great officers were commonly to *their* sovereign. He often maintained in his court the parade of royalty, by establishing a justiciary, constable, mareschal, chamberlain, seneschal, and chancellor, and assigning to each of these officers a separate province and command. He was usually very assiduous in exercising his jurisdiction; and took such delight in that image of sovereignty, that it was found necessary to restrain his activity, and prohibit him by law from holding courts too frequently. It is not to be doubted, but the example set him by the prince, of a mercenary and sordid extortion, would be faithfully copied: and that all his good and bad offices, his justice and injustice, were equally put to sale. He had the power, with the king's consent, to exact talliages even from the free citizens who lived within his barony; and as his necessities made him rapacious, his authority was usually found to be more oppressive and tyrannical than that of the sovereign: he was ever engaged in hereditary or personal animosities or confederacies with his neighbours, and often gave protection to all desperate adventurers and criminals who could be useful in serving his violent purposes. He was able alone, in times of tranquillity, to obstruct the execution of justice within his territories; and by combining with a few malcontent barons of high rank and power, he could throw the state into convulsions. And, on the whole, though the royal authority was confined within bounds, and often within very narrow ones, yet the check was irregular, and frequently the source of great disorders; nor was it derived from the liberty of the people, but from the military power of many petty tyrants, who were equally dangerous to the prince, and oppressive to the subject.

THE CHURCH.

The power of the church was another rampart against royal authority; but this defence was also the cause of many mischiefs and inconveniences. The dignified clergy, perhaps, were not so prone to immediate violence as the barons; but as they pretended to a total independence on the state, and could always cover themselves with the appearances of religion, they proved, in one respect, an obstruction to the settlement of the kingdom, and to the regular execution of the laws. The policy of the Conqueror was in this particular liable to some exception. He augmented the superstitious veneration for Rome, to which that age was so much inclined; and he broke those bands of connexion, which, in the Saxon times, had preserved an union between the lay and the clerical orders. He prohibited the bishops from sitting in the county-courts; he allowed ecclesiastical causes to be tried in spiritual courts only;

* This happened in the reign of king John.

† We learn from the extracts given by Brady, in his Treatise of Boroughs, that almost all the towns in England had suffered, in the shock of the conquest, and had not recovered, between the death of the Confessor, and the time which the survey was framed.

‡ Glossa. in voce. ordinum Dei. The author of the *Mirror des Justices* complains, that ordinances are each made by the king and his clerks, and by aliens and others, who dare not resist the king, but study to please him. Whence, he concludes, laws are worse dated by a will, than founded on right

and he so much exalted the power of the clergy, that of 60,215 knights' fees, into which he divided England, he placed no less than 28,015 under the church.*

CIVIL LAWS.

The right of primogeniture was introduced with the feudal law: an institution which is hurtful, by producing and maintaining an unequal division of private property, but is advantageous in another respect, by accustoming the people to a preference in favour of the eldest son, and thereby preventing a partition or disputed succession in the monarchy. The Normans introduced the use of sir-names, which tend to preserve the knowledge of families and pedigrees. They abolished none of the old, absurd methods of trial by the cross or ordeal; and they added a new absurdity, the trial by single-combat, which became a regular part of jurisprudence, and was conducted with all the order, method, devotion, and solemnity imaginable.† The ideas of chivalry also seem to have been imported by the Normans: no traces of those fantastic notions are to be found among the plain and rustic Saxons.

MANNERS.

The feudal institutions, by raising the military tenants to a kind of sovereign dignity, by rendering personal strength and valour requisite, and by making every knight and baron his own protector and avenger, begat that martial pride and sense of honour, which, being cultivated and embellished by the poets and romance-writers of the age, ended in chivalry. The virtuous knight fought not only in his own quarrel, but in that of the innocent, of the helpless, and, above all, of the fair, whom he supposed to be for ever under the guardianship of his valiant arm. The uncourteous knight who, from his castle, exercised robbery on travellers, and committed violence on virgins, was the object of his perpetual indignation; and he put him to death without scruple, or trial, or appeal, wherever he met with him. The great independence of men made personal honour and fidelity the chief tie among them, and rendered it the capital virtue of every true knight, or genuine professor of chivalry. The solemnities of single-combat, as established by law, banished the notion of everything unfair or unequal in rencounters; and maintained an appearance of courtesy between the combatants, till the moment of their engagement. The credulity of the age grafted on this stock the notion of giants, enchanters, dragons, spells,* and a thousand wonders, which still multiplied during the times of the Crusades; when men, returning from so great a distance, used the liberty of imposing every fiction on their believing audience. These ideas of chivalry infected the writings, conversation, and behaviour of men, during some ages; and even after they were, in a great measure, banished by the revival of learning, they left modern *gallantry* and the *point of honour*, which still maintain their influence, and are the genuine offspring of those ancient affectations.

The concession of the Great Charter, or rather its full establishment, (for there was a considerable interval of time between the one and the other,) gave rise, by degrees, to a new species of government, and introduced some order and justice into the administration. The ensuing scenes of our history are therefore somewhat different from the preceding. Yet the Great Charter contained no establishment of new courts, magistrates, or senates, nor abolition of the old. It introduced no new distribution of the powers of the commonwealth, and no innovation in the political or public law of the kingdom. It only guarded, and that merely by verbal clauses, against such tyrannical practices as are incompatible with civilized government, and, if they become very frequent, are incompatible with all government. The barbarous licence of the kings, and perhaps of the nobles, was thenceforth somewhat more restrained; men acquired some more security for their properties and their liberties; and government approached a little nearer to that end for which it was originally instituted, the distribution of justice, and the equal protection of the citizens. Acts of violence and iniquity in the crown, which before were only deemed injurious to individuals, and were hazardous chiefly in proportion to the number, power, and dignity of the persons affected by them, were now regarded, in some degree, as public injuries, and as infringements of a charter calculated for general security. And thus the establishment of the Great Charter, without seeming anywise to innovate in the distribution of political power, became a kind of epoch in the constitution.

* We are not to imagine, as some have done, that the church possessed lands in this proportion, but only that they and their vassals enjoyed such a proportionable part of the landed property.

† The last instance of these duels was in the 15th of Eliz.: so long did that absurdity exist.

* In all legal single combats, it was part of the champion's oath, that he carried not about him any herb, spell, or enchantment, by which he might procure victory. Dugd. Orig. Jurid. p. 82.

CHAPTER XII.

HENRY III.

Settlement of the Government — General Pacification — Death of the Protector — Some Commotions — Hubert de Burgh displaced — The Bishop of Winchester Minister — King's Partiality to Foreigners — Grievances — Ecclesiastical Grievances — Earl of Cornwall elected King of the Romans — Discontents of the Barons — Simon de Mountfort, earl of Leicester — Provisions of Oxford — Usurpation of the Barons — Prince Edward — Civil Wars of the Barons — Reference to the King of France — Renewal of the Civil Wars — Battle of Lewes — House of Commons — Battle of Evesham, and Death of Leicester — Settlement of the Government — Death and Character of the King — Miscellaneous Transactions of this Reign.

1216. MOST sciences, in proportion as they increase and improve, invent methods by which they facilitate their reasonings; and, employing general theorems, are enabled to comprehend, in a few propositions, a great number of inferences and conclusions. History also, being a collection of facts which are multiplying without end, is obliged to adopt such arts of abridgement, to retain the more material events, and to drop all the minute circumstances, which are only interesting during the time, or to the persons engaged in the transactions. This truth is nowhere more evident than with regard to the reign upon which we are going to enter. What mortal could have the patience to write or read a long detail of such frivolous events as those with which it is filled, or attend to a tedious narrative which would follow, through a series of fifty-six years, the caprices and weaknesses of so mean a prince as Henry? The chief reason why Protestant writers have been so anxious to spread out the incidents of this reign is, in order to expose the rapacity, ambition, and artifices of the court of Rome; and to prove that the great dignitaries of the Catholic church, while they pretended to have nothing in view but the salvation of souls, had bent all their attention to the acquisition of riches, and were restrained by no sense of justice or of honour in the pursuit of that great object. But this conclusion would readily be allowed them, though it were not illustrated by such a detail of uninteresting incidents; and follows, indeed, by an evident necessity, from the very situation in which that church was placed with regard to the rest of Europe. For, besides that ecclesiastical power, as

it can always cover its operations under a cloak of sanctity, and attacks men on the side where they dare not employ their reason, lies less under control than civil government—besides this general cause, I say, the pope and his courtiers were foreigners to most of the churches which they governed; they could not possibly have any other object than to pillage the provinces for present gain; and as they lived at a distance, they would be little awed by shame or remorse, in employing every lucrative expedient which was suggested to them. England being one of the most remote provinces attached to the Romish hierarchy, as well as the most prone to superstition, felt severely, during this reign, while its patience was not yet fully exhausted, the influence of these causes; and we shall often have occasion to touch cursorily upon such incidents. But we shall not attempt to comprehend every transaction transmitted to us; and till the end of the reign, when the events become more memorable, we shall not always observe an exact chronological order in our narration.

SETTLEMENT OF THE GOVERNMENT.

The earl of Pembroke, who, at the time of John's death, was mareschal of England, was by his office at the head of the armies, and consequently, during a state of civil wars and convulsions, at the head of the government; and it happened fortunately for the young monarch and for the nation, that the power could not have been intrusted into more able and more faithful hands. This nobleman, who had maintained his loyalty unshaken to John during the lowest fortune of that monarch, determined to support the authority of the infant prince; nor was he dismayed at the number and violence of his enemies. Sensible that Henry, agreeable to the prejudices of the times, would not be deemed a sovereign till crowned and anointed by a churchman, he immediately carried the young prince to Gloucester, where the ceremony of coronation was performed, (28th October,) in the presence of Gualo the legate, and of a few noblemen, by the bishops of Winchester and Bath. As the concurrence of the papal authority was requisite to support the tottering throne, Henry was obliged to swear fealty to the pope, and renew that homage to which his father had already subjected the kingdom: and in order to enlarge the authority of Pembroke, and to give him a more regular and legal title to it, a general council of the barons was soon after summoned at Bristol, where that nobleman was chosen protector of the realm. (11th November.)

Pembroke, that he might reconcile all men to the government of his pupil, made him grant a new charter of liberties, which, though mostly copied from the former concessions extorted from John, contains some alterations, which may be deemed remarkable. The full privilege of elections in the clergy, granted by the late king, was not confirmed, nor the liberty of going out of the kingdom without the royal consent: whence we may conclude, that Pembroke and the barons, jealous of the ecclesiastical power, both were desirous of renewing the king's claim to issue a congé d'elire to the monks and chapters, and thought it requisite to put some check to the frequent appeals to Rome. But what may chiefly surprise us is, that the obligation to which John had subjected himself, of obtaining the consent of the great council before he levied any aids or scutages upon the nation, was omitted; and this article was even declared hard and severe, and was expressly left to future deliberation. But we must consider, that, though this limitation may perhaps appear to us the most momentous in the whole charter of John, it was not regarded in that light by the ancient barons, who were more jealous in guarding against particular acts of violence in the crown, than against such general impositions, which, unless they were evidently reasonable and necessary, could scarcely, without general consent, be levied upon men who had arms in their hands, and who could repel any act of oppression, by which they were all immediately affected. We accordingly find that Henry, in the course of his reign, while he gave frequent occasions for complaint, with regard to his violations of the Great Charter, never attempted, by his mere will, to levy any aids or scutages; though he was often reduced to great necessities, and was refused supply by his people. So much easier was it for him to transgress the law, when individuals alone were affected, than even to exert his acknowledged prerogatives, where the interest of the whole body was concerned.

This charter was again confirmed by the king in the ensuing year, with the addition of some articles to prevent the oppressions by sheriffs; and also with an additional charter of forests, a circumstance of great moment in those ages, when hunting was so much the occupation of the nobility, and when the king comprehended so considerable a part of the kingdom within his forests, which he governed by peculiar and arbitrary laws. All the forests which had been inclosed since the reign of Henry II. were disaforested; and new perambulations were appointed for that purpose: offences in the forests were declared to be no longer capital; but punishable by fine, imprisonment, and more gentle penalties; and all the proprietors of land recovered the power of cutting and using their own wood at their pleasure.

Thus these famous charters were brought nearly to the shape in which they have ever since stood; and they were, during many generations, the peculiar favourites of the English nation, and esteemed the most sacred rampart to national liberty and independence. As they secured the rights of all orders of men, they were anxiously defended by all, and became the basis, in a manner, of the English monarchy, and a kind of original contract, which both limited the authority of the king, and ensured the conditional allegiance of his subjects. Though often violated, they were still claimed by the nobility and people; and as no precedents were supposed valid that infringed them, they rather acquired than lost authority, from the frequent attempts made against them in several ages by regal and arbitrary power.

While Pembroke, by renewing and confirming the Great Charter, gave so much satisfaction and security to the nation in general, he also applied himself successfully to individuals: he wrote letters in the king's name to all the malcontent barons; in which he represented to them, that, whatever jealousy and animosity they might have entertained against the late king, a young prince, the lineal heir of their ancient monarchs, had now succeeded to the throne, without succeeding either to the resentments or principles of his predecessor; that the desperate expedient, which they had employed, of calling in a foreign potentate, had, happily for them, as well as for the nation, failed of entire success; and it was still in their power, by a speedy return to their duty, to restore the independence of the kingdom, and to secure that liberty for which they so zealously contended: that as all past offences of the barons were now buried in oblivion, they ought, on their part, to forget their complaints against their late sovereign, who, if he had been anywise blamable in his conduct, had left to his son the salutary warning, to avoid the paths which had led to such fatal extremities: and that having now obtained a charter for their liberties, it was their interest to show, by their conduct, that this acquisition was not incompatible with their allegiance, and that the rights of king and people, so far from being hostile and opposite, might mutually support and sustain each other.

These considerations, enforced by the character of honour and constancy, which Pembroke had ever maintained, had a mighty influence on the barons; and most of them began secretly to negociate with him,

and many of them openly returned to their duty. The diffidence which Louis discovered of their fidelity, forwarded this general propension towards the king; and when the French prince refused the government of the castle of Hertford to Robert Fitz-Walter, who had been so active against the late king, and who claimed that fortress as his property, they plainly saw that the English were excluded from every trust, and that foreigners had engrossed all the confidence and affection of their new sovereign. The excommunication, too, denounced by the legate against all the adherents of Louis, failed not, in the turn which men's dispositions had taken, to produce a mighty effect upon them; and they were easily persuaded to consider a cause as impious, for which they had already entertained an unsurmountable aversion. Though Louis made a journey to France, and brought over succours from that kingdom, he found, on his return, that his party was still more weakened by the desertion of his English confederates, and that the death of John had, contrary to his expectations, given an incurable wound to his cause. The earls of Salisbury, Arundel, and Warrenne, together with William Mareshal, eldest son of the protector, had embraced Henry's party; and every English nobleman was plainly watching for an opportunity of returning to his allegiance. Pembroke was so much strengthened by these accessions, that he ventured to invest Mount-sorel; though, upon the approach of the count of Perche with the French army, he desisted from his enterprise, and raised the siege. The count, elated with this success, marched to Lincoln; and being admitted into the town, he began to attack the castle, which he soon reduced to extremity. The protector summoned all his forces from every quarter, in order to relieve a place of such importance; and he appeared so much superior to the French, that they shut themselves up within the city, and resolved to act upon the defensive. But the garrison of the castle, having received a strong re-enforcement, made a vigorous sally upon the besiegers; while the English army, by concert, assaulted them in the same instant from without, mounted the walls by scalade, and, bearing down all resistance, entered the city sword in hand. Lincoln was delivered over to be pillaged; the French army was totally routed; the count of Perche, with only two persons more, was killed; but many of the chief commanders, and about 400 knights, were made prisoners by the English. So little blood was shed in this important action, which decided the fate of one of the most powerful kingdoms in Europe; and such wretched soldiers were those ancient barons, who yet were unacquainted with everything but arms!

Prince Louis was informed of this fatal event while employed in the siege of Dover, which was still valiantly defended against him by Hubert de Burgh. He immediately retreated to London, the centre and life of his party; and he there received intelligence of a new disaster, which put an end to all his hopes. A French fleet bringing over a strong re-enforcement, had appeared on the coast of Kent, where they were attacked by the English under the command of Philip d'Albiney, and were routed with considerable loss. D'Albiney, employed a stratagem against them, which is said to have contributed to the victory: having gained the wind of the French, he came down upon them with violence; and throwing in their faces a great quantity of quick-lime which he purposely carried on board, he so blinded them, that they were disabled from defending themselves.

After this second misfortune of the French, the English barons hastened everywhere to make peace with the protector, and, by an early submission, to prevent those attainders to which they were exposed on account of their rebellion. Louis, whose cause was now totally desperate, began to be anxious for the safety of his person, and was glad, on any honourable conditions, to make his escape from a country where he found everything was now become hostile to him. He concluded a peace with Pembroke, promised to evacuate the kingdom, and only stipulated in return, an indemnity to his adherents, and a restitution of their honours and fortunes, together with the free and equal enjoyment of those liberties which had been granted to the rest of the nation. Thus was happily ended a civil war, which seemed to be founded on the most incurable hatred and jealousy, and had threatened the kingdom with the most fatal consequences.

The precautions which the king of France used in the conduct of this whole affair are remarkable. He pretended that his son had accepted of the offer from the English barons without his advice, and contrary to his inclination: the armies sent to England were levied in Louis's name: when that prince came over to France for aid, his father publicly refused to grant him any assistance, and would not so much as admit him to his presence: even after Henry's party acquired the ascendant, and Louis was in danger of falling into the hands of his enemies, it was Blanche of Castile, his wife, not the king his father, who raised armies and equipped fleets for his succour. All these artifices were employed, not to satisfy the pope; for he had too much penetration to be so easily imposed on: nor yet to deceive the people; for they were too gross even for that purpose: they only served for a colouring to Philip's cause; and in public affairs, men are often better pleased that the truth, though known to everybody, should be wrapped up under a decent cover, than if it were exposed in open daylight to the eyes of all the world.

After the expulsion of the French, the prudence and equity of the protector's subsequent conduct contributed to cure entirely those wounds which had been made by intestine discord. He received the rebellious barons into favour; observed strictly the terms of peace which he had granted them; restored them to their possessions; and endeavoured, by an equal behaviour, to bury all past animosities in perpetual oblivion. The clergy alone, who had adhered to Louis, were sufferers in this revolution. As they had rebelled against their spiritual sovereign, by disregarding the interdict and excommunication, it was not in Pembroke's power to make any stipulations in their favour; and Gualo, the legate, prepared to take vengeance on them for their disobedience. Many of them were deposed; many suspended; some banished; and all who escaped punishment made atonement for their offence by paying large sums to the legate, who amassed an immense treasure by this expedient.

DEATH OF THE PROTECTOR.

The earl of Pembroke did not long survive the pacification which had been chiefly owing to his wisdom and valour; and he was succeeded in the government by Peter des Roches, bishop of Winchester, and Hubert de Burgh, the justiciary. The counsels of the latter were chiefly followed: and had he possessed equal authority in the kingdom with Pembroke, he seemed to be every way worthy of filling the place of that virtuous nobleman. But the licentious and powerful barons, who had once broken the reins of subjection to their prince, and had obtained by violence an enlargement of their liberties and independence, could ill be restrained by laws under a minority; and the people, no less than the king, suffered from their outrages and disorders. They retained by force the royal castles, which they had seized during the past convulsions, or which had been committed to their custody by the protector: they usurped the king's demesnes: they oppressed their vassals: they infested their weaker neighbours: they invited all disorderly people to enter in their retinue, and to live upon their lands: and they gave them protection in all their robberies and extortions.

No one was more infamous for these violent and illegal practices than the earl of Albemarle; who,

though he had early returned to his duty, and had been serviceable in expelling the French, augmented to the utmost the general disorder, and committed outrages in all the counties of the North. In order to reduce him to obedience, Hubert seized an opportunity of getting possession of Rockingham castle, which Albemarle had garrisoned with his licentious retinue: but this nobleman, instead of submitting, entered into a secret confederacy with Fawkes de Breauté, Peter de Mauleon, and other barons, and both fortified the castle of Biham for his defence, and made himself master, by surprise, of that of Fotheringay. Pandulf, who was restored to his legateship, was active in suppressing this rebellion; and with the concurrence of eleven bishops, he pronounced the sentence of excommunication against Albemarle and his adherents; an army was levied: a scutage of ten shillings, a knight's fee, was imposed on all the military tenants: Albemarle's associates gradually deserted him: and he himself was obliged at last to sue for mercy. He received a pardon, and was restored to his whole estate.

This impolitic lenity, too frequent in those times, was probably the result of a secret combination among the barons, who never could endure to see the total ruin of one of their own order: but it encouraged Fawkes de Breauté, a man whom king John had raised from a low origin, to persevere in the course of violence to which he had owed his fortune, and to set at nought all law and justice. When thirty-five verdicts were at one time found against him, on account of his violent expulsion of so many freeholders from their possessions, he came to the court of justice with an armed force, seized the judge who had pronounced the verdicts, and imprisoned him in Bedford castle. He then levied open war against the king; but being subdued and taken prisoner, his life was granted him; but his estate was confiscated, and he was banished the kingdom.

1222. Justice was executed with greater severity against disorders less premeditated which broke out in London. A frivolous emulation in a match of wrestling, between the Londoners on the one hand, and the inhabitants of Westminster and those of the neighbouring villages on the other, occasioned this commotion. The former rose in a body, and pulled down some houses belonging to the abbot of Westminster: but this riot, which, considering the tumultuous disposition familiar to that capital, would have been little regarded, seemed to become more serious by the symptoms which then appeared, of the former attachment of the citizens to the French interest. The populace, in the tumult, made use of the cry of war commonly employed by the French troops; *Mountjoy, Mountjoy, God help us and our lord Louis.* The justiciary made inquiry into the disorder; and finding one Constantine Fitz-Arnulf to have been the ringleader, an insolent man, who justified his crime in Hubert's presence, he proceeded against him by martial law, and ordered him immediately to be hanged, without trial or form of process. He also cut off the feet of some of Constantine's accomplices.

This act of power was complained of as an infringement of the Great Charter: yet the justiciary, in a parliament summoned at Oxford, (for the great councils about this time began to receive that appellation,) made no scruple to grant in the king's name a renewal and confirmation of that charter. When the assembly made application to the crown for this favour, as a law in those times seemed to lose its validity if not frequently renewed, William de Briewere, one of the council of regency, was so bold as to say openly, that those liberties were extorted by force, and ought not to be observed: but he was reprimanded by the archbishop of Canterbury, and was not countenanced by the king or his chief ministers. A new confirmation was demanded and granted two years after; and an aid, amounting to a fifteenth of all moveables, was given by the parliament, in return for this indulgence. The king issued writs anew to the sheriffs, enjoining the observance of the charter; but he inserted a remarkable clause in the writs, that those who paid not the fifteenth should not for the future be entitled to the benefit of those liberties.

The low state into which the crown was fallen made it requisite for a good minister to be attentive to the preservation of the royal prerogatives, as well as to the security of public liberty. Hubert applied to the pope, who had always great authority in the kingdom, and was now considered as its superior lord; and desired him to issue a bull, declaring the king to be of full age, and entitled to exercise in person all the acts of royalty. In consequence of this declaration, the justiciary resigned into Henry's hands the two important fortresses of the Tower and Dover castle, which had been entrusted to his custody; and he required the other barons to imitate his example. They refused compliance, the earls of Chester and Albemarle, John Constable of Chester, John de Lacy, Brian de l'Isle, and William de Cantel, with some others, even formed a conspiracy to surprise London, and met in arms at Waltham with that intention: but finding the king prepared for defence, they desisted from their enterprise. When summoned to court, in order to answer for their conduct, they scrupled not to appear, and to confess the design: but they told the king, that they had no bad intentions against his person, but only against Hubert de Burgh, whom they were determined to remove from his office. They appeared too formidable to be chastised; and they were so little discouraged by the failure of their first enterprise, that they again met in arms at Leicester, in order to seize the king, who then resided at Northampton: but Henry, informed of their purpose, took care to be so well armed and attended, that the barons found it dangerous to make the attempt; and they sat down and kept Christmas in his neighbourhood. The archbishop and the prelates, finding everything tending towards a civil war, interposed with their authority, and threatened the barons with the sentence of excommunication, if they persisted in detaining the king's castles. This menace at last prevailed: most of the fortresses were surrendered; though the barons complained that Hubert's castles were soon after restored to him, while the king still kept theirs in his own custody. There are said to have been 1115 castles at that time in England.

It must be acknowledged, that the influence of the prelates and the clergy was often of great service to the public. Though the religion of that age can merit no better name than that of superstition, it served to unite together a body of men who had great sway over the people, and who kept the community from falling to pieces by the factions and independent power of the nobles. And, what was of great importance, it threw a mighty authority into the hands of men, who, by their profession, were averse to arms and violence; who tempered by their mediation the general disposition towards military enterprises; and who still maintained, even amidst the shock of arms, those secret links, without which it is impossible for human society to subsist.

Notwithstanding these intestine commotions in England, and the precarious authority of the crown, Henry was obliged to carry on war in France; and he employed to that purpose the fifteenth which had been granted him by parliament. Louis VIII., who had succeeded to his father Philip, instead of complying with Henry's claim, who demanded the restitution of Normandy and the other provinces wrested from England, made an irruption into Poictou, took Rochelle, after a long siege, and seemed determined to expel the English from the few provinces which still remained to them. Henry sent over his uncle, the earl of Salisbury, together with his brother, prince Richard, to whom he had granted the earldom of Cornwall, which had escheated to the crown. Salisbury stopped the progress of Louis's arms, and re-

tained the Poictevin and Gascon vassals in their allegiance; but no military action of any moment was performed on either side. The earl of Cornwall, after two years' stay in Guienne, returned to England.

1227. This prince was nowise turbulent or factious in his disposition: his ruling passion was to amass money, in which he succeeded so well as to become the richest subject in Christendom: yet his attention to gain threw him sometimes into acts of violence, and gave disturbance to the government. There was a manor, which had formerly belonged to the earldom of Cornwall, but had been granted to Waleran de Ties before Richard had been invested with that dignity, and while the earldom remained in the crown. Richard claimed this manor, and expelled the proprietor by force: Waleran complained; the king ordered his brother to do justice to the man, and restore him to his rights: the earl said, that he would not submit to these orders till the cause should be decided against him by the judgment of his peers: Henry replied, that it was first necessary to reinstate Waleran in possession before the cause could be tried; and he reiterated his orders to the earl. We may judge of the state of the government when this affair had nearly produced a civil war. The earl of Cornwall, finding Henry peremptory in his commands, associated himself with the young earl of Pembroke, who had married his sister, and who was displeased on account of the king's requiring him to deliver up some royal castles which were in his custody. These two malcontents took into the confederacy the earls of Chester, Warrenne, Gloucester, Hereford, Warwick, and Ferrers, who were all disgusted on a like account. They assembled an army, which the king had not the power or courage to resist; and he was obliged to give his brother satisfaction, by grants of much greater importance than the manor which had been the first ground of the quarrel.

The character of the king, as he grew to man's estate, became every day better known; and he was found in every respect unqualified for maintaining a proper sway among those turbulent barons whom the feudal constitution subjected to his authority. Gentle, humane, and merciful, even to a fault, he seems to have been steady in no other circumstance of his character; but to have received every impression from those who surrounded him, and whom he loved, for the time, with the most imprudent and unreserved affection. Without activity or vigour, he was unfit to conduct war; without policy or art, he was ill-fitted to maintain peace: his resentments, though hasty and violent, were not dreaded, while he was found to drop them with such facility; his friendships were little valued, because they were neither derived from choice, nor maintained with constancy. A proper pageant of state in a regular monarchy, where his ministers could have conducted all affairs in his name and by his authority; but too feeble in those disorderly times to sway a sceptre, whose weight depended entirely on the firmness and dexterity of the hand which held it.

HUBERT DE BURGH DISPLACED.

The ablest and most virtuous minister that Henry ever possessed was Hubert de Burgh, a man who had been steady to the crown in the most difficult and dangerous times, and who yet showed no disposition, in the height of his power, to enslave or oppress the people. The only exceptionable part of his conduct is that which is mentioned by Matthew Paris: if the fact be really true, and proceeded from Hubert's advice, namely, the recalling publicly, and the annulling of the charter of forests, a concession so reasonable in itself, and so passionately claimed both by the nobility and people; but it must be confessed that this measure is so unlikely, both from the circumstances of the times and character of the minister, that there is reason to doubt of its reality, especially as it is mentioned by no other historian. Hubert, while he enjoyed his authority, had an entire ascendant over Henry, and was loaded with honours and favours beyond any other subject. Besides acquiring the property of many castles and manors, he married the eldest sister of the king of Scots, was created earl of Kent, and, by an unusual concession, was made chief-justiciary of England for life: yet Henry, in a sudden caprice, [1231,] threw off this faithful minister, and exposed him to the violent persecutions of his enemies. Among other frivolous crimes objected to him, he was accused of gaining the king's affections by enchantment, and of purloining from the royal treasury a gem, which had the virtue to render the wearer invulnerable, and of sending this valuable curiosity to the prince of Wales. The nobility, who hated Hubert on account of his zeal in resuming the rights and possessions of the crown, no sooner saw the opportunity favourable, than they inflamed the king's animosity against him, and pushed him to seek the total ruin of his minister. Hubert took sanctuary in a church: the king ordered him to be dragged from thence: he recalled those orders: he afterwards renewed them: he was obliged by the clergy to restore him to the sanctuary: he constrained him soon after to surrender himself prisoner, and he confined him in the castle of the Devizes. Hubert made his escape, was expelled the kingdom, was again received into favour, recovered a great share of the king's confidence, but never showed any inclination to reinstate himself in power and authority.

BISHOP OF WINCHESTER MINISTER.

The man who succeeded him in the government of the king and kingdom, was Peter, bishop of Winchester, a Poictevin by birth, who had been raised by the late king, and who was no less distinguished by his arbitrary principles and violent conduct, than by his courage and abilities. This prelate had been left by king John justiciary and regent of the kingdom during an expedition which that prince made into France; and his illegal administration was one chief cause of that great combination among the barons, which finally extorted from the crown the charter of liberties, and laid the foundations of the English constitution. Henry, though incapable, from his character, of pursuing the same violent maxims which had governed his father, had imbibed the same arbitrary principles: and in prosecution of Peter's advice, he invited over a great number of Poictevins and other foreigners, who, he believed, could more safely be trusted than the English, and who seemed useful to counterbalance the great and independent power of the nobility. Every office and command was bestowed on these strangers: they exhausted the revenues of the crown, already too much impoverished; they invaded the rights of the people; and their insolence, still more provoking than their power, drew on them the hatred and envy of all orders of men in the kingdom.

1233. The barons formed a combination against this odious ministry, and withdrew from parliament, on pretence of the danger to which they were exposed from the machinations of the Poictevins. When again summoned to attend, they gave for answer, that the king should dismiss his foreigners, otherwise they would drive both him and them out of the kingdom, and put the crown on another head more worthy to wear it: such was the style they used to their sovereign. They at last came to parliament, but so well attended, that they seemed in a condition to prescribe laws to the king and ministry. Peter des Roches, however, had in the interval found means of sowing dissension among them, and of bringing over to his party the earl of Cornwall, as well as the earls of Lincoln and Chester. The confederates were disconcerted in their measures: Richard, earl mareschal, who had succeeded to that dignity on the death of his brother

William, was chased into Wales; he thence withdrew into Ireland, where he was treacherously murdered by the contrivance of the bishop of Winchester. The estates of the more obnoxious barons were confiscated, without legal sentence or trial by their peers, and were bestowed with a profuse liberality on the Poictevins. Peter even carried his insolence so far as to declare publicly, that the barons of England must not pretend to put themselves on the same foot with those of France, or assume the same liberties and privileges: the monarch in the former country had a more absolute power than in the latter. It had been more justifiable for him to have said, that men, so unwilling to submit to the authority of laws, could with the worse grace claim any shelter or protection from them.

When the king at any time was checked in his illegal practices, and when the authority of the Great Charter was objected to him, he was wont to reply:—"Why should I observe this charter, which is neglected by all my grandees, both prelates and nobility?" It was very reasonably said to him,—"You ought, sir, to set them the example."

So violent a ministry as that of the bishop of Winchester could not be of long duration; but its fall proceeded at last from the influence of the church, not from the efforts of the nobles. Edmond, the primate, came to court, attended by many of the other prelates, and represented to the king the pernicious measures embraced by Peter des Roches; the discontents of his people; the ruin of his affairs; and, after requiring the dismission of the minister and his associates, threatened him with excommunication in case of his refusal. Henry, who knew that an excommunication so agreeable to the sense of the people could not fail of producing the most dangerous effects, was obliged to submit: foreigners were banished: the natives were restored to their place in council: the primate, who was a man of prudence, and who took care to execute the laws, and observe the charter of liberties, bore the chief sway in the government.

KING'S PARTIALITY TO FOREIGNERS. 1236.

But the English in vain flattered themselves that they should be long free from the dominion of foreigners. The king, having married Eleanor, daughter of the count of Provence, was surrounded by a great number of strangers from that country, whom he caressed with the fondest affection, and enriched by an imprudent generosity. The bishop of Valence, a prelate of the house of Savoy, and maternal uncle to the queen, was his chief minister, and employed every art to amass wealth for himself and his relations. Peter of Savoy, a brother of the same family, was invested in the honour of Richmond, and received the rich wardship of earl Warrenne: Boniface of Savoy was promoted to the see of Canterbury: many young ladies were invited over from Provence, and married to the chief noblemen in England, who were the king's wards. And as the source of Henry's bounty began to fail, his Savoyard ministry applied to Rome, and obtained a bull, permitting him to resume all past grants; absolving him from the oath which he had taken to maintain them; even enjoining him to make such a resumption, and representing those grants as invalid, on account of the prejudice which ensued from them to the Roman pontiff, in whom the superiority of the kingdom was vested. The opposition made to the intended resumption prevented it from taking place; but the nation saw the indignities to which the king was willing to submit, in order to gratify the avidity of his foreign favourites. About the same time he published in England the sentence of excommunication pronounced against the emperor Frederic, his brother-in-law; and said, in excuse, that, being the pope's vassal, he was obliged by his allegiance to obey all the commands of his holiness. In this weak reign, when any neighbouring potentate insulted the king's dominions, instead of taking revenge for the injury, he complained to the pope as his superior lord, and begged him to give protection to his vassal.

GRIEVANCES.

The resentment of the English barons rose high at the preference given to foreigners; but no remonstrance or complaint could ever prevail on the king to abandon them, or even to moderate his attachment towards them. After the Provençals and Savoyards might have been supposed pretty well satiated with the dignities and riches which they had acquired, a new set of hungry foreigners were invited over, and shared among them those favours which the king ought in policy to have conferred on the English nobility, by whom his government could have been supported and defended. His mother, Isabella, who had been unjustly taken by the late king from the count de la Marche, to whom she was betrothed, was no sooner mistress of herself by the death of her husband, than she married that nobleman; [1247;] and she had borne him four sons, Guy, William, Geoffrey, and Aymer, whom she sent over to England, in order to pay a visit to their brother. The good-natured and affectionate disposition of Henry was moved at the sight of such near relations; and he considered neither his own circumstances, nor the inclinations of his people, in the honours and riches which he conferred upon them. Complaints rose as high against the credit of the Gascon, as ever they had done against that of the Poictevin and of the Savoyard favourites; and to a nation prejudiced against them, all their measures appeared exceptionable and criminal. Violations of the Great Charter were frequently mentioned; and it is indeed more than probable that foreigners, ignorant of the laws, and relying on the boundless affections of a weak prince, would, in an age when a regular administration was not anywhere known, pay more attention to their present interest than to the liberties of the people. It is reported that the Poictevins and other strangers, when the laws were at any time appealed to in opposition to their oppressions, scrupled not to reply, *What did the English laws signify to them? They minded them not.* And as words are often more offensive than actions, this open contempt of the English tended much to aggravate the general discontent, and made every act of violence committed by the foreigners appear not only an injury, but an affront to them.

I reckon not among the violations of the Great Charter some arbitrary exertions of prerogative to which Henry's necessities pushed him, and which, without producing any discontent, were uniformly continued by all his successors till the last century. As the parliament often refused him supplies, and that in a manner somewhat rude and indecent, he obliged his opulent subjects, particularly the citizens of London, to grant him loans of money; and it is natural to imagine, that the same want of economy which reduced him to the necessity of borrowing, would prevent him from being very punctual in the repayment. He demanded benevolences, or pretended voluntary contributions, from his nobility and prelates. He was the first king of England since the conquest that could fairly be said to lie under the restraint of law; and he was also the first that practised the dispensing power, and employed the clause of *non obstante* in his grants and patents. When objections were made to this novelty, he replied, that the pope exercised that authority; and why might not he imitate the example? But the abuse which the pope made of his dispensing power, in violating the canons of general councils, in invading the privileges and customs of all particular churches, and in usurping on the rights of patrons, was more likely to exite the jealousy of the people, than to reconcile them to a similar practice in their civil government. Roger de Thurkesby, one of the king's justices, was so displeased with the precedent,



that he exclaimed, *Alas! what times are we fallen into? Behold, the civil court is corrupted in imitation of the ecclesiastical; and the river is poisoned from that fountain.*

The king's partiality and profuse bounty to his foreign relations, and to their friends and favourites, would have appeared more tolerable to the English, had anything been done meanwhile for the honour of the nation; or had Henry's enterprises in foreign countries been attended with any success or glory to himself or to the public: at least, such military talents in the king would have served to keep his barons in awe, and have given weight and authority to his government. But though he declared war against Louis IX. in 1242, and made an expedition into Guienne, upon the invitation of his father-in-law, the count de la Marche, who promised to join him with all his forces, he was unsuccessful in his attempts against that great monarch, was worsted at Taillebourg, was deserted by his allies, lost what remained to him of Poictou, and was obliged to return, with loss of honour, into England. The Gascon nobility were attached to the English government; because the distance of their sovereign allowed them to remain in a state of almost total independence: and they claimed, some time after, [1253,] Henry's protection against an invasion which the king of Castile made upon that territory. Henry returned into Guienne, and was more successful in this expedition; but he thereby involved himself and his nobility in an enormous debt, which both increased their discontents, and exposed him to greater danger from their enterprises.

Want of economy, and an ill-judged liberality, were Henry's great defects; and his debts, even before this expedition, had become so troublesome, that he sold all his plate and jewels, in order to discharge them. When this expedient was first proposed to him, he asked, where he should find purchasers? It was replied, "The citizens of London." "On my word," said he, "if the treasury of Augustus were brought to sale, the citizens are able to be the purchasers: these clowns, who assume to themselves the name of barons, abound in everything, while we are reduced to necessities." And he was thenceforth observed to be more forward and greedy in his exactions upon the citizens.

ECCLESIASTICAL GRIEVANCES.

But the grievances which the English during this reign had reason to complain of in the civil government, seem to have been still less burthensome than those which they suffered from the usurpations and exactions of the court of Rome. On the death of Langton, in 1228, the monks of Christ-church elected Walter de Hemesham, one of their own body, for his successor: but as Henry refused to confirm the election, the pope, at his desire, annulled it; and immediately appointed Richard, chancellor of Lincoln, for archbishop, without waiting for a new election. On the death of Richard, in 1231, the monks elected Ralph de Neville, bishop of Chichester; and though Henry was much pleased with the election, the pope, who thought that prelate too much attached to the crown, assumed the power of annulling his election. He rejected two clergymen more, whom the monks had successively chosen; and he at last told them, that, if they would elect Edmond, treasurer of the church of Salisbury, he would confirm their choice; and his nomination was complied with. The pope had the prudence to appoint both times very worthy primates; but men could not forbear observing his intention of thus drawing gradually to himself the right of bestowing that important dignity.

The avarice, however, more than the ambition of the see of Rome, seems to have been in this age the ground of general complaint. The papal ministers, finding a vast stock of power amassed by their predecessors, were desirous of turning it to immediate profit, which they enjoyed at home, rather than of enlarging their authority in distant countries, where they never intended to reside. Everything was become venal in the Romish tribunals: simony was openly practised; no favours, and even no justice could be obtained without a bribe; the highest bidder was sure to have the preference, without regard either to the merits of the person or of the cause; and, besides the usual perversions of right in the decision of controversies, the pope openly assumed an absolute and uncontrolled authority of setting aside, by the plenitude of his apostolic power, all particular rules, and all privileges of patrons, churches, and convents. On pretence of remedying these abuses, pope Honorius, in 1226, complaining of the poverty of his see as the source of all grievances, demanded from every cathedral two of the best prebends, and from every convent two monks' portions, to be set apart as a perpetual and settled revenue of the papal crown: but all men being sensible that the revenue would continue for ever, and the abuses immediately return, his demand was unanimously rejected. About three years after, the pope demanded and obtained the tenth of all ecclesiastical revenues, which he levied in a very oppressive manner; requiring payment before the clergy had drawn their rents or tithes, and sending about usurers, who advanced them the money at exorbitant interest. In the year 1240, Otho, the legate, having in vain attempted the clergy in a body, obtained separately, by intrigues and menaces, large sums from the prelates and convents, and on his departure is said to have carried more money out of the kingdom than he left in it. This experiment was renewed four years after with success by Martin, the nuncio, who brought from Rome powers of suspending and excommunicating all clergymen that refused to comply with his demands. The king, who relied on the pope for the support of his tottering authority, never failed to countenance those exactions.

Meanwhile, all the chief benefices of the kingdom were conferred on Italians; great numbers of that nation were sent over at one time to be provided for; non-residence and pluralities were carried to an enormous height; Mansel, the king's chaplain, is computed to have held at once seven hundred ecclesiastical livings; and the abuses became so evident as to be palpable to the blindness of superstition itself. The people, entering into associations, rose against the Italian clergy: pillaged their barns; wasted their lands; insulted the persons of such of them as they found in the kingdom; and when the justice made inquiry into the authors of this disorder, the guilt was found to involve so many, and those of such high rank, that it passed unpunished. At last, when Innocent IV., in 1245, called a general council at Lyons, in order to excommunicate the emperor Frederic, the king and nobility sent over agents to complain before the council of the rapacity of the Romish church. They represented, among many other grievances, that the benefices of the Italian clergy in England had been estimated, and were found to amount to 60,000 marks a year,* a sum which exceeded the annual revenue of the crown itself.† They obtained only an evasive answer from the pope; but as mention had been made before the council of the feudal subjection of England to the see of Rome, the English agents, at whose head was Roger Bigod, earl of Norfolk, exclaimed against the pretensions, and insisted that king John had no right, without the consent of his barons, to subject the kingdom to so ignominious a servitude. The popes, indeed, afraid of carrying matters too far against England, seem thenceforth to have little insisted on that pretension.

This check, received at the council of Lyons, was not

* Innocent's bull in Rymer, vol. I. p. 471, says only 50,000 marks a year.

† The customs were part of Henry's revenue, and amounted to 6 or 8000 pounds a year: they were at first small sums paid by the merchants for the use of the king's warehouse, measures, weights, &c. See Gilbert's History of the Exchequer, p. 214.

able to stop the court of Rome in its rapacity. Innocent exacted the revenues of all vacant benefices, the twentieth of all ecclesiastical revenues without exception; the third of such as exceeded a hundred marks a year, and the half of such as were possessed by non-residents. He claimed the goods of all intestate clergymen; he pretended a title to inherit all money gotten by usury; he levied benevolences upon the people; and when the king, contrary to his usual practice, prohibited these exactions, he threatened to pronounce against him the same censures which he had emitted against the emperor Frederic.

1255. But the most oppressive expedient employed by the pope, was the embarking of Henry in a project for the conquest of Naples, or Sicily on this side the Fare, as it was called; an enterprise which threw much dishonour on the king, and involved him, during some years, in great trouble and expense. The Romish church, taking advantage of favourable incidents, had reduced the kingdom of Sicily to the same state of feudal vassalage which she pretended to extend over England, and which, by reason of the distance as well as high spirit of this latter kingdom, she was not able to maintain. After the death of the emperor Frederic II., the succession of Sicily devolved to Conradine, grandson of that monarch; and Mainfroy, his natural son, under pretence of governing the kingdom during the minority of the prince, had formed a scheme of establishing his own authority. Pope Innocent, who had carried on violent war against the emperor Frederic, and had endeavoured to dispossess him of his Italian dominions, still continued hostilities against his grandson; but being disappointed in all his schemes by the activity and artifices of Mainfroy, he found that his own force alone was not sufficient to bring to a happy issue so great an enterprise. He pretended to dispose of the Sicilian crown, both as superior lord of that particular kingdom, and as vicar of Christ, to whom all kingdoms of the earth were subjected; and he made a tender of it to Richard, earl of Cornwall, whose immense riches, he flattered himself, would be able to support the military operations against Mainfroy. As Richard had the prudence to refuse the present, he applied to the king, whose levity and thoughtless disposition gave Innocent more hopes of success; and he offered him the crown of Sicily for his second son, Edmond. Henry, allured by so magnificent a present, without reflecting on the consequences, without consulting either with his brother or the parliament, accepted of the insidious proposal; and gave the pope unlimited credit to expend whatever sums he thought necessary for completing the conquest of Sicily. Innocent, who was engaged by his own interest to wage war with Mainfroy, was glad to carry on his enterprises at the expense of his ally: Alexander IV., who succeeded him in the papal throne, continued the same policy: and Henry was surprised to find himself on a sudden involved in an immense debt, which he had never been consulted in contracting. The sum already amounted to 135,541 marks, beside interest: and he had the prospect, if he answered this demand, of being soon loaded with more exorbitant expenses; if he refused it, of both incurring the pope's displeasure, and losing the crown of Sicily, which he hoped soon to have the glory of fixing on the head of his son.

He applied to the parliament for supplies; and, that he might be sure not to meet with opposition, he sent no writs to the more refractory barons: but even those who were summoned sensible of the ridiculous cheat imposed by the pope, determined not to lavish their money on such chimerical projects; and making a pretext of the absence of their brethren, they refused to take the king's demands into consideration. In this extremity the clergy were his only resource: and as both their temporal and spiritual sovereign concurred in loading them, they were ill able to defend themselves against this united authority.

The pope published a crusade for the conquest of Sicily; and required every one who had taken the cross against the infidels, or had vowed to advance money for that service, to support the war against Mainfroy, a more terrible enemy, as he pretended, to the Christian faith than any Saracen. He levied a tenth on all ecclesiastical benefices in England for three years; and gave orders to excommunicate all bishops who made not punctual payment. He granted to the king the goods of intestate clergymen; the revenues of vacant benefices; the revenues of all non-residents. But these taxations, being levied by some rule, were deemed less grievous than another imposition, which arose from the suggestion of the bishop of Hereford, and which might have opened the door to endless and intolerable abuses.

This prelate, who resided at the court of Rome, by a deputation from the English church, drew bills of different values, but amounting on the whole to 150,540 marks, on all the bishops and abbots of the kingdom; and granted these bills to Italian merchants, who, it was pretended, had advanced money for the service of the war against Mainfroy. As there was no likelihood of the English prelates submitting, without compulsion, to such an extraordinary demand, Rustand, the legate, was charged with the commission of employing authority to that purpose; and he summoned an assembly of the bishops and abbots, whom he acquainted with the pleasure of the pope and of the king. Great were the surprise and indignation of the assembly: the bishop of Worcester exclaimed, that he would lose his life rather than comply: the bishop of London said, that the pope and king were more powerful than he; but if his mitre were taken off his head, he would clap on a helmet in its place. The legate was no less violent on the other hand, and he told the assembly, in plain terms, that all ecclesiastical benefices were the property of the pope, and he might dispose of them, either in whole or in part, as he saw proper. In the end, the bishops and abbots, being threatened with excommunication, which made all their revenues fall into the king's hands, were obliged to submit to the exaction: and the only mitigation which the legate allowed them was, that the tenths already granted should be accepted as a partial payment of the bills. But the money was still insufficient for the pope's purpose: the conquest of Sicily was as remote as ever: the demands which came from Rome were endless: Pope Alexander became so urgent a creditor, that he sent over a legate to England; threatening the kingdom with an interdict, and the king with excommunication, if the arrears which he pretended to be due to him were not instantly remitted. And at last Henry, sensible of the cheat, began to think of breaking off the agreement, and of resigning into the pope's hands that crown which it was not intended by Alexander that he or his family should ever enjoy.

EARL OF CORNWALL ELECTED KING OF THE ROMANS.

The earl of Cornwall had now reason to value himself on his foresight, in refusing the fraudulent bargain with Rome, and in preferring the solid honours of an opulent and powerful prince of the blood of England, to the empty and precarious glory of a foreign dignity. But he had not always firmness sufficient to adhere to this resolution: his vanity and ambition prevailed at last over his prudence and his avarice; and he was engaged in an enterprise no less extensive and vexatious than that of his brother, and not attended with much greater probability of success. The immense opulence of Richard having made the German princes cast their eye on him as a candidate for the empire, he was tempted to expend vast sums of money on his election; and he succeeded so far as to be chosen king of the Romans, which seemed to render his succession infal-

lible to the imperial throne. He went over to Germany, and carried out of the kingdom no less a sum than seven hundred thousand marks, if we may credit the account given by some ancient authors,* which is probably much exaggerated.† His money, while it lasted, procured him friends and partisans: but it was soon drained from him by the avidity of the German princes; and having no personal or family connexions in that country, and no solid foundation of power, he found at last that he had lavished away the frugality of a whole life, in order to procure a splendid title; and that his absence from England, joined to the weakness of his brother's government, gave reins to the factious and turbulent dispositions of the English barons, and involved his own country and family in great calamities.

DISCONTENTS OF THE BARONS.

The successful revolt of the nobility from king John, and their imposing on him and his successors limitations of their royal power, had made them feel their own weight and importance, had set a dangerous precedent of resistance, and being followed by a long minority, had impoverished as well as weakened that crown which they were at last induced, from the fear of worse consequences, to replace on the head of young Henry. In the king's situation either great abilities and vigour were requisite to overawe the barons, or great caution and reserve, to give them no pretence for complaints; and it must be confessed that this prince was possessed of neither of these talents. He had not prudence to chose right measures; he wanted even that constancy which sometimes gives weight to wrong ones; he was entirely devoted to his favourites, who were always foreigners; he lavished on them without discretion his diminished revenue; and finding that his barons indulged their disposition towards tyranny, and observed not to their own vassals the same rules which they had imposed on the crown, he was apt in his administration to neglect all the salutary articles of the Great Charter, which he remarked to be so little regarded by his nobility. This conduct had extremely lessened his authority in the kingdom; had multiplied complaints against him; and had frequently exposed him to affronts, and even to dangerous attempts upon his prerogative. In the year 1244, when he desired a supply from parliament, the barons, complaining of the frequent breaches of the Great Charter, and of the many fruitless applications which they had formerly made for the redress of this and other grievances, demanded in return that he should give them the nomination of the great justiciary and of the chancellor, to whose hands chiefly the administration of justice was committed; and, if we may credit the historian, they had formed the plan of other limitations, as well as of associations to maintain them, which would have reduced the king to be an absolute cipher, and have held the crown in perpetual pupillage and dependence. The king, to satisfy them, would agree to nothing but a renewal of the Charter, and a general permission to excommunicate all the violaters of it: and he received no supply, except a scutage of twenty shillings on each knight's fee for the marriage of his eldest daughter to the king of Scotland: a burthen which was expressly annexed to their feudal tenures.

Four years after, in a full parliament, when Henry demanded a new supply, he was openly reproached with a breach of his word, and the frequent violations of the Charter. He was asked, whether he did not blush to desire any aid from his people whom he professedly hated and despised, to whom on all occasions he preferred aliens and foreigners, and who groaned under the oppressions which he either permitted or exercised over them. He was told that, besides disparaging his nobility by forcing them to contract unequal and mean marriages with strangers, no rank of men was so low as to escape vexations from him or his ministers; that even the victuals consumed in his household, the clothes which himself and his servants wore, still more the wine which they used, were all taken by violence from the lawful owners, and no compensation was ever made them for the injury; that foreign merchants, to the great prejudice and infamy of the kingdom, shunned the English harbours, as if they were possessed by pirates, and the commerce with all nations was thus cut off by these acts of violence; that loss was added to loss, and injury to injury, while the merchants, who had been despoiled of their goods, were also obliged to carry them at their own charge to whatever place the king was pleased to appoint them; that even the poor fishermen on the coast could not escape his oppressions and those of his courtiers; and finding that they had not full liberty to dispose of their commodities in the English market, were frequently constrained to carry them to foreign ports, and to hazard all the perils of the ocean, rather than those which awaited them from his oppressive emissaries; and that his very religion was a ground of complaint to his subjects, while they observed that the waxen tapers and splendid silks employed in so many useless processions, were the spoils which he had forcibly ravished from the true owners. Throughout this remonstrance, in which the complaints derived from an abuse of the ancient right of purveyance may be supposed to be somewhat exaggerated, there appears a strange mixture of regal tyranny in the practices which gave rise to it, and of aristocratical liberty, or rather licentiousness, in the expressions employed by the parliament. But a mixture of this kind is observable in all the ancient feudal governments; and both of them proved equally hurtful to the people.

As the king, in answer to their remonstrance, gave the parliament only good words and fair promises, attended with the most humble submissions, which they had often found deceitful, he obtained at that time no supply; and therefore, in the year 1253, when he found himself again under the necessity of applying to parliament, he had provided a new pretence, which he deemed infallible; and taking the vow of a crusade, he demanded their assistance in that pious enterprise. The parliament, however, for some time hesitated to comply; and the ecclesiastical order sent a deputation, consisting of four prelates, the primate, and the bishops of Winchester, Salisbury, and Carlisle, in order to remonstrate with him on his frequent violations of their privileges, the oppressions with which he had loaded them and all his subjects, and the uncanonical and forced elections which were made to vacant dignities. "It is true," replied the king, "I have been somewhat faulty in this particular: I obtruded you, my lord of Canterbury, upon your see; I was obliged to employ both entreaties and menaces, my lord of Winchester, to have you elected; my proceedings, I confess, were very irregular, my lords of Salisbury and Carlisle, when I raised you from the lowest stations to your present dignities. I am determined henceforth to correct these abuses; and it will also become you, in order to make a thorough reformation, to resign your present benefices, and try to enter again in a more regular and canonical manner. The bishops, surprised at these unexpected sarcasms, replied, that the question was not at present how to correct past errors, but to avoid them for the future. The king promised redress both of ecclesiastical and civil grievances; and the parliament in return agreed to grant him a supply, a tenth of the ecclesiastical benefices, and a scutage of three marks

* Matt. Paris, p. 683. The same author, a few pages before, makes Richard's treasures amount to little more than half the sum, p. 634. The king's disbursements and expenses, throughout his whole reign, according to the same author, had amounted only to about 940,000 marks, p. 683.

† The sums mentioned by ancient authors, who were almost all monks, are often improbable, and never consistent. But we know, from an infallible authority, the public remonstrances of the council of Lyons, that the king's revenues were below 60,000 marks a year. His brother, therefore, could never have been master of 700,000 marks: especially as he did not sell his estates in England, as we learn from the same author; and we hear afterwards of his ordering all his woods to be cut, in order to satisfy the rapacity of the German princes: his son succeeded to the earldom of Cornwall, and his richer revenues.

on each knight's fee; but as they had experienced his frequent breach of promise, they required that he should ratify the Great Charter in a manner still more authentic and more solemn than any which he had hitherto employed. All the prelates and abbots were assembled; they held burning tapers in their hands; the Great Charter was read before them; they denounced the sentence of excommunication against every one who should thenceforth violate the fundamental law; they threw their tapers on the ground, and exclaimed, "May the soul of every one who incurs this sentence so stink and corrupt in hell!" The king bore a part in this ceremony; and subjoined:—"So help me God, I will keep all these articles inviolate, as I am a man, as I am a Christian, as I am a knight, and as I am a king crowned and anointed." Yet was the tremendous ceremony no sooner finished than his favourities, abusing his weakness, made him return to the same arbitrary and irregular administration; and the reasonable expectations of his people were thus perpetually eluded and disappointed.

SIMON DE MOUNTFORT, EARL OF LEICESTER. 1258.

All these imprudent and illegal measures afforded a pretence to Simon de Mountfort, earl of Leicester, to attempt an innovation in the government, and to wrest the sceptre from the feeble and irresolute hand which held it. This nobleman was a younger son of that Simon de Mountfort who had conducted with such valour and renown the crusade against the Albigenses, and who, though he tarnished his famous exploits by cruelty and ambition, had left a name very precious to all the bigots of that age, particularly to the ecclesiastics. A large inheritance in England fell by succession to this family; but as the elder brother enjoyed still more opulent possessions in France, and could not perform fealty to two masters, he transferred his right to Simon, his younger brother, who came over to England, did homage for his lands, and was raised to the dignity of earl of Leicester. In the year 1238 he espoused Eleanor, dowager of William, earl of Pembroke, and sister to the king; but the marriage of this princess with a subject and a foreigner, though contracted with Henry's consent, was loudly complained of by the earl of Cornwall and all the barons of England; and Leicester was supported against their violence by the king's favour and authority alone. But he had no sooner established himself in his possessions and dignities, than he acquired, by insinuation and address, a strong interest with the nation, and gained equally the affections of all orders of men. He lost, however, the friendship of Henry, from the usual levity and fickleness of that prince; he was banished the court; he was recalled; he was entrusted with the command of Guienne, where he did good service and acquired honour; he was again disgraced by the king, and his banishment from court seemed now final and irrevocable. Henry called him traitor to his face; Leicester gave him the lie, and told him that if he were not his sovereign he would soon make him repent of that insult. Yet was this quarrel accommodated, either from the good-nature or timidity of the king; and Leicester was again admitted into some degree of favour and authority. But as this nobleman was become too great to preserve an entire complaisance to Henry's humours, and to act in subserviency to his other minions, he found more advantage in cultivating his interest with the public, and in inflaming the general discontents which prevailed against the administration. He filled every place with complaints against the infringement of the Great Charter, the acts of violence committed on the people, the combination between the pope and the king in their tyranny and extortions, Henry's neglect of his native subjects and barons; and though himself a foreigner, he was more loud than any in representing the indignity of submitting to the dominion of foreigners. By his hypocritical pretensions to devotion he gained the favour of the zealots and clergy: by his seeming concern for public good he acquired the affections of the public: and besides the private friendships which he had cultivated with the barons, his animosity against the favourites created an union of interests between him and that powerful order.

A recent quarrel which broke out between Leicester and William de Valence, Henry's half-brother, and chief favourite, brought matters to extremity, and determined the former to give full scope to his bold and unbounded ambition, which the laws and the king's authority had hitherto with difficulty restrained. He secretly called a meeting of the most considerable barons, particularly Humphrey de Bohun, high-constable; Roger Bigod, earl mareschal; and the earls of Warwick and Gloucester, men who, by their family and possessions, stood in the first rank of the English nobility. He represented to this company the necessity of reforming the state, and of putting the execution of the laws into other hands than those which had hitherto appeared, from repeated experience, so unfit for the charge with which they were entrusted. He exaggerated the oppressions exercised against the lower orders of the state, the violations of the barons' privileges, the continued depredations made on the clergy; and, in order aggravate the enormity of his conduct, he appealed to the Great Charter, which Henry had so often ratified, and which was calculated to prevent for ever the return of those intolerable grievances. He magnified the generosity of their ancestors, who, at a great expense of blood, had extorted that famous concession from the crown; but lamented their own degeneracy, who allowed so important an advantage, once obtained, to be wrested from them by a weak prince and by insolent strangers. And he insisted that the king's word, after so many submissions and fruitless promises on his part, could no longer be relied on; and that nothing but his absolute inability to violate national privileges, could thenceforth insure the regular observance of them.

These topics, which were founded in truth, and suited so well the sentiments of the company, had the desired effect; and the barons embraced a resolution of redressing the public grievances, by taking into their own hands the administration of government. Henry having summoned a parliament, in expectation of receiving supplies for his Sicilian project, the barons appeared in the hall clad in complete armour, and with their swords by their side: the king on his entry, struck with the unusual appearance, asked them what was their purpose, and whether they pretended to make him their prisoner? Roger Bigod replied, in the name of the rest, that he was not their prisoner, but their sovereign; that they even intended to grant him large supplies, in order to fix his son on the throne of Sicily; that they only expected some return for this expense and service; and that, as he had frequently made submissions to the parliament, had acknowledged his past errors, and had still allowed himself to be carried into the same path, which gave them such just reason of complaint, he must now yield to more strict regulations, and confer authority on those who were able and willing to redress the national grievances. Henry, partly allured by the hopes of supply, partly intimidated by the union and martial appearance of the barons, agreed to their demand, and promised to summon another parliament at Oxford, in order to digest the new plan of government, and to elect the persons who were to be entrusted with the chief authority.

PROVISIONS OF OXFORD. *June* 11.

This parliament, which the royalists, and even the nation, from experience of the confusions that attended its measures, afterwards denominated the "Mad Parliament," met on the day appointed; and as

all the barons brought along with them their military vassals, and appeared with an armed force, the king, who had taken no precautions against them, was in reality a prisoner in their hands, and was obliged to submit to all the terms which they were pleased to impose upon him. Twelve barons were selected from among the king's ministers, twelve more were chosen by parliament: to these twenty-four unlimited authority was granted to reform the state; and the king himself took an oath that he would maintain whatever ordinances they should think proper to enact for that purpose. Leicester was at the head of this supreme council, to which the legislative power was thus in reality transferred; and all their measures were taken by his secret influence and direction. The first step bore a specious appearance, and seemed well calculated for the end which they professed to be the object of all these innovations: they ordered that four knights should be chosen by each county; that they should make inquiry into the grievances of which their neighbourhood had reason to complain, and should attend the ensuing parliament, in order to give information to that assembly of the state of their particular counties: a nearer approach to our present constitution than had been made by the barons in the reign of king John, when the knights were only appointed to meet in their several counties, and there to draw up a detail of their grievances. Meanwhile the twenty-four barons proceeded to enact some regulations, as a redress of such grievances as were supposed to be sufficiently notorious. They ordered that three sessions of parliament should be regularly held every year, in the months of February, June, and October; that a new sheriff should be annually elected by the votes of the freeholders in each county; that the sheriffs should have no power of fining the barons who did not attend their courts, or the circuits of the justiciaries; that no heirs should be committed to the wardship of foreigners, and no castles entrusted to their custody; and that no new warrens or forests should be created, nor the revenues of any counties or hundreds be let to farm. Such were the regulations which the twenty-four barons established at Oxford, for the redress of public grievances.

But the earl of Leicester and his associates, having advanced so far to satisfy the nation, instead of continuing in this popular course, or granting the king that supply which they had promised him, immediately provided for the extension and continuance of their own authority. They roused anew the popular clamour which had long prevailed against foreigners; and they fell with the utmost violence on the king's half-brothers, who were supposed to be the authors of all national grievances, and whom Henry had no longer any power to protect. The four brothers, sensible of their danger, took to flight, with an intention of making their escape out of the kingdom; they were eagerly pursued by the barons. Aymer, one of the brothers, who had been elected to the see of Winchester, took shelter in his episcopal palace, and carried the others along with him; they were surrounded in that place, and threatened to be dragged out by force, and to be punished for their crimes and misdemeanors; and the king, pleading the sacredness of an ecclesiastical sanctuary, was glad to extricate them from this danger by banishing them the kingdom. In this act of violence, as well as in the former usurpations of the barons, the queen and her uncles were thought to have secretly concurred; being jealous of the credit acquired by the brothers, which, they found, had eclipsed and annihilated their own.

USURPATIONS OF THE BARONS.

But the subsequent proceedings of the twenty-four barons were sufficient to open the eyes of the nation, and to prove their intention of reducing, for ever, both the king and the people under the arbitrary power of a very narrow aristocracy, which must at last have terminated either in anarchy, or in a violent usurpation and tyranny. They pretended that they had not yet digested all the regulations necessary for the reformation of the state and for the redress of grievances; and they must still retain their power, till that great purpose were thoroughly effected: in other words, that they must be perpetual governors, and must continue to reform, till they were pleased to abdicate their authority. They formed an association among themselves, and swore that they would stand by each other with their lives and fortunes; they displaced all the chief officers of the crown, the justiciary, the chancellor, the treasurer; and advanced either themselves or their own creatures in their place; even the offices of the king's household were disposed of at their pleasure: the government of all the castles was put into hands in whom they found reason to confide; and the whole power of the state being thus transferred to them, they ventured to impose an oath, by which all the subjects were obliged to swear, under the penalty of being declared public enemies, that they would obey and execute all the regulations, both known and unknown, of the twenty-four barons; and all this for the greater glory of God, the honour of the church, the service of the king, and the advantage of the kingdom. No one dared to withstand this tyrannical authority: prince Edward himself, the king's eldest son, a youth of eighteen, who began to give indications of that great and manly spirit which appeared throughout the whole course of his life, was, after making some opposition, constrained to take that oath which really deposed his father and his family from sovereign authority. Earl Warrenne was the last person in the kingdom that could be brought to give the confederate barons this mark of submission.

But the twenty-four barons, not content with the usurpation of the royal power, introduced an innovation in the constitution of parliament, which was of the utmost importance. They ordained, that this assembly should choose a committee of twelve persons, who should, in the intervals of the sessions, possess the authority of the whole parliament, and should attend, on a summons, the person of the king in all his motions. But so powerful were these barons, that this regulation was also submitted to; the whole government was overthrown, or fixed on new foundations; and the monarchy was totally subverted, without its being possible for the king to strike a single stroke in defence of the constitution against the newly-elected oligarchy.

1259. The report that the king of the Romans intended to pay a visit to England, gave alarm to the ruling barons, who dreaded lest the extensive influence and established authority of that prince would be employed to restore the prerogatives of his family, and overturn their plan of government. They sent over the bishop of Worcester, who met him at St. Omars; asked him, in the name of the barons, the reason of his journey, and how long he intended to stay in England; and insisted that, before he entered the kingdom, he should swear to observe the regulations established at Oxford. On Richard's refusal to take this oath, they prepared to resist him as a public enemy: they fitted out a fleet, assembled an army, and, exciting the inveterate prejudices of the people against foreigners, from whom they had suffered so many oppressions, spread the report, that Richard, attended by a number of strangers, meant to restore by force the authority of his exiled brothers, and to violate all the securities provided for public liberty. The king of the Romans was at last obliged to submit to the terms required of him.

But the barons, in proportion to their continuance in power, began gradually to lose that popularity which had assisted them in obtaining it; and men repined that regulations, which were occasionally established for the reformation of the state, were likely to become perpetual, and to subvert entirely the

ancient constitution. They were apprehensive lest the power of the nobles, always oppressive, should now exert itself without control, by removing the counterpoise of the crown; and their fears were increased by some new edicts of the barons, which were plainly calculated to procure to themselves an impunity in all their violences. They appointed that the circuits of the itinerant justices, the sole check on their arbitrary conduct, should be held only once in seven years; and men easily saw that a remedy, which returned after such long intervals, against an oppressive power, which was perpetual, would prove totally insignificant and useless. The cry became loud in the nation, that the barons should finish their intended regulations. The knights of the shires, who seem now to have been pretty regularly assembled, and sometimes in a separate house, made remonstrances against the slowness of their proceedings. They represented that, though the king had performed all the conditions required of him, the barons had hitherto done nothing for the public good, and had only been careful to promote their own private advantage, and to make inroads on the royal authority; and they even appealed to prince Edward, and claimed his interposition for the interests of the nation and the reformation of the government. The prince replied, that though it was from constraint, and contrary to his private sentiments, he had sworn to maintain the provisions of Oxford, he was determined to observe his oath; but he sent a message to the barons, requiring them to bring their undertaking to a speedy conclusion, and fulfil their engagements to the public; otherwise, he menaced them, that, at the expense of his life, he would oblige them to do their duty, and would shed the last drop of his blood in promoting the interests, and satisfying the just wishes of the nation.

The barons, urged by so pressing a necessity, published at last a new code of ordinances for the reformation of the state; but the expectations of the people were extremely disappointed, when they found that these consisted only of some trivial alterations in the municipal law; and still more, when the barons pretended that the task was not yet finished, and that they must further prolong their authority, in order to bring the work of reformation to the desired period. The current of popularity was now much turned to the side of the crown; and the barons had little to rely on for their support, besides the private influence and power of their families, which, though exorbitant, was likely to prove inferior to the combination of king and people. Even this basis of power was daily weakened by their intestine jealousies and animosities; their ancient and inveterate quarrels broke out when they came to share the spoils of the crown; and the rivalship between the earls of Leicester and Gloucester, the chief leaders among them, began to disjoint the whole confederacy. The latter, more moderate in his pretensions, was desirous of stopping or retarding the career of the barons' usurpations; but the former, enraged at the opposition which he met with in his own party, pretended to throw up all concern in English affairs; and he retired into France.

The kingdom of France, the only state with which England had any considerable intercourse, was at this time governed by Louis IX., a prince of the most singular character that is to be met with in all records of history. This monarch united to the mean and abject superstition of a monk, all the courage and magnanimity of the greatest hero; and, what may be deemed more extraordinary, the justice and integrity of a disinterested patriot, the mildness and humanity of an accomplished philosopher. So far from taking advantage of the divisions among the English, or attempting to expel those dangerous rivals from the provinces which they still possessed in France, he had entertained many scruples with regard to the sentence of attainder pronounced against the king's father, had even expressed some intention of restoring the other provinces, and was only prevented from taking that imprudent resolution by the united remonstrances of his own barons, who represented the extreme danger of such a measure, and, what had a greater influence on Louis, the justice of punishing, by a legal sentence, the barbarity and felony of John. Whenever this prince interposed in English affairs, it was always with an intention of composing the differences between the king and his nobility; he recommended to both parties every peaceable and reconciling measure; and he used all his authority with the earl of Leicester, his native subject, to bend him to a compliance with Henry. He made a treaty with England, (20th May,) at a time when the distractions of that kingdom were at the greatest height, and when the king's authority was totally annihilated; and the terms which he granted might, even in a more prosperous state of their affairs, be deemed reasonable and advantageous to the English. He yielded up some territories which had been conquered from Poictou and Guienne; he ensured the peaceable possession of the latter province to Henry; he agreed to pay that prince a large sum of money; and he only required that the king should, in return, make a final cession of Normandy, and the other provinces, which he could never entertain any hopes of recovering by force of arms. The cession was ratified by Henry, by his two sons and two daughters, and by the king of the Romans and his three sons: Leicester alone, either moved by a vain arrogance, or desirous to ingratiate himself with the English populace, protested against the deed, and insisted on the right, however distant, which might accrue to his consort. Louis saw, in this obstinacy, the unbounded ambition of the man; and as the barons insisted that the money due by treaty should be at their disposal, not at Henry's, he also saw, and probably with regret, the low condition to which this monarch, who had more erred from weakness than from any bad intentions, was reduced by the turbulence of his own subjects.

1261. But the situation of Henry soon after wore a more favourable aspect. The twenty-four barons had now enjoyed the sovereign power near three years; and had visibly employed it, not for the reformation of the state, which was their first pretence, but for the aggrandisement of themselves and of their families. The breach of trust was apparent to all the world; every order of men felt it, and murmured against it; the dissensions among the barons themselves, which increased the evil, made also the remedy more obvious and easy; and the secret desertion, in particular, of the earl of Gloucester to the crown, seemed to promise Henry certain success in any attempt to resume his authority. Yet durst he not take that step, so reconcileable both to justice and policy, without making a previous application to Rome, and desiring an absolution from his oaths and engagements.

The pope was at this time much dissatisfied with the conduct of the barons; who, in order to gain the favour of the people and clergy of England, had expelled all the Italian ecclesiastics, and confiscated their benefices, and seemed determined to maintain the liberties and privileges of the English church, in which the rights of patronage, belonging to their own families, were included. The extreme animosity of the English clergy against the Italians was also a source of his disgust to this order; and an attempt which had been made by them for further liberty and greater independence on the civil power, was therefore less acceptable to the court of Rome. About the same time that the barons at Oxford had annihilated the prerogatives of the monarchy, the clergy met in a synod at Merton, and passed several ordinances, which were no less calculated to promote their own grandeur at the expense of the crown. They decreed, that it was unlawful to try ecclesiastics by secular judges; that the clergy were not to regard any prohibitions from civil courts; that lay-patrons had no right to

confer spiritual benefices; that the magistrate was obliged, without further inquiry, to imprison all excommunicated persons; and that ancient usage, without any particular grant or charter, was a sufficient authority for any clerical possessions or privileges. About a century before, these claims would have been supported by the court of Rome beyond the most fundamental articles of faith: they were the chief points maintained by the great martyr, Becket; and his resolution in defending them had exalted him to the high station which he held in the catalogue of Romish saints. But principles were changed with the times: the pope was become somewhat jealous of the great independence of the English clergy, which made them stand less in need of his protection, and even emboldened them to resist his authority, and to complain of the preference given to the Italian courtiers, whose interests, it was natural to imagine, were the chief object of his concern. He was ready, therefore, on the king's application, to annul these new constitutions of the church of England. And, at the same time, he absolved the king and all his subjects from the oath which they had taken to observe the provisions of Oxford.

PRINCE EDWARD.

Prince Edward, whose liberal mind, though in such early youth, had taught him the great prejudice which his father had incurred, by his levity, inconstancy, and frequent breach of promise, refused for a long time to take advantage of this absolution; and declared that the provisions of Oxford, how unreasonable soever in themselves, and how much soever abused by the barons, ought still to be adhered to by those who had sworn to observe them. He himself had been constrained by violence to take that oath; yet he was determined to keep it. By this scrupulous fidelity, the prince acquired the confidence of all parties, and was afterwards enabled to recover fully the royal authority, and to perform such great actions, both during his own reign and that of his father.

The situation of England, during this period, as well as that of most European kingdoms, was somewhat peculiar. There was no regular military force maintained in the nation: the sword, however, was not, properly speaking, in the hands of the people: the barons were alone entrusted with the defence of the community; and after any effort which they made, either against their own prince or against foreigners, as the military retainers departed home, the armies were disbanded, and could not speedily be re-assembled at pleasure. It was easy, therefore, for a few barons, by a combination, to get the start of the other party, to collect suddenly their troops, and to appear unexpectedly in the field with an army, which their antagonists, though equal, or even superior in power and interest, would not dare to encounter. Hence the sudden revolutions which often took place in those governments; hence the frequent victories obtained without a blow by one faction over the other; and hence it happened, that the seeming prevalence of a party was seldom a prognostic of its long continuance in power and authority.

1262. The king, as soon as he received the pope's absolution from his oath, accompanied with menaces of excommunication against all opponents, trusting to the countenance of the church, to the support promised him by many considerable barons, and to the returning favour of the people, immediately took off the mask. After justifying his conduct by a proclamation, in which he set forth the private ambition, and the breach of trust, conspicuous in Leicester and his associates, he declared that he had resumed the government, and was determined thenceforth to exert the royal authority for the protection of his subjects. He removed Hugh le Despenser and Nicholas de Ely, the justiciary and chancellor appointed by the barons; and put Philip Basset and Walter de Merton in their place. He substituted new sheriffs in all the counties, men of character and honour; he placed new governors in most of the castles; he changed all the officers of his household; he summoned a parliament, (23rd April,) in which the resumption of his authority was ratified, with only five dissenting voices; and the barons, after making one fruitless effort to take the king by surprise at Winchester, were obliged to acquiesce in those new regulations.

The king, in order to cut off every objection to his conduct, offered to refer all the differences between him and the earl of Leicester to Margaret, queen of France. The celebrated integrity of Louis gave a mighty influence to any decision which issued from his court; and Henry probably hoped that the gallantry, on which all barons, as true knights, valued themselves, would make them ashamed not to submit to the award of that princess. Louis merited the confidence reposed in him. By an admirable conduct, probably as political as just, he continually interposed his good offices to allay the civil discords of the English; he forwarded all healing measures, which might give security to both parties; and he still endeavoured, though in vain, to soothe by persuasion the fierce ambition of the earl of Leicester, and to convince him how much it was his duty to submit peaceably to the authority of his sovereign.

CIVIL WARS OF THE BARONS. 1263.

That bold and artful conspirator was nowise discouraged by the bad success of his past enterprises. The death of Richard, earl of Gloucester, who was his chief rival in power, and who, before his decease, had joined the royal party, seemed to open a new field to his violence, and to expose the throne to fresh insults and injuries. It was in vain that the king professed his intentions of observing strictly the Great Charter; even of maintaining all the regulations made by the reforming barons at Oxford or afterwards, except those which entirely annihilated the royal authority: these powerful chieftains, now obnoxious to the court, could not peaceably resign the hopes of entire independence and uncontrolled power, with which they had flattered themselves, and which they had so long enjoyed. Many of them engaged in Leicester's views; and among the rest Gilbert, the young earl of Gloucester, who brought him a mighty accession of power, from the extensive authority possessed by that opulent family. Even Henry, son of the king of the Romans, commonly called Henry d'Allmaine, though a prince of the blood, joined the party of the barons against the king, the head of his own family. Leicester himself, who still resided in France, secretly formed the links of this great conspiracy, and planned the whole scheme of operations.

The princes of Wales, notwithstanding the great power of the monarchs, both of the Saxon and Norman line, still preserved authority in their own country. Though they had often been constrained to pay tribute to the crown of England, they were with difficulty retained in subordination, or even in peace; and almost through every reign since the conquest, they had infested the English frontiers with such petty incursions and sudden inroads as seldom merit to have place in a general history. The English, still content with repelling their invasions, and chasing them back into their mountains, had never pursued the advantages obtained over them, nor been able, even under their greatest and most active princes, to fix a total, or so much as a feudal subjection on the country. This advantage was reserved to the present king, the weakest and most indolent. In the year 1237, Lewellyn, prince of Wales, declining in years and broken with infirmities, but still more harassed with the rebellion and undutiful behaviour of his youngest son, Griffin, had recourse to the protection of Henry; and con-

senting to subject his principality, which had so long maintained, or soon recovered, its independence, to vassalage under the crown of England, had purchased security and tranquillity on these dishonourable terms. His eldest son and heir, David, renewed the homage to England; and having taken his brother prisoner, delivered him into Henry's hands, who committed him to custody in the Tower. That prince, endeavouring to make his escape, lost his life in the attempt; and the prince of Wales, freed from the apprehensions of so dangerous a rival, paid thenceforth less regard to the English monarch, and even renewed those incursions by which the Welsh, during so many ages, had been accustomed to infest the English borders. Lewellyn, however, the son of Griffin, who succeeded to his uncle, had been obliged to renew the homage, which was now claimed by England as an established right; but he was well pleased to inflame those civil discords, on which he rested his present security, and founded his hopes of future independence. He entered into a confederacy with the earl of Leicester; and collecting all the force of his principality, invaded England with an army of 30,000 men. He ravaged the lands of Roger de Mortimer, and of all the barons who adhered to the crown; he marched into Cheshire, and committed like depredations on prince Edward's territories; every place where his disorderly troops appeared was laid waste with fire and sword; and though Mortimer, a gallant and expert soldier, made stout resistance, it was found necessary that the prince himself should head the army against this invader. Edward repulsed prince Lewellyn, and obliged him to take shelter in the mountains of North Wales: but he was prevented from making further progress against the enemy, by the disorders which soon after broke out in England.

The Welsh invasion was the appointed signal for the malcontent barons to rise in arms; and Leicester, coming over secretly from France, collected all the forces of his party, and commenced an open rebellion. He seized the person of the bishop of Hereford, a prelate obnoxious to all the inferior clergy, on account of his devoted attachment to the court of Rome. Simon, bishop of Norwich, and John Mansel, because they had published the pope's bull, absolving the king and kingdom from their oaths to observe the provisions of Oxford, were made prisoners, and exposed to the rage of the party. The king's demesnes were ravaged with unbounded fury; and as it was Leicester's interest to allure to his side, by the hopes of plunder, all the disorderly ruffians in England, he gave them a general licence to pillage the barons of the opposite party, and even all neutral persons. But one of the principal resources of his faction was the populace of the cities, particularly of London; and as he had, by his hypocritical pretensions to sanctity, and his zeal against Rome, engaged the monks and lower ecclesiastics in his party, his dominion over the inferior ranks of men became uncontrollable. Thomas Fitz-Richard, mayor of London, a furious and licentious man, gave the countenance of authority to these disorders in the capital; and having declared war against the substantial citizens, he loosened all the bands of government, by which that turbulent city was commonly but ill restrained. On the approach of Easter, the zeal of superstition, the appetite for plunder, or, what is often as prevalent with the populace as either of these motives, the pleasure of committing havoc and destruction, prompted them to attack the unhappy Jews, who were first pillaged without resistance, then massacred to the number of five hundred persons. The Lombard bankers were next exposed to the rage of the people; and though, by taking sanctuary in the churches, they escaped with their lives, all their money and goods became a prey to the licentious multitude. Even the houses of the rich citizens, though English, were attacked by night; and way was made by sword and by fire to the pillage of their goods, and often to the destruction of their persons. The queen, who, though defended by the Tower, was terrified by the neighbourhood of such dangerous commotions, resolved to go by water to the castle of Windsor; but as she approached the bridge, the populace assembled against her: the cry ran, "Drown the witch!" and besides abusing her with the most opprobrious language, and pelting her with rotten eggs and dirt, they had prepared large stones to sink her barge, when she should attempt to shoot the bridge; and she was so frightened that she returned to the Tower.

The violence and fury of Leicester's faction had risen to such a height in all parts of England, that the king, unable to resist their power, was obliged to set on foot a treaty of peace, and to make an accommodation with the barons on the most disadvantageous terms. He agreed (18th July) to confirm anew the provisions of Oxford, even those which entirely annihilated the royal authority; and the barons were again re-instated in the sovereignty of the kingdom. They restored Hugh le Despenser to the office of chief-justiciary; they appointed their own creatures sheriffs in every county of England; they took possession of all the royal castles and fortresses; they even named all the officers of the king's household; and they summoned a parliament to meet at Westminster, (14th October,) in order to settle more fully their plan of government, They here produced a new list of twenty-four barons, to whom they proposed that the administration should be entirely committed; and they insisted that the authority of this junto should continue not only during the reign of the king, but also during that of prince Edward.

This prince, the life and soul of the royal party, had unhappily, before the king's accommodation with the barons, been taken prisoner by Leicester in a parley at Windsor; and that misfortune, more than any other incident, had determined Henry to submit to the ignominious conditions imposed upon him. But Edward, having recovered his liberty by the treaty, employed his activity in defending the prerogatives of his family; and he gained a great party even among those who had at first adhered to the cause of the barons. His cousin, Henry d'Allmaine; Roger Bigod, earl marshal; earl Warrenne; Humphrey Bohun, earl of Hereford; John lord Basset; Ralph Basset; Hamond l'Estrange; Roger Mortimer; Henry de Piercy; Robert de Brus; Roger de Leybourne, with almost all the lords marchers, as they were called, on the borders of Wales and of Scotland, the most warlike parts of the kingdom, declared in favour of the royal cause; and hostilities, which were scarcely well composed, were again renewed in every part of England. But the near balance of the parties, joined to the universal clamour of the people, obliged the king and barons to open anew the negociations for peace; and it was agreed by both sides to submit their differences to the arbitration of the king of France.

REFERENCE TO THE KING OF FRANCE.

This virtuous prince, the only man who, in like circumstances, could safely have been entrusted with such an authority by a neighbouring nation, had never ceased to interpose his good offices between the English factions; and had even, during the short interval of peace, invited over to Paris both the king and the earl of Leicester, in order to accommodate the differences between them; but found that the fears and animosities on both sides, as well as the ambition of Leicester, were so violent, as to render all his endeavours ineffectual. But when this solemn appeal, ratified by the oaths and subscriptions of the leaders in both factions, was made to his judgment, he was not discouraged from pursuing his honourable purpose: he summoned the states of France at Amiens; [1264;] and there, in the presence of that assembly, as well as

in that of the king of England and Peter de Mountfort, Leicester's son, he brought this great cause to a trial and examination. It appeared to him that the provisions of Oxford, even had they not been extorted by force, had they not been so exorbitant in their nature, and subversive of the ancient constitution, were expressly established as a temporary expedient, and could not, without breach of trust, be rendered perpetual by the barons. He therefore annulled these provisions; (23rd January;) restored to the king the possession of his castles, and the power of nomination to the great offices; allowed him to retain what foreigners he pleased in his kingdom, and even to confer on them places of trust and dignity, and, in a word, re-established the royal power in the same condition on which it stood before the meeting of the parliament at Oxford. But while he thus suppressed dangerous innovations, and preserved unimpaired the prerogatives of the English crown, he was not negligent of the rights of the people; and besides ordering that a general amnesty should be granted for all past offences, he declared that his award was not anywise meant to derogate from the privileges and liberties which the nation enjoyed by any former concessions or charters of the crown.

RENEWAL OF THE CIVIL WARS.

This equitable sentence was no sooner known in England, than Leicester and his confederates determined to reject it, and to have recourse to arms, in order to procure to themselves more safe and advantageous conditions. Without regard to his oaths and subscriptions, that enterprising conspirator directed his two sons, Richard and Peter de Mountfort, in conjunction with Robert de Ferrars, earl of Derby, to attack the city of Worcester; while Henry and Simon de Mountfort, two others of his sons, assisted by the prince of Wales, were ordered to lay waste the estate of Roger de Mortimer. He himself resided at London; and employing as his instrument Fitz-Richard, the seditious mayor, who had violently and illegally prolonged his authority, he wrought up that city to the highest ferment and agitation. The populace formed themselves into bands and companies; chose leaders; practised all military exercises; committed violence on the royalists: and to give them greater countenance in their disorders, an association was entered into between the city and eighteen great barons, never to make peace with the king but by common consent and approbation. At the head of those who swore to maintain this association, were the earls of Leicester, Gloucester, and Derby, with le Despenser, the chief-justiciary; men who had all previously sworn to submit to the award of the French monarch. Their only pretence for this breach of faith was, that the latter part of Louis's sentence was, as they affirmed, a contradiction to the former: he ratified the charter of liberties, yet annulled the provisions of Oxford; which were only calculated, as they maintained, to preserve that charter; and without which, in their estimation, they had no security for its observance.

The king and prince, finding a civil war inevitable, prepared themselves for defence; and summoning their military vassals from all quarters, and being reenforced by Baliol, lord of Gallaway; Brus, lord of Annandale; Henry Piercy; John Comin, and other barons of the north, they composed an army, formidable, as well from its numbers as its military prowess and experience. The first enterprise of the royalists was the attack of Northampton, (5th April,) which was defended by Simon de Mountfort, with many of the principal barons of that party: and a breach being made in the walls by Philip Basset, the place was carried by assault, and both the governor and the garrison were made prisoners. The royalists marched thence to Leicester and Nottingham; both which places having opened their gates to them, prince Edward proceeded with a detachment into the county of Derby, in order to ravage with fire and sword the lands of the earl of that name, and take revenge on him for his disloyalty. Like maxims of war prevailed with both parties throughout England; and the kingdom was thus exposed in a moment to greater devastation, from the animosities of the rival barons, than it would have suffered from many years of foreign, or even domestic hostilities, conducted by more humane and more generous principles.

The earl of Leicester, master of London, and of the counties in the south-east of England, formed the siege of Rochester, which alone declared for the king in those parts, and which, besides earl Warrenne, the governor, was garrisoned by many noble and powerful barons of the royal party. The king and prince hastened from Nottingham, where they were then quartered, to the relief of the place: and on their approach, Leicester raised the siege, and retreated to London, which, being the centre of his power, he was afraid might, in his absence, fall into the king's hands, either by force or by a correspondence with the principal citizens, who were all secretly inclined to the royal cause. Re-enforced by a great body of Londoners, and having summoned his partisans from all quarters, he thought himself strong enough to hazard a general battle with the royalists, and to determine the fate of the nation in one great engagement; which, if it proved successful, must be decisive against the king, who had no retreat for his broken troops in those parts; while Leicester himself, in case of any sinister accident, could easily take shelter in the city. To give the better colouring to his cause, he previously sent a message with conditions of peace to Henry, submissive in the language, but exorbitant in the demands; and when the messenger returned with the lie and defiance from the king, the prince, and the king of the Romans, he sent a new message, renouncing, in the name of himself and of the associated barons, all fealty and allegiance to Henry. He then marched out of the city with his army, divided into four bodies; the first commanded by his two sons Henry and Guy de Mountfort, together with Humphrey de Bohun, earl of Hereford, who had deserted to the barons; the second led by the earl of Gloucester, with William de Montchesney and John Fitz-John; the third, composed of Londoners, under the command of Nicholas de Segrave; the fourth headed by himself in person. The bishop of Chichester gave a general absolution to the army, accompanied with assurances that, if any of them fell in the ensuing action, they would infallibly be received into heaven, as the reward of their suffering in so meritorious a cause.

BATTLE OF LEWES. *May* 14.

Leicester, who possessed great talents for war, conducted his march with such skill and secrecy, that he had well nigh surprised the royalists in their quarters at Lewes in Sussex: but the vigilance and activity of prince Edward soon repaired this negligence; and he led out the king's army to the field in three bodies. He himself conducted the van, attended by earl Warrenne and William de Valence: the main body was commanded by the king of the Romans and his son Henry: the king himself was placed in the rear at the head of his principal nobility. Prince Edward rushed upon the Londoners, who had demanded the post of honour in leading the rebel army, but who, from their ignorance of discipline and want of experience, were ill fitted to resist the gentry and military men, of whom the prince's body was composed. They were broken in an instant; were chased off the field; and Edward, transported by his martial ardour, and eager to revenge the insolence of the Londoners against his mother, put them to the sword for the length of four miles without giving them any quarter, and without re-

flecting on the fate which in the mean time attended the rest of the army. The earl of Leicester, seeing the royalists thrown into confusion by their eagerness in the pursuit, led on his remaining troops against the bodies commanded by the two royal brothers: he defeated with great slaughter the forces headed by the king of the Romans; and that prince was obliged to yield himself prisoner to the earl of Gloucester: he penetrated to the body where the king himself was placed, threw it into disorder, pursued his advantage, chased it into the town of Lewes, and obliged Henry to surrender himself prisoner.

Prince Edward, returning to the field of battle from his precipitate pursuit of the Londoners, was astonished to find it covered with the dead bodies of his friends, and still more to hear that his father and uncle were defeated and taken prisoners, and that Arundel Comyn, Brus, Hamond l'Estrange, Roger Leybourne, and many considerable barons of his party, were in the hands of the victorious enemy. Earl Warrenne, Hugh Bigod, and William de Valence, struck with despair at this event, immediately took to flight, hurried to Pevencey, and made their escape beyond sea: but the prince, intrepid amidst the greatest disasters, exhorted his troops to revenge the death of their friends, to relieve the royal captives, and to snatch an easy conquest from an enemy disordered by their own victory. He found his followers intimidated by their situation; while Leicester, afraid of a sudden and violent blow from the prince, amused him by a feigned negociation, till he was able to recal his troops from the pursuit, and bring them into order. There now appeared no further resource to the royal party; surrounded by the armies and garrisons of the enemy, destitute of forage and provisions, and deprived of their sovereign, as well as of their principal leaders, who could alone inspirit them to an obstinate resistance. The prince, therefore, was obliged to submit to Leicester's terms, which were short and severe, agreeably to the suddenness and necessity of the situation: he stipulated, that he and Henry d'Allmaine should surrender themselves prisoners, as pledges in lieu of the two kings; that all other prisoners on both sides should be released; and, that in order to settle fully the terms of agreement, application should be made to the king of France, that he should name six Frenchmen, three prelates and three noblemen: these six to choose two others of their own country: and these two to choose one Englishman, who, in conjunction with themselves, were to be invested by both parties with full powers to make what regulations they thought proper for the settlement of the kingdom. The prince and young Henry accordingly delivered themselves into Leicester's hands, who sent them under a guard to Dover castle. Such are the terms of agreement commonly called the *Mise* of Lewes, from an obsolete French term of that meaning: for it appears, that all the gentry and nobility of England, who valued themselves on their Norman extraction, and who disdained the language of their native country, made familiar use of the French tongue, till this period, and for some time after.

Leicester had no sooner obtained this great advantage, and gotten the whole royal family in his power, than he openly violated every article of the treaty, and acted as sole master, and even tyrant of the kingdom. He still detained the king in effect a prisoner, and made use of that prince's authority to purposes the most prejudicial to his interests, and the most oppressive of his people. He everywhere disarmed the royalists, and kept all his own partisans in a military posture: he observed the same partial conduct in the deliverance of the captives, and even threw many of the royalists into prison, besides those who were taken in the battle of Lewes: he carried the king from place to place, and obliged all the royal castles, on pretence of Henry's commands, to receive a governor and garrison of his own appointment: all the officers of the crown and of the household were named by him; and the whole authority, as well as arms of the state, was lodged in his hands: he instituted in the counties a new kind of magistracy, endowed with new and arbitrary powers, that of conservators of the peace: his avarice appeared barefaced, and might induce us to question the greatness of his ambition, at least the largeness of his mind, if we had not reason to think that he intended to employ his acquisitions as the instruments for attaining further power and grandeur. He seized the estates of no less than eighteen barons, as his share of the spoil gained in the battle of Lewes: he engrossed to himself the ransom of all the prisoners; and told his barons, with a wanton insolence, that it was sufficient for them, that he had saved them by that victory from the forfeitures and attainders which hung over them: he even treated the earl of Gloucester in the same injurious manner, and applied to his own use the ransom of the king of the Romans, who in the field of battle had yielded himself prisoner to that nobleman. Henry, his eldest son, made a monopoly of all the wool in the kingdom, the only valuable commodity for foreign markets which it at that time produced. The inhabitants of the cinque-ports, during the present dissolution of government, betook themselves to the most licentious piracy, preyed on the ships of all nations, threw the mariners into the sea, and by these practices soon banished all merchants from the English coasts and harbours. Every foreign commodity rose to an exorbitant price; and woollen cloth, which the English had not then the art of dying, was worn by them, white, and without receiving the last hand of the manufacturer. In answer to the complaints which arose on this occasion, Leicester replied, that the kingdom could well enough subsist within itself, and needed no intercourse with foreigners. And it was found, that he even combined with the pirates of the cinque-ports, and received as his share the third of their prizes,

No further mention was made of the reference to the king of France, so essential an article in the agreement of Lewes; and Leicester summoned a parliament, composed altogether of his own partisans, in order to rivet, by their authority, that power which he had acquired by so much violence, and which he used with so much tyranny and injustice. An ordinance was there passed, to which the king's consent had been previously extorted, that every act of royal power should be exercised by a council of nine persons, who were to be chosen and removed by the majority of three, Leicester himself, the earl of Gloucester, and the bishop of Chichester. By this intricate plan of government the sceptre was really put into Leicester's hands; as he had the entire direction of the bishop of Chichester, and thereby commanded all the resolutions of the council of three, who could appoint or discard at pleasure every member of the supreme council,

But it was impossible that things could long remain in this strange situation. It behoved Leicester either to descend with some peril into the rank of a subject, or to mount up with no less into that of a sovereign; and his ambition, unrestrained either by fear or by principle, gave too much reason to suspect him of the latter intention. Meanwhile, he was exposed to anxiety from every quarter: and felt that the smallest incident was capable of overturning that immense and ill-cemented fabric which he had reared. The queen, whom her husband had left abroad, had collected in foreign parts an army of desperate adventurers, and had assembled a great number of ships, with a view of invading the kingdom, and of bringing relief to her unfortunate family. Louis, detesting Leicester's usurpations and perjuries, and disgusted at the English barons who had refused to submit to his award, secretly favoured all her enterprises, and was generally believed to be making preparations for the same purpose. An English army, by the pretended authority of the captive king, was assembled on the sea-coast to oppose this projected invasion; but Leicester owed his safety more to cross winds,

which long detained and at last dispersed and ruined the queen's fleet, than to any resistance which, in their present situation, could have been expected from the English.

Leicester found himself better able to resist the spiritual thunders which were levelled against him. The pope, still adhering to the king's cause against the barons, dispatched cardinal Guido as his legate into England, with orders to excommunicate, by name, the three earls, Leicester, Gloucester, and Norfolk, and all others in general who concurred in the oppression and captivity of their sovereign. Leicester menaced the legate with death, if he set foot within the kingdom; but Guido, meeting in France the bishops of Winchester, London, and Worcester, who had been sent thither on a negociation, commanded them, under the penalty of ecclesiastical censures, to carry his bull into England, and to publish it against the barons. When the prelates arrived off the coast, they were boarded by the piratical mariners of the cinque-ports, to whom probably they gave a hint of the cargo which they brought along with them: the bull was torn and thrown into the sea; which furnished the artful prelates with a plausible excuse for not obeying the orders of the legate. Leicester appealed from Guido to the pope in person; but, before the ambassadors appointed to defend his cause could reach Rome the pope was dead; and they found the legate himself, from whom they had appealed, seated on the papal throne, by the name of Urban IV. That daring leader was nowise dismayed with this incident; and as he found that a great part of his popularity in England was founded on his opposition to the court of Rome, which was now become odious, he persisted with the more obstinacy in the prosecution of his measures.

1265. That he might both increase and turn to advantage his popularity, Leicester summoned a new parliament (20th January) in London, where he knew his power was uncontrollable; and he fixed this assembly on a more democratical basis than any which had ever been summoned since the foundation of the monarchy. Besides the barons of his own party, and several ecclesiastics, who were not immediate tenants of the crown; he ordered returns to be made of two knights from each shire, and, what is more remarkable, of deputies from the boroughs, an order of men, which in former ages had always been regarded as too mean to enjoy a place in the national councils. This period is commonly esteemed the epoch of the house of commons in England; and it is certainly the first time that historians speak of any representatives sent to parliament by the boroughs. In all the general accounts given in preceding times of those assemblies, the prelates and barons only are mentioned as the constituent members; and even in the most particular narratives delivered of parliamentary transactions, as in the trial of Thomas à Becket, where the events of each day, and almost of each hour, are carefully recorded by contemporary authors, there is not, throughout the whole, the least appearance of a house of commons. But though that house derived its existence from so precarious, and even so invidious an origin as Leicester's usurpation, it soon proved, when summoned by the legal princes, one of the most useful, and, in process of time, one of the most powerful members of the national constitution; and gradually rescued the kingdom from aristocratical as well as from regal tyranny. But Leicester's policy, if we must ascribe to him so great a blessing, only forwarded by some years an institution for which the general state of things had already prepared the nation; and it is otherwise inconceivable, that a plant, set by so inauspicious a hand, could have attained to so vigorous a growth, and have flourished in the midst of such tempests and convulsions. The feudal system, with which the liberty, much more the power of the commons was totally incompatible, began gradually to decline; and both the king and the commonalty, who felt its inconveniences, contributed to favour this new power, which was more submissive than the barons to the regular authority of the crown, and at the same time afforded protection to the inferior orders of the state.

Leicester, having thus assembled a parliament of his own model, and trusting to the attachment of the populace of London, seized the opportunity of crushing his rivals among the powerful barons. Robert de Ferrars, earl of Derby, was accused in the king's name, seized, and committed to custody, without being brought to any legal trial. John Gifford, menaced with the same fate, fled from London, and took shelter in the borders of Wales. Even the earl of Gloucester, whose power and influence had so much contributed to the success of the barons, but who of late was extremely disgusted with Leicester's arbitrary conduct, found himself in danger from the prevailing authority of his ancient confederate; and he retired from parliament. This known dissension gave courage to all Leicester's enemies and to the king's friends, who were now sure of protection from so potent a leader. Though Roger Mortimer, Hammond l'Estrange, and other powerful marchers of Wales, had been obliged to leave the kingdom, their authority still remained over the territories subjected to their jurisdiction; and there were many others who were disposed to give disturbance to the new government. The animosities, inseparable from the feudal aristocracy, broke out with fresh violence, and threatened the kingdom with new convulsions and disorders.

The earl of Leicester, surrounded with these difficulties, embraced a measure, from which he hoped to reap some present advantages, but which proved in the end the source of all his future calamities. The active and intrepid prince Edward had languished in prison ever since the fatal battle of Lewes; and as he was extremely popular in the kingdom, there arose a general desire of seeing him again restored to liberty. Leicester, finding that he could with difficulty oppose the concurring wishes of the nation, stipulated with the prince, that, in return, he should order his adherents to deliver up to the barons all their castles, particularly those on the borders of Wales; and should swear neither to depart the kingdom during three years, nor introduce into it any foreign forces. The king took an oath to the same effect, and he also passed a charter, in which he confirmed the agreement or *Mise* of Lewes; and even permitted his subjects to rise in arms against him, if he should ever attempt to infringe it. So little care did Leicester take, though he constantly made use of the authority of this captive prince, to preserve to him any appearance of royalty or kingly prerogatives!

In consequence of this treaty, prince Edward was brought into Westminster-hall, (11th March,) and was declared free by the barons; but instead of really recovering his liberty, as he had vainly expected, he found that the whole transaction was a fraud on the part of Leicester; that he himself still continued a prisoner at large, and was guarded by the emissaries of that nobleman; and that, while the faction reaped all the benefit from the performance of his part of the treaty, care was taken that he should enjoy no advantage by it. As Gloucester, on his rupture with the barons, had retired for safety to his estates on the borders of Wales, Leicester followed him with an army to Hereford, continued still to menace and negociate; and that he might add authority to his cause, he carried both the king and prince along with him. The earl of Gloucester here concerted with young Edward the manner of that prince's escape. He found means to convey him a horse of extraordinary swiftness; and appointed Roger Mortimer, who had returned into the kingdom, to be ready at hand with a small party to receive the prince, and to guard him to a place of safety. Edward pretended to take the air (28th May) with some of Leicester's retinue, who were his guards, and making matches

between their horses, after he thought he had tired and blown them sufficiently, he suddenly mounted Gloucester's horse, and called to his attendants, that he had long enough enjoyed the pleasure of their company, and now bid them adieu. They followed him for some time, without being able to overtake him; and the appearance of Mortimer with his company put an end to their pursuit.

The royalists, secretly prepared for this event, immediately flew to arms; and the joy of this gallant prince's deliverance, the oppressions under which the nation laboured, the expectation of a new scene of affairs, and the countenance of the earl of Gloucester, procured Edward an army which Leicester was utterly unable to withstand. This nobleman found himself in a remote quarter of the kingdom; surrounded by his enemies; barred from all communication with his friends by the Severn, whose bridges Edward had broken down; and obliged to fight the cause of his party under these multiplied disadvantages. In this extremity he wrote to his son, Simon de Mountfort, to hasten from London with an army for his relief; and Simon had advanced to Kenilworth with that view, where, fancying that all Edward's force and attention were directed against his father, he lay secure and unguarded. But the prince making a sudden and forced march, surprised him in his camp, dispersed his army, and took the earl of Oxford and many other noblemen prisoners, almost without resistance. Leicester, ignorant of his son's fate, passed the Severn in boats during Edward's absence, and lay at Evesham, in expectation of being every hour joined by his friends from London; when the prince, who availed himself of every favourable movement, appeared in the field before him.

BATTLE OF EVESHAM AND DEATH OF LEICESTER. *August* 4.

Edward made a body of his troops advance from the road which led to Kenilworth, and ordered them to carry the banners taken from Simon's army; while he himself, making a circuit with the rest of his forces, purposed to attack the enemy on the other quarter. Leicester was long deceived by this stratagem, and took one division of Edward's army for his friends; but at last, perceiving his mistake, and observing the great superiority and excellent disposition of the royalists, he exclaimed that they had learned from him the art of war, adding; "The Lord have mercy on our souls, for I see our bodies are the prince's!" The battle immediately began, though on very unequal terms. Leicester's army, by living on the mountains of Wales without bread, which was not then much used among the inhabitants, had been extremely weakened by sickness and desertion, and was soon broken by the victorious royalists; while his Welsh allies, accustomed only to a desultory kind of war, immediately took to flight, and were pursued with great slaughter. Leicester himself, asking for quarter, was slain in the heat of the action, with his eldest son, Henry, Hugh le Despenser, and about an hundred and sixty knights, and many other gentlemen of his party. The old king had been purposely placed by the rebels in the front of the battle; and being clad in armour, and thereby not known by his friends, he received a wound, and was in danger of his life; but crying out, *I am Henry of Winchester, your king*, he was saved, and put in a place of safety by his son, who flew to his rescue.

The violence, ingratitude, tyranny, rapacity, and treachery of the earl of Leicester, give a very bad idea of his moral character, and make us regard his death as the most fortunate event which in this conjuncture could have happened to the English nation; yet must we allow the man to have possessed great abilities, and the appearance of great virtues, who, though a stranger, could at a time when strangers were the most odious, and the most universally decried, have acquired so extensive an interest in the kingdom, and have so nearly paved his way to the throne itself. His military capacity, and his political craft, were equally eminent; he possessed the talents both of governing men and conducting business; and though his ambition was boundless, it seems neither to have exceeded his courage nor his genius; and he had the happiness of making the low populace, as well as the haughty barons, co-operate towards the success of his selfish and dangerous purposes. A prince of greater abilities and vigour than Henry might have directed the talents of this nobleman either to the exaltation of his throne, or to the good of his people; but the advantages given to Leicester, by the weak and variable administration of the king, brought on the ruin of royal authority, and produced great confusion in the kingdom, which, however, in the end preserved and extremely improved national liberty, and the constitution. His popularity, even after his death, continued so great, and though he was excommunicated by Rome, the people believed him to be a saint; and many miracles were said to be wrought upon his tomb.

SETTLEMENT OF THE GOVERNMENT.

The victory of Evesham, with the death of Leicester, proved decisive in favour of the royalists, and made an equal though an opposite impression on friends and enemies in every part of England. The king of the Romans recovered his liberty; the other prisoners of the royal party were not only freed but courted by their keepers; Fitz-Richard, the seditious mayor of London, who had marked out forty of the most wealthy citizens for slaughter, immediately stopped his hand on receiving intelligence of this great event; and almost all the castles, garrisoned by the barons, hastened to make their submissions, and to open their gates to the king. The isle of Axholme alone, and that of Ely, trusting to the strength of their situation ventured to make resistance, but were at last reduced, as well as the castle of Dover, by the valour and activity of prince Edward. 1266. Adam de Gourdon, a courageous baron, maintained himself during some time in the forests of Hampshire, committed depredations in the neighbourhood, and obliged the prince to lead a body of troops into that country against him. Edward attacked the camp of the rebels; and being transported by the ardour of battle, leaped over the trench with a few followers, and encountered Gourdon in single combat. The victory was long disputed between these valiant combatants, but ended at last in the prince's favour, who wounded his antagonist, threw him from his horse, and took him prisoner. He not only gave him his life, but introduced him that very night to the queen at Guildford, procured him his pardon, restored him to his estate, received him into favour, and was ever after faithfully served by him.

A total victory of the sovereign over so extensive a rebellion commonly produces a revolution of government, and strengthens, as well as enlarges, for some time the prerogatives of the crown; yet no sacrifices of national liberty were made on this occasion; the Great Charter remained still inviolate; and the king, sensible that his own barons, by whose assistance alone he had prevailed, were no less jealous of their independence than the other party, seems thenceforth to have more carefully abstained from all those exertions of power which had afforded so plausible a pretence to the rebels. The clemency of this victory is also remarkable: no blood was shed on the scaffold; no attainders, except of the Mountfort family, were carried into execution; and though a parliament assembled at Winchester attainted all those who had borne arms against the king, easy compositions were made with them for their lands; and the highest sum levied on the most obnoxious offenders exceeded not

five years' rent of their estate. Even the earl of Derby, who again rebelled, after having been pardoned and restored to his fortune, was obliged to pay only seven years' rent, and was a second time restored. The mild disposition of the king, and the prudence of the prince, tempered the insolence of victory, and gradually restored order to the several members of the state, disjointed by so long a continuance of civil wars and commotions.

The city of London, which had carried furthest the rage and animosity against the king, and which seemed determined to stand upon its defence after almost all the kingdom had submitted, was, after some interval, restored to most of its liberties and privileges; and Fitz-Richard, the mayor, who had been guilty of so much illegal violence, was only punished by fine and imprisonment. The countess of Leicester, the king's sister, who had been extremely forward in all attacks on the royal family, was dismissed the kingdom, with her two sons, Simon and Guy, who proved very ungrateful for this lenity. Five years afterwards, they assassinated, at Viterbo in Italy, their cousin Henry d'Allmaine, who at that very time was endeavouring to make their peace with the king; and by taking sanctuary in the church of the Franciscans, they escaped the punishment due to so great an enormity.

1267. The merits of the Earl of Gloucester, after he returned to his allegiance, had been so great in restoring the prince to his liberty, and assisting him in his victories against the rebellious barons, that it was almost impossible to content him in his demands; and his youth and temerity, as well as his great power, tempted him, on some new disgust, to raise again the flames of rebellion in the kingdom. The mutinous populace of London at his instigation took to arms, and the prince was obliged to levy an army of 30,000 men, in order to suppress them. Even this second rebellion did not provoke the king to any act of cruelty; and the earl of Gloucester himself escaped with total impunity. He was only obliged to enter into a bond of 20,000 marks that he should never again be guilty of rebellion: a strange method of enforcing the laws, and a proof of the dangerous independence of the barons in those ages. These potent nobles were, from the danger of the precedent, averse to the execution of the laws of forfeiture and felony against any of their fellows; though they could not, with a good grace, refuse to concur in obliging them to fulfil any voluntary contract and engagement into which they had entered.

1270. The prince, finding the state of the kingdom tolerably composed, was seduced by his avidity for glory, and by the prejudices of the age, as well as by the earnest solicitations of the king of France, to undertake an expedition against the infidels in the Holy Land; and he endeavoured previously to settle the state in such a manner as to dread no bad effects from his absence. As the formidable power and turbulent disposition of the earl of Gloucester gave him apprehensions, he insisted on carrying him along with him, in consequence of a vow which that nobleman had made to undertake the same voyage; in the mean time, he obliged him to resign some of his castles, and to enter into a new bond not to disturb the peace of the kingdom. He sailed from England with an army, and arrived in Louis's camp before Tunis in Africa, where he found that monarch already dead, from the intemperance of the climate and the fatigues of his enterprise. The great, if not only, weakness of this prince in his government, was the imprudent passion for crusades; but it was his zeal chiefly that procured him from the clergy the title of St. Louis, by which he is known in the French history; and if that appellation had not been so extremely prostituted as to become rather a term of reproach, he seems by his uniform probity and goodness, as well as his piety, to have fully merited the title. He was succeeded by his son Philip, denominated the Hardy; a prince of some merit, though much inferior to that of his father.

1271. Prince Edward, not discouraged by this event, continued his voyage to the Holy Land, where he signalized himself by acts of valour; revived the glory of the English name in those parts, and struck such terror into the Saracens, that they employed an assassin to murder him, who wounded him in the arm, but perished in the attempt. Meanwhile, his absence from England was attended with many of those pernicious consequences which had been dreaded from it. The laws were not executed; the barons oppressed the common people with impunity; they gave shelter on their estates to bands of robbers, whom they employed in committing ravages on the estates of their enemies; the populace of London returned to their usual licentiousness; and the old king, unequal to the burthen of public affairs, called aloud for his gallant son to return, and to assist him in swaying that sceptre which was ready to drop from his feeble and irresolute hands. At last, overcome by the cares of government and the infirmities of age, he visibly declined, and he expired at St. Edmonsbury, (16th Nov. 1272,) in the 64th year of his age, and 56th of his reign; the longest reign that is to be met with in the English annals. His brother, the king of the Romans, (for he never attained the title of emperor,) died about seven months before him.

CHARACTER OF THE KING.

The most obvious circumstance of Henry's character is his incapacity for government, which rendered him as much a prisoner in the hands of his own ministers and favourites, and as little at his own disposal, as when detained a captive in the hands of his enemies. From this source, rather than from insincerity or treachery, arose his negligence in observing his promises; and he was too easily induced, for the sake of present convenience, to sacrifice the lasting advantages arising from the trust and confidence of his people. Hence too were derived his profusion to favourites, his attachment to strangers, the variableness of his conduct, his hasty resentments, and his sudden forgiveness and return of affection. Instead of reducing the dangerous power of his nobles, by obliging them to observe the laws towards their inferiors, and setting them the salutary example in his own government, he was seduced to imitate their conduct, and to make his arbitrary will, or rather that of his ministers, the rule of his actions. Instead of accommodating himself, by a strict frugality, to the embarrassed situation in which his revenue had been left, by the military expeditions of his uncle, the dissipations of his father, and the usurpations of the barons, he was tempted to levy money by irregular exactions, which, without enriching himself, impoverished, at least disgusted his people. Of all men, nature seemed least to have fitted him for being a tyrant; yet are there instances of oppression in his reign, which, though derived from the precedents left him by his predecessors, had been carefully guarded against by the Great Charter, and are inconsistent with all rules of good government. And on the whole we may say, that greater abilities, with his good dispositions, would have prevented him from falling into his faults; or, with worse dispositions, would have enabled him to maintain and defend them.

This prince was noted for his piety and devotion, and his regular attention on public worship; and a saying of his on that head is much celebrated by ancient writers. He was engaged in a dispute with Louis IX. of France, concerning the preference between sermons and masses: he maintained the superiority of the latter; and affirmed that he would rather have one hour's conversation with a friend, than hear twenty the most elaborate discourses pronounced in his praise.

Henry left two sons, Edward, his successor, and Edmond, earl of Lancaster; and two daughters, Margaret, queen of Scotland, and Beatrix, duchess of Britanny. He had five other children, who died in their infancy.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN.

The following are the most remarkable laws enacted during this reign. There had been great disputes between the civil and ecclesiastical courts concerning bastardy. The common law had deemed all those to be bastards who were born before wedlock; by the canon law they were legitimate; and when any dispute of inheritance arose, it had formerly been usual for the civil courts to issue writs to the spiritual, directing them to inquire into the legitimacy of the person. The bishop always returned an answer agreeable to the canon law, though contrary to the municipal law of the kingdom. For this reason the civil courts had changed the terms of their writ; and instead of requiring the spiritual courts to make inquisition concerning the legitimacy of the person, they only proposed the simple question of fact, whether he were born before or after wedlock? The prelates complained of this practice to the parliament assembled at Merton in the twentieth of this king, and desired that the municipal law might be rendered conformable to the canon; but received from all the nobility the memorable reply, *Nolumus leges Angliæ mutare:* "We will not change the laws of England."

After the civil wars the parliament summoned at Marlebridge gave their approbation to most of the ordinances which had been established by the reforming barons, and which, though advantageous to the security of the people, had not received the sanction of a legal authority. Among other laws it was there enacted, that all appeals from the courts of inferior lords should be carried directly to the king's courts, without passing through the courts of the lords immediately superior. It was ordained that money should bear no interest during the minority of the debtor. This law was reasonable, as the estates of minors were always in the hands of their lords, and the debtors could not pay interest where they had no revenue. The charter of king John had granted this indulgence; it was omitted in that of Henry III., for what reason is not known; but it was renewed by the statute of Marlebridge. Most of the other articles of this statute are calculated to restrain the oppression of sheriffs, and the violence and iniquities committed in distraining cattle and other goods. Cattle and the instruments of husbandry formed at that time the chief riches of the people.

In the 35th year of this king an assize was fixed of bread, the price of which was settled, according to the different prices of corn, from one shilling a quarter, to seven shillings and sixpence, money of that age. These great variations are alone a proof of bad tillage;* yet did the prices often rise much higher than any taken notice of by the statute. The Chronicle of Dunstable tells us, that in this reign wheat was once sold for a mark, nay, for a pound a quarter; that is, three pounds of our present money. The same law affords us a proof of the little communication between the parts of the kingdom, from the very different prices which the same commodity bore at the same time. A brewer, says the statute, may sell two gallons of ale for a penny in cities, and three or four gallons for the same price in the country. At present such commodities, by the great consumption of the people, and the great stocks of the brewers, are rather cheapest in cities. The Chronicle above mentioned observes, that wheat one year was sold in many places for eight shillings a quarter, but never rose in Dunstable above a crown.

Though commerce was still very low, it seems rather to have increased since the conquest; at least if we may judge of the increase of money by the price of corn. The medium between the highest and lowest prices of wheat assigned by the statute is four shillings and three-pence a quarter, that is, twelve shillings and nine-pence of our present money. This is near half of the middling price in our time. Yet the middling price of cattle, so late as the reign of king Richard, we find to be above eight, near ten times lower than the present. Is not this the true inference, from comparing these facts, that, in all uncivilized nations, cattle, which propagate of themselves, bear always a lower price than corn, which requires more art and stock to render it plentiful than those nations are possessed of? It is to be remarked, that Henry's assize of corn was copied from a preceding assize, established by king John; consequently, the prices which we have here compared of corn and cattle may be looked on as contemporary; and they were drawn, not from one particular year, but from an estimation of the middling prices for a series of years. It is true, the prices assigned by the assize of Richard, were meant as a standard for the accounts of sheriffs and escheators; and as considerable profits were allowed to these ministers, we may naturally suppose, that the common value of cattle was somewhat higher: yet still, so great a difference between the prices of corn and cattle as that of four to one, compared to the present rates, affords important reflections concerning the very different state of industry and tillage in the two periods.

Interest had in that age amounted to an enormous height, as might be expected from the barbarism of the times, and men's ignorance of commerce. Instances occur of fifty per cent. paid for money. There is an edict of Philip Augustus near this period, limiting the Jews in France to 48 per cent. Such profits tempted the Jews to remain in the kingdom, notwithstanding the grievous oppressions to which, from the prevalent bigotry and rapine of the age, they were continually exposed. It is easy to imagine how precarious their state must have been under an indigent prince, somewhat restrained in his tyranny over his native subjects, but who possessed an unlimited authority over the Jews, the sole proprietors of money in the kingdom, and hated, on account of their money, their religion, and their usury; yet will our ideas scarcely come up to the extortions which, in fact, we find to have been practised upon them. In the year 1241, 20,000 marks were exacted from them: two years after, money was again extorted; and one Jew alone, Aaron of York, was obliged to pay above 4,000 marks: in 1250, Henry renewed his oppressions; and the same Aaron was condemned to pay him 30,000 marks, upon an accusation of forgery: the high penalty imposed upon him, and which it seems he was thought able to pay, is rather a presumption of his innocence than of his guilt. In 1255, the king demanded 8,000 marks from the Jews, and threatened to hang them if they refused compliance. They now lost all patience, and desired leave to retire with their effects out of the kingdom. But the king replied, "How can I remedy the oppressions you complain of? I am myself a beggar. I am spoiled, I am stripped of all my revenues. I owe above 200,000 marks; and if I had said 300,000, I should not exceed the truth: I am obliged to pay my son, prince Edward, 15,000 marks a year: I have not a farthing; and I must have money, from any hand, from any quarter, or by any means." He then delivered over the Jews to the earl of Cornwall, that those whom the one brother had flayed, the other might embowel, to make use of the words of the historian. King John, his father, once

* We learn from Cicero's Orations against Verres, lib. iii. cap. 34, 92, that the price of corn in Sicily was, during the prætorship of Sacerdos, five Denarii a Modius; during that of Verres, which immediately succeeded, only two Sesterces; that is, ten times lower; a presumption, or rather a proof, of the very bad state of tillage in ancient times.

demanded 10,000 marks from a Jew of Bristol; and on his refusal, ordered one of his teeth to be drawn every day till he should comply. The Jew lost seven teeth, and then paid the sum required of him. One talliage laid upon the Jews in 1243 amounted to 60,000 marks; a sum equal to the whole yearly revenue of the crown.

To give a better pretence for extortions, the improbable and absurd accusation, which has been at different times advanced against that nation, was revived in England, that they had crucified a child in derision of the sufferings of Christ. Eighteen of them were hanged at once for this crime: though it is nowise credible, that even the antipathy borne them by the Christians, and the oppressions under which they laboured, would ever have pushed them to be guilty of that dangerous enormity. But it is natural to imagine that a race, exposed to such insults and indignities, both from king and people, and who had so uncertain an enjoyment of their riches, would carry usury to the utmost extremity, and by their great profits make themselves some compensation for their continual perils.

Though these acts of violence against the Jews proceeded much from bigotry, they were still more derived from avidity and rapine. So far from desiring in that age to convert them, it was enacted by law in France, that if any Jew embraced Christianity, he forfeited all his goods, without exception, to the king or his superior lord. These plunderers were careful, lest the profits accruing from their dominion over that unhappy race should be diminished by their conversion.

Commerce must be in a wretched condition, where interest was so high, and where the sole proprietors of money employed it in usury only, and were exposed to such extortion and injustice. But the bad police of the country was another obstacle to improvements; and rendered all communication dangerous, and all property precarious. The Chronicle of Dunstable says, that men were never secure in their houses, and that whole villages were often plundered by bands of robbers, though no civil wars at that time prevailed in the kingdom. In 1249, some years before the insurrection of the barons, two merchants of Brabant came to the king at Winchester, and told him that they had been spoiled of all their goods by certain robbers, whom they knew, because they saw their faces every day in his court; that like practices prevailed all over England, and travellers were continually exposed to the danger of being robbed, bound, wounded, and murdered; that these crimes escaped with impunity, because the ministers of justice themselves were in a confederacy with the robbers; and that they, for their part, instead of bringing matters to a fruitless trial by law, were willing, though merchants, to decide their cause with the robbers by arms and a duel. The king, provoked at these abuses, ordered a jury to be inclosed, and to try the robbers: the jury, though consisting of twelve men of property in Hampshire, were found to be also in a confederacy with the felons, and acquitted them. Henry, in a rage, committed the jury to prison, threatened them with severe punishment, and ordered a new jury to be inclosed, who, dreading the fate of their fellows, at last found a verdict against the criminals. Many of the king's own household were discovered to have participated in the guilt; and they said, for their excuse, that they received no wages from him, and were obliged to rob for a maintenance. "Knights and esquires," says the Dictum of Kenilworth, "who were robbers, if they have no land, shall pay the half of their goods, and find sufficient security to keep henceforth the peace of the kingdom." Such were the manners of the times!

One can the less repine, during the prevalence of such manners, at the frauds and forgeries of the clergy; as it gives less disturbance to society, to take men's money from them with their own consent, though by deceits and lies, than to ravish it by open force and violence. During this reign the papal power was at its summit, and was even beginning insensibly to decline, by reason of the immeasurable avarice and extortions of the court of Rome, which disgusted the clergy as well as laity, in every kingdom of Europe. England itself, though sunk in the deepest abyss of ignorance and superstition, had seriously entertained thoughts of shaking off the papal yoke; and the Roman pontiff was obliged to think of new expedients for rivetting it faster upon the Christian world. For this purpose Gregory IX. published his decretals; which are a collection of forgeries, favourable to the court of Rome, and consist of the supposed decrees of popes in the first centuries. But these forgeries are so gross, and confound so palpably all language, history, chronology, and antiquities, matters more stubborn than any speculative truths whatsoever, that even that church, which is not startled at the most monstrous contradictions and absurdities, has been obliged to abandon them to the critics. But in the dark period of the thirteenth century they passed for undisputed and authentic; and men, entangled in the mazes of this false literature, joined to the philosophy, equally false, of the times, had nothing wherewithal to defend themselves, but some small remains of common sense, which passed for profaneness and impiety, and the indelible regard to self-interest, which, as it was the sole motive in the priests for framing these impostures, served also, in some degree, to protect the laity against them.

Another expedient, devised by the church of Rome, in this period, for securing her power, was the institution of new religious orders, chiefly the Dominicans and Franciscans, who proceeded with all the zeal and success that attend novelties; were better qualified to gain the populace than the old orders, now become rich and indolent; maintained a perpetual rivalship with each other in promoting their gainful superstitions; and acquired a great dominion over the minds, and consequently over the purses of men, by pretending a desire of poverty and a contempt for riches. The quarrels which arose between these orders, lying still under the control of the sovereign pontiff, never disturbed the peace of the church, and served only as a spur to their industry in promoting the common cause; and though the Dominicans lost some popularity by their denial of the immaculate conception, a point in which they unwarily engaged too far to be able to recede with honour, they counterbalanced this disadvantage by acquiring more solid establishments, by gaining the confidence of kings and princes, and by exercising the jurisdiction assigned them, of ultimate judges and punishers of heresy. Thus, the several orders of monks became a kind of regular troops or garrisons of the Romish church; and though the temporal interests of society, still more the cause of true piety, were hurt, by their various devices to captivate the populace, they proved the chief supports of that mighty fabric of superstition, and, till the revival of true learning, secured it from any dangerous invasion.

The trial by ordeal was abolished in this reign by order of council: a faint mark of improvement in the age.

Henry granted a charter to the town of Newcastle, in which he gave the inhabitants a licence to dig coal. This is the first mention of coal in England.

We learn from Madox, that this king gave at one time one hundred shillings to master Henry, his poet: also the same year he orders this poet ten pounds.

It appears from Selden, that in the 47th of his reign, a hundred and fifty temporal, and fifty spiritual barons were summoned to perform the service due by their tenures. In the thirty-fifth of the subsequent reign, eighty-six temporal barons, twenty bishops, and forty-eight abbots, were summoned to a parliament convened at Carlisle.

CHAPTER XIII

EDWARD I.

Civil Administration of the King — Conquest of Wales — Affairs of Scotland — Competitors for the Crown of Scotland — Reference to Edward — Homage of Scotland — Award of Edward in favour of Baliol — War with France — Digression concerning the Constitution of Parliament — War with Scotland — Scotland subdued — War with France — Disputes with the Clergy — Arbitrary Measures — Peace with France — Revolt of Scotland — That Kingdom again subdued — Again revolts — Is again subdued — Robert Bruce — Third Revolt of Scotland — Death and Character of the King — Miscellaneous Transactions of this Reign.

1272. THE English were as yet so little inured to obedience under a regular government, that the death of almost every king since the conquest, had been attended with disorders; and the council, reflecting on the recent civil wars, and on the animositics which naturally remain after these great convulsions, had reason to apprehend dangerous consequences from the absence of the son and successor of Henry. They therefore hastened to proclaim prince Edward, to swear allegiance to him, and to summon the states of the kingdom, in order to provide for the public peace in this important conjuncture. Walter Gifford, archbishop of York, the earl of Cornwall, son of Richard, king of the Romans, and the earl of Gloucester, were appointed guardians of the realm, and proceeded peaceably to the exercise of their authority, without either meeting with opposition from any of the people, or being disturbed with emulation and faction among themselves. The high character acquired by Edward during the late commotions, his military genius, his success in subduing the rebels, his moderation in settling the kingdom, had procured him great esteem, mixed with affection, among all orders of men; and no one could reasonably entertain hopes of making any advantage of his absence, or of raising disturbance in the nation. The earl of Gloucester himself, whose great power and turbulent spirit had excited most jealousy, was forward to give proofs of his allegiance; and the other malcontents, being destitute of a leader, were obliged to remain in submission to the government.

Prince Edward had reached Sicily in his return from the Holy Land, when he received intelligence of the death of his father; and he discovered a deep concern on the occasion. At the same time he learned the death of an infant son, John, whom his princess, Eleanor of Castile, had borne him at Acre, in Palestine; and as he appeared much less affected with that misfortune, the king of Sicily expressed a surprise at this difference of sentiment: but was told by Edward, that the death of a son was a loss which he might hope to repair; the death of a father was a loss irreparable.

Edward proceeded homeward; but as he soon learned the quiet settlement of the kingdom, he was in no hurry to take possession of the throne, but spent near a year in France before he made his appearance in England. In his passage by Chalons, in Burgundy, [1273,] he was challenged by the prince of the country to a tournament which he was preparing; and as Edward excelled in those martial and dangerous exercises, the true image of war, he declined not the opportunity of acquiring honour in that great assembly of the neighbouring nobles. But the image of war was here unfortunately turned into the thing itself. Edward and his retinue were so successful in the jousts, that the French knights, provoked at their superiority, made a serious attack upon them, which was repulsed, and much blood was idly shed in the quarrel. This rencounter received the name of "the petty battle of Chalons."

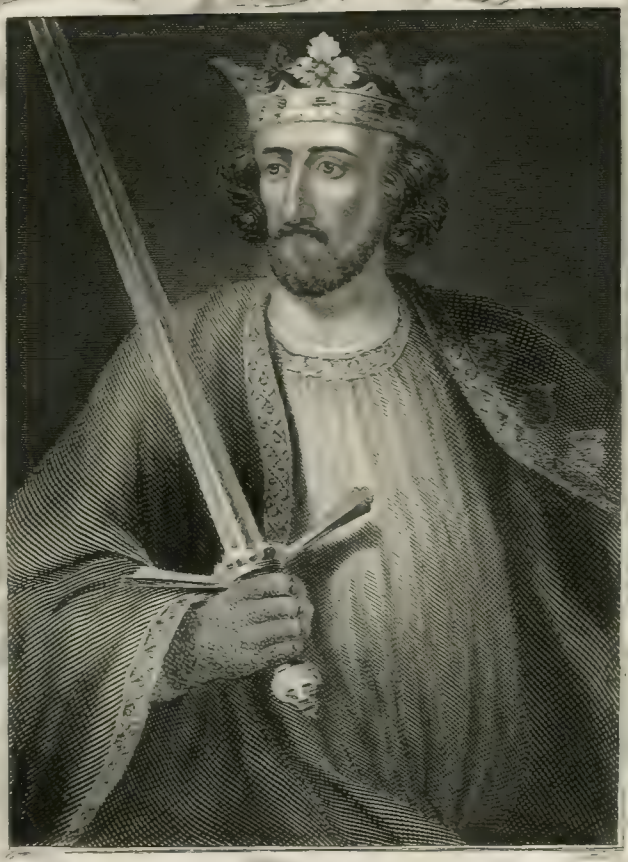
Edward went from Chalons to Paris, and did homage to Philip for the dominions which he held in France. He thence returned to Guienne [1274,] and settled that province, which was in some confusion. He made his journey to London through France; in his passage he accommodated at Montreuil a difference with Margaret, countess of Flanders, heiress of that territory; he was received with joyful acclamations by his people, and was solemnly crowned at Westminster (19th August) by Robert, archbishop of Canterbury.

CIVIL ADMINISTRATION OF THE KING.

The king immediately applied himself to the re-establishment of his kingdom, and to the correcting of those disorders which the civil commotions and the loose administration of his father had introduced into every part of government. The plan of his policy was equally generous and prudent. He considered the great barons both as the immediate rivals of the crown, and oppressors of the people; and he purposed, by an exact distribution of justice, and a rigid execution of the laws, to give at once protection to the inferior orders of the state, and to diminish the arbitrary power of the great, on which their dangerous authority was chiefly founded. Making it a rule in his own conduct to observe, except on extraordinary occasions, the privileges secured to them by the Great Charter, he acquired a right to insist upon their observance of the same Charter towards their vassals and inferiors; and he made the crown be regarded by all the gentry and commonalty of the kingdom, as the fountain of justice, and the general asylum against oppression. Besides enacting several useful statutes, in a parliament which he summoned at Westminster, (16th February, 1275,) he took care to inspect the conduct of all his magistrates and judges, to displace such as were either negligent or corrupt, to provide them with sufficient force for the execution of justice, to extirpate all bands and confederacies of robbers, and to repress those more silent robberies which were committed either by the power of the nobles, or under the countenance of public authority. By this rigid administration, the face of the kingdom was soon changed; and order and justice took place of violence and oppression: but amidst the excellent institutions and public-spirited plans of Edward, there still appears somewhat both of the severity of his personal character, and of the prejudices of the times.

As the various kinds of malefactors, the murderers, robbers, incendiaries, ravishers, and plunderers, had become so numerous and powerful, that the ordinary ministers of justice, especially in the western counties, were afraid to execute the laws against them, the king found it necessary to provide an extraordinary remedy for the evil; and he erected a new tribunal, which, however useful, would have been deemed, in times of more regular liberty, a great stretch of illegal and arbitrary power. It consisted of commissioners, who were empowered to inquire into disorders and crimes of all kinds, and to inflict the proper punishments upon them. The officers charged with this unusual commission, made their circuits throughout the counties of England most infested with this evil, and carried terror into all those parts of the kingdom. In their zeal to punish crimes, they did not sufficiently distinguish between the innocent and guilty; the smallest suspicion became a ground of accusation and trial; the slightest evidence was received against criminals; prisons were crowded with malefactors, real or pretended; severe fines were levied for small offences; and the king, though his exhausted exchequer was supplied by this expedient, found it necessary to stop the course of so great rigour; and after terrifying and dissipating by this tribunal the gangs of disorderly people in England, he prudently annulled the commission,* and never afterwards renewed it.

* Spelman's Gloss. *in verbo* Trailbaston. But Spelman was either mistaken in placing this commission in the fifth year of the king, or it was renewed in 1305. See Rymer, vol. ii. p. 968. Trivet, p. 358. Matt. West. p. 450.




ENGLAND & WALES.
SCOTLAND
IRELAND
IRISH SEA
BRISTOL CHANNEL
ENGLISH CHANNEL
Berwick upon Tweed
Newcastle
Sunderland
Whitby
Scarborough
Douglas
Liverpool
Manchester
Leeds
York
Hull
Lincoln
Norwich
Yarmouth
Cambridge
Oxford
Gloucester
Worcester
Hereford
Shrewsbury
Chester
Carmarthen
Swansea
Cardiff
Milford Haven
Bristol
Exeter
Plymouth
Falmouth
Penzance
Portsmouth
Southampton
Dover
Canterbury
Brighton
Chichester
Isle of Wight
Newport
Ryde
Cowes
Yarmouth
Carlisle
Penrith
Kendal
Lancaster
Preston
Blackpool
Wolverhampton
Birmingham
Coventry
Leicester
Nottingham
Derby
Stafford
Northampton
Bedford
Ipswich
Colchester
Maidstone
Canterbury
Reading
Windsor
Salisbury
Winchester
Dorchester
Weymouth
Taunton
Barnstaple
Bideford
Tiverton
Exeter
Torquay
Plymouth
Falmouth
Penzance
Truro
Launceston
Bodmin
Wadebridge
Camborne
Redruth
St Ives
St Austell
Fowey
Looe
Liskeard
Tavistock
Okehampton
Crediton
Honiton
Axminster
Lyme Regis
Bridport
Dorchester
Weymouth
Poole
Christchurch
Ringwood
Lymington
Southampton
Portsmouth
Chichester
Arundel
Worthing
Brighton
Lewes
Eastbourne
Hastings
Rye
Winchelsea
Dover
Deal
Sandwich
Margate
Ramsgate
Canterbury
Faversham
Sittingbourne
Rochester
Chatham
Gravesend
Dartford
Greenwich
London
Kingston
Richmond
Hampton Court
Windsor
Eton
Slough
Reading
Henley
Oxford
Abingdon
Wallingford
Newbury
Basingstoke
Andover
Salisbury
Warminster
Frome
Shepton Mallet
Wells
Glastonbury
Bridgwater
Taunton
Chard
Ilminster
Yeovil
Sherborne
Blandford
Wimborne
Ringwood
Lymington
Newport
Ryde
Cowes
Yarmouth
Carmarthen
Llanelly
Swansea
Neath
Aberavon
Bridgend
Cardiff
Newport
Chepstow
Monmouth
Abergavenny
Brecon
Builth
Rhayader
Llandrindod
Presteigne
Knighton
Ludlow
Bridgnorth
Shrewsbury
Oswestry
Wrexham
Mold
Flint
Holywell
Rhyl
Denbigh
Ruthin
Llangollen
Corwen
Bala
Dolgelly
Barmouth
Harlech
Portmadoc
Pwllheli
Nevin
Carnarvon
Bangor
Beaumaris
Holyhead
Amlwch
Llanerchymedd
Conway
Llandudno
Abergele
St Asaph
Denbigh
Ruthin
Llangollen
Corwen
Bala
Dolgelly
Barmouth
Harlech
Portmadoc
Pwllheli
Nevin
Carnarvon
Bangor
Beaumaris
Holyhead
Amlwch
Llanerchymedd
Conway
Llandudno
Abergele
St Asaph
Mold
Flint
Holywell
Rhyl
Wrexham
Oswestry
Shrewsbury
Bridgnorth
Ludlow
Knighton
Presteigne
Rhayader
Llandrindod
Builth
Brecon
Abergavenny
Monmouth
Chepstow
Newport
Cardiff
Bridgend
Aberavon
Neath
Swansea
Llanelly
Carmarthen
Milford Haven
St Bride's Bay
Fishguard
Haverfordwest
Pembroke
Tenby
Carmarthen
Llandovery
Llandeilo
Llanelly
Swansea
Neath
Aberavon
Bridgend
Cardiff
Newport
Chepstow
Monmouth
Abergavenny
Brecon
Builth
Rhayader
Llandrindod
Presteigne
Knighton
Ludlow
Bridgnorth
Shrewsbury
Oswestry
Wrexham
Mold
Flint
Holywell
Rhyl
Denbigh
Ruthin
Llangollen
Corwen
Bala
Dolgelly
Barmouth
Harlech
Portmadoc
Pwllheli
Nevin
Carnarvon
Bangor
Beaumaris
Holyhead
Amlwch
Llanerchymedd
Conway
Llandudno
Abergele
St Asaph

Among the various disorders to which the kingdom was subject, no one was more universally complained of than the adulteration of the coin; and as this crime required more art than the English of that age, who chiefly employed force and violence in their iniquities, were possessed of, the imputation fell upon the Jews. Edward also seems to have indulged a strong prepossession against that nation; and this ill-judged zeal for Christianity being naturally augmented by an expedition to the Holy Land, he let loose the whole rigour of his justice against that unhappy people. Two hundred and eighty of them were hanged at once for this crime in London alone, besides those who suffered in other parts of the kingdom. The houses and lands, (for the Jews had of late ventured to make purchases of that kind,) as well as the goods of great multitudes, were sold and confiscated: and the king, lest it should be suspected that the riches of the sufferers were the chief part of their guilt, ordered a moiety of the money raised by these confiscations to be set apart, and bestowed upon such as were willing to be converted to Christianity. But resentment was more prevalent with them than any temptation from their poverty; and very few of them could be induced by interest to embrace the religion of their persecutors. The miseries of this people did not here terminate. Though the arbitrary talliages and exactions levied upon them had yielded a constant and considerable revenue to the crown, Edward, prompted by his zeal and his rapacity, resolved some time after to purge the kingdom entirely of that hated race, and to seize to himself at once their whole property as the reward of his labour. He left them only money sufficient to bear their charges into foreign countries, where new persecutions and extortions awaited them: but the inhabitants of the cinque-ports, imitating the bigotry and avidity of their sovereign, despoiled most of them of this small pittance, and even threw many of them into the sea: a crime for which the king, who was determined to be the sole plunderer in his dominions, inflicted a capital punishment upon them. No less than fifteen thousand Jews were at this time robbed of their effects, and banished the kingdom: very few of that nation have since lived in England: and as it is impossible for a nation to subsist without lenders of money, and none will lend without a compensation, the practice of usury, as it was then called, was thenceforth exercised by the English themselves upon their fellow-citizens, or by Lombards and other foreigners. It is very much to be questioned, whether the dealings of these new usurers were equally open and unexceptionable with those of the old. By a law of Richard, it was enacted, that three copies should be made of every bond given to a Jew; one to be put into the hands of a public magistrate, another into those of a man of credit, and a third to remain with the Jew himself. But as the canon law, seconded by the municipal, permitted no Christian to take interest, all transactions of this kind must, after the banishment of the Jews, have become more secret and clandestine; and the lender of consequence be paid both for the use of his money, and for the infamy and danger which he incurred by lending it.

The great poverty of the crown, though no excuse, was probably the cause of this egregious tyranny exercised against the Jews; but Edward also practised other more honourable means of remedying that evil. He employed a strict frugality in the management and distribution of his revenue; he engaged the parliament to vote him a fifteenth of all moveables; the pope to grant him the tenth of all ecclesiastical revenues for three years; and the merchants to consent to a perpetual imposition of half a mark on every sack of wool exported, and a mark on three hundred skins. He also issued commissions to inquire into all encroachments of the royal demesne; into the value of escheats, forfeitures, and wardships; and into the means of repairing or improving every branch of the revenue. The commissioners in the execution of their office began to carry matters too far against the nobility, and to question titles to estates which had been transmitted from father to son for several generations. Earl Warenne, who had done such eminent service in the late reign, being required to show his titles, drew his sword; and subjoined, that William the Bastard had not conquered the kingdom for himself alone: his ancestor was a joint adventurer in the enterprise; and he himself was determined to maintain what had from that period remained unquestioned in his family. The king, sensible of the danger, desisted from making further inquires of this nature.

CONQUEST OF WALES. 1276.

But the active spirit of Edward could not long remain without employment. He soon after undertook an enterprise more prudent for himself, and more advantageous to his people. Lewellyn, prince of Wales, had been deeply engaged with the Mountfort faction; had entered into all their conspiracies against the crown; had frequently fought on their side; and till the battle of Evesham, so fatal to that party, had employed every expedient to depress the royal cause, and to promote the success of the barons. In the general accommodation made with the vanquished, Lewellyn had also obtained his pardon; but as he was the most powerful, and therefore the most obnoxious vassal of the crown, he had reason to entertain anxiety about his situation, and to dread the future effects of resentment and jealousy in the English monarch. For this reason he determined to provide for his security by maintaining a secret correspondence with his former associates; and he even made his addresses to a daughter of the earl of Leicester, who was sent to him from beyond sea, but being intercepted in her passage near the isles of Scilly, was detained in the court of England. This incident increasing the mutual jealousy between Edward and Lewellyn, the latter, when required to come to England, and do homage to the new king, scrupled to put himself into the hands of an enemy, desired a safe-conduct from Edward, insisted upon having the king's son and other noblemen delivered to him as hostages, and demanded that his consort should previously be set at liberty. The king, having now brought the state to a full settlement, was not displeased with this occasion of exercising his authority, and subduing entirely the principality of Wales. He refused all Lewellyn's demands, except that of a safe conduct; sent him repeated summons to perform the duty of a vassal; levied an army to reduce him to obedience; obtained a new aid of a fifteenth from parliament; and marched out with certain assurance of success against the enemy. Besides the great disproportion of force between the kingdom and the principality, the circumstances of the two states were entirely reversed; [1277;] and the same intestine dissensions which had formerly weakened England, now prevailed in Wales, and had even taken place in the reigning family. David and Roderic, brothers to Lewellyn, dispossessed of their inheritance by that prince, had been obliged to have recourse to the protection of Edward; and they seconded with all their interest, which was extensive, his attempts to enslave their native country. The Welsh prince had no resource but in the inaccessible situation of his mountains, which had hitherto through many ages defended his forefathers against all attempts of the Saxon and Norman conquerors; and he retired among the hills of Snowdun, resolved to defend himself to the last extremity. But Edward, equally vigorous and cautious, entering by the north with a formidable army, pierced into the heart of the country; and having carefully explored every road before him, and secured every pass behind him, approached the Welsh army in its last retreat. He here avoided the putting to trial the valour of a nation proud of its ancient in-

dependence, and inflamed with animosity against its hereditary enemies; and he trusted to the slow but sure effects of famine for reducing that people to subjection. The rude and simple manners of the natives, as well as the mountainous situation of their country, had made them entirely neglect tillage, and trust to pasturage alone for their subsistence: a method of life which had hitherto secured them against the irregular attempts of the English, but exposed them to certain ruin when the conquest of the country was steadily pursued and prudently planned by Edward. Destitute of magazines, cooped up in a narrow corner, they, as well as their cattle, suffered all the rigours of famine; and Lewellyn, without being able to strike a stroke for his independence, was at last obliged to submit at discretion, and receive the terms imposed upon him by the victor. (19th November.) He bound himself to pay to Edward 50,000 pounds as a reparation of damages; to do homage to the crown of England; to permit all the other barons of Wales, except four near Snowdun, to swear fealty to the same crown; to relinquish the country between Cheshire and the river Conway; to settle on his brother Roderic a thousand marks a year, and on David five hundred; and to deliver ten hostages as security for his future submission.

Edward, on the performance of the other articles, remitted to the prince of Wales the payment of the 50,000 pounds, which were stipulated by treaty, and which it is probable the poverty of the country made it absolutely impossible for him to levy. But notwithstanding this indulgence, complaints of iniquities soon arose on the side of the vanquished: the English, insolent on their easy and bloodless victory, oppressed the inhabitants of the districts which were yielded to them: the lords marchers committed with impunity all kinds of violence on their Welsh neighbours: new and more severe terms were imposed on Lewellyn himself; and Edward, when the prince attended him at Worcester, exacted a promise that he would retain no person in his principality who should be obnoxious to the English monarch. There were other personal insults which raised the indignation of the Welsh, and made them determine rather to encounter a force which they had already experienced to be so much superior, than to bear oppression from the haughty victors. Prince David, seized with the national spirit, made peace with his brother, and promised to concur in the defence of public liberty. The Welsh fled to arms; and Edward, not displeased with the occasion of making his conquest final and absolute, assembled all his military tenants, and advanced into Wales with an army which the inhabitants could not reasonably hope to resist. The situation of the country gave the Welsh at first some advantage over Luke de Tany, one of Edward's captains, who had passed the Menau with a detachment: but Lewellyn, being surprised by Mortimer, was defeated and slain in an action, and 2,000 of his followers were put to the sword. David, who succeeded him in the principality, could never collect an army sufficient to face the English; and being chased from hill to hill, and hunted from one retreat to another, was obliged to conceal himself under various disguises, and was at last betrayed in his lurking-place to the enemy. Edward sent him in chains to Shrewsbury; and bringing him to a formal trial [1283] before all the peers of England, ordered this sovereign prince to be hanged, drawn, and quartered, as a traitor, for defending by arms the liberties of his native country, together with his own hereditary authority. All the Welsh nobility submitted to the conqueror; the laws of England, with the sheriffs and other ministers of justice, were established in that principality; and though it was long before national antipathies were extinguished, and a thorough union attained between the people, yet this important conquest, which it had required eight hundred years fully to effect, was at last, through the abilities of Edward, completed by the English.

1284. The king, sensible that nothing kept alive the ideas of military valour and of ancient glory so much as the traditional poetry of the people, which, assisted by the power of music and the jollity of festivals, made deep impression on the minds of the youth, gathered all the Welsh bards, and, from a barbarous though not absurd policy, ordered them to be put to death.

There prevails a vulgar story, which, as it well suits the capacity of the monkish writers, is carefully recorded by them: that Edward, assembling the Welsh, promised to give them a prince of unexceptionable manners, a Welshman by birth, and one who could speak no other language. On their acclamations of joy, and promise of obedience, he invested in the principality his second son, Edward, then an infant, who had been born at Carnarvon. The death of his eldest son, Alphonso, soon after made young Edward heir of the monarchy: the principality of Wales was fully annexed to the crown; and henceforth gives a title to the eldest son of the kings of England.

1286. The settlement of Wales appeared so complete to Edward, that in less than two years after he went abroad, in order to make peace between Alphonso, king of Arragon, and Philip the Fair, who had lately succeeded his father, Philip the Hardy, on the throne of France. The difference between these two princes had arisen about the kingdom of Sicily, which the pope, after his hopes from England failed him, had bestowed on Charles, brother to St. Louis, and which was claimed on other titles by Peter, king of Arragon, father to Alphonso. Edward had powers from both princes to settle the terms of peace, and he succeeded in his endeavours; but as the controversy nowise regards England, we shall not enter into a detail of it. He stayed abroad above three years; and on his return found many disorders to have prevailed, both from open violence, and from the corruption of justice.

Thomas Chamberlain, a gentleman of some note, had assembled several of his associates at Boston, in Lincolnshire, under pretence of holding a tournament, an exercise practised by the gentry only; but in reality with a view of plundering the rich fair of Boston, and robbing the merchants. To facilitate his purpose, he privately set fire to the town; and while the inhabitants were employed in quenching the flames, the conspirators broke into the booths, and carried off the goods. Chamberlain himself was detected and hanged; but maintained so steadily the point of honour to his accomplices, that he could not be prevailed on, by offers or promises, to discover any of them. Many other instances of robbery and violence broke out in all parts of England; though the singular circumstances attending this conspiracy have made it alone be particularly recorded by historians.

1289. But the corruption of the judges, by which the fountains of justice were poisoned, seemed of still more dangerous consequence. Edward, in order to remedy this prevailing abuse, summoned a parliament, and brought the judges to a trial; where all of them, except two who were clergymen, were convicted of this flagrant iniquity, were fined and deposed. The amount of the fines levied upon them is alone a sufficient proof of their guilt; being above one hundred thousand marks, an immense sum in those days, and sufficient to defray the charges of an expensive war between two great kingdoms. The king afterwards made all the new judges swear that they would take no bribes; but his expedient, of deposing and fining the old ones, was the more effectual remedy.

We now come to give an account of the state of affairs in Scotland, which gave rise to the most interesting transactions of this reign, and of some of the subsequent; though the intercourse of that kingdom with England, either in peace or war, had hitherto produced so few events of moment, that, to avoid tediousness, we have omitted many of them, and have been very concise in relating the rest. If the Scots

had before this period any real history worthy of the name, except what they glean from scattered passages in the English historians, those events, however minute, yet being the only foreign transactions of the nation, might deserve a place in it.

AFFAIRS OF SCOTLAND.

Though the government of Scotland had been continually exposed to those factions and convulsions which are incident to all barbarous and to many civilized nations; and though the successions of their kings, the only part of their history which deserves any credit, had often been disordered by irregularities and usurpations, the true heir of the royal family had still in the end prevailed, and Alexander III., who had espoused the sister of Edward, probably inherited, after a period of about eight hundred years, and through a succession of males, the sceptre of all the Scottish princes who had governed the nation since its first establishment in the island. This prince died in 1286, by a fall from his horse at Kinghorn, without leaving any male issue, and without any descendant, except Margaret, born of Eric, king of Norway, and of Margaret, daughter of the Scottish monarch. This princess, commonly called the Maid of Norway, though a female, and an infant, and a foreigner, yet being the lawful heir of the kingdom, had, through her grandfather's care, been recognized successor by the states of Scotland; and on Alexander's death, the dispositions which had been previously made against that event appeared so just and prudent, that no disorders, as might naturally be apprehended, ensued in the kingdom. Margaret was acknowledged queen of Scotland; five guardians, the bishops of St. Andrews and Glasgow, the earls of Fife and Buchan, and James, steward of Scotland, entered peaceably upon the administration; and the infant princess, under the protection of Edward, her great uncle, and Eric, her father, who exerted themselves on this occasion, seemed firmly seated on the throne of Scotland. The English monarch was naturally led to build mighty projects on this incident; and having lately by force of arms brought Wales under subjection, he attempted, by the marriage of Margaret, with his eldest son, Edward, to unite the whole island into one monarchy, and thereby to give it security both against domestic convulsions and foreign invasions . . . . 1290. The amity which had of late prevailed between the two nations, and which, even in former times, had never been interrupted by any violent wars or injuries, facilitated extremely the execution of this project, so favourable to the happiness and grandeur of both kingdoms; and the states of Scotland readily gave their assent to the English proposals, and even agreed that their young sovereign should be educated in the court of Edward. Anxious, however, for the liberty and independency of their country, they took care to stipulate very equitable conditions, ere they entrusted themselves into the hands of so great and so ambitious a monarch. It was agreed that they should enjoy all their ancient laws, liberties, and customs; that in case young Edward and Margaret should die without issue, the crown of Scotland should revert to the next heir, and should be inherited by him free and independent; that the military tenants of the crown should never be obliged to go out of Scotland, in order to do homage to the sovereign of the united kingdoms, nor the chapters of cathedral, collegiate, or conventual churches, in order to make elections; that the parliaments summoned for Scottish affairs should always be held within the bounds of that kingdom; and that Edward should bind himself, under the penalty of 100,000 marks, payable to the pope for the use of the holy wars, to observe all these articles. It is not easy to conceive that two nations could have treated more on a foot of equality than Scotland and England maintained during the whole course of this transaction: and though Edward gave his assent to the article concerning the future independency of the Scottish crown, with a "*saving of his former rights;*" this reserve gave no alarm to the nobility of Scotland, both because these rights, having hitherto been little heard of, had occasioned no disturbance, and because the Scots had so near a prospect of seeing them entirely absorbed in the rights of their sovereignty.

COMPETITION FOR THE CROWN OF SCOTLAND. 1291.

But this project, so happily formed, and so amicably conducted, failed of success, by the sudden death of the Norwegian princess, who expired on her passage to Scotland, and left a very dismal prospect to the kingdom. Though disorders were for the present obviated by the authority of the regency formerly established, the succession itself of the crown was now become an object of dispute; and the regents could not expect that a controversy, which is not usually decided by reason and argument alone, would be peaceably settled by them, or even by the states of the kingdom, amidst so many powerful pretenders. The posterity of William, king of Scotland, the prince taken prisoner by Henry II., being all extinct by the death of Margaret of Norway, the right to the crown devolved on the issue of David, earl of Huntingdon, brother to William, whose male line being also extinct, left the succession open to the posterity of his daughters. The earl of Huntingdon had three daughters; Margaret, married to Alan, lord of Galloway; Isabella, wife of Robert Brus or Bruce, lord of Annandale; and Adama, who espoused Henry, lord Hastings. Margaret, the eldest of the sisters, left one daughter, Devergilda, married to John Baliol, by whom she had a son of the same name, one of the present competitors for the crown: Isabella, the second, bore a son, Robert Bruce, who was now alive, and who also insisted on his claim: Adama, the third, left a son, John Hastings, who pretended that the kingdom of Scotland, like many other inheritances, was divisible among the three daughters of the earl of Huntingdon, and that he, in right of his mother, had a title to a third of it. Baliol and Bruce united against Hastings, in maintaining that the kingdom was indivisible; but each of them, supported by plausible reasons, asserted the preference of his own title. Baliol was sprung from the elder branch; Bruce was one degree nearer the common stock: if the principle of representation was regarded, the former had the better claim; if propinquity was considered, the latter was entitled to the preference: the sentiments of men were divided; all the nobility had taken part on one side or the other; the people followed implicitly their leaders. The two claimants themselves had great power and numerous retainers in Scotland; and it is no wonder that, among a rude people, more accustomed to arms than inured to laws, a controversy of this nature, which could not be decided by any former precedent among them, and which is capable of exciting commotions in the most legal and best established governments, should threaten the state with the most fatal convulsions.

Each century had its peculiar mode in conducting business; and men, guided more by custom than by reason, follow, without inquiry, the manners which are prevalent in their own time. The practice of that age, in controversies between states and princes, seems to have been to choose a foreign prince, as an equal arbiter, by whom the question was decided, and whose sentence prevented those dismal confusions and disorders, inseparable at all times from war, but which were multiplied a hundred fold, and dispersed into every corner, by the nature of the feudal governments. It was thus that the English king and barons, in the preceding reign, had endeavoured to compose their dissensions by a reference to the king of France; and the celebrated integrity of that monarch had prevented all

the bad effects which might naturally have been dreaded from so perilous an expedient. It was thus that the kings of France and Arragon, and afterwards other princes, had submitted their controversies to Edward's judgment; and the remoteness of their states, the great power of the princes, and the little interest which he had on either side, had induced him to acquit himself with honour in his decisions. The parliament of Scotland, therefore, threatened with a furious civil war, and allured by the great reputation of the English monarch, as well as by the present amicable correspondence between the kingdoms, agreed in making a reference to Edward; and Fraser, bishop of St. Andrews, with other deputies, was sent to notify to him their resolution, and to claim his good offices in the present dangers to which they were exposed. His inclination, they flattered themselves, led him to prevent their dissensions, and to interpose with a power which none of the competitors would dare to withstand: when this expedient was proposed by one party, the other deemed it dangerous to object to it; indifferent persons thought that the imminent perils of a civil war would thereby be prevented; and no one reflected on the ambitious character of Edward, and the almost certain ruin which must attend a small state, divided by faction, when it thus implicitly submits itself to the will of so powerful and encroaching a neighbour.

HOMAGE OF SCOTLAND.

The temptation was too strong for the virtue of the English monarch to resist. He purposed to lay hold of the present favourable opportunity, and if not to create, at least to revive, his claim of a feudal superiority over Scotland; a claim which had hitherto lain in the deepest obscurity, and which, if ever it had been an object of attention, or had been so much as suspected, would have effectually prevented the Scottish barons from choosing him for an umpire. He well knew, that if this pretension were once submitted to, as it seemed difficult, in the present situation of Scotland, to oppose it, the absolute sovereignty of that kingdom (which had been the case with Wales) would soon follow; and that one great vassal, cooped up in an island with his liege lord, without resource from foreign powers, without aid from any fellow-vassals, could not long maintain his dominions against the efforts of a mighty kingdom, assisted by all the cavils which the feudal law afforded his superior against him. In pursuit of this great object, very advantageous to England, perhaps in the end no less beneficial to Scotland, but extremely unjust and iniquitous in itself, Edward busied himself in searching for proofs of his pretended superiority; and instead of looking into his own archives, which, if his claim had been real, must have afforded him numerous records of the homages done by the Scottish princes, and could alone yield him any authentic testimony, he made all the monasteries be ransacked for old chronicles and histories written by Englishmen, and he collected all the passages which seemed anywise to favour his pretensions. Yet even in this method of proceeding, which must have discovered to himself the injustice of his claim, he was far from being fortunate. He began his proofs from the time of Edward the Elder, and continued them through all the subsequent Saxon and Norman times; but produced nothing to his purpose. The whole amount of his authorities during the Saxon period, when stripped of the bombast and inaccurate style of the monkish historians, is, that the Scots had sometimes been defeated by the English, had received peace on disadvantageous terms, had made submissions to the English monarch, and had even perhaps fallen into some dependence on a power which was so much superior, and which they had not at that time sufficient force to resist. His authorities from the Norman period were, if possible, still less conclusive; the historians indeed make frequent mention of homage done by the northern potentate; but no one of them says that it was done for his kingdom; and several of them declare, in express terms, that it was relative only to the fiefs which he enjoyed south of the Tweed; in the same manner as the king of England himself swore fealty to the French monarch, for the fiefs which he inherited in France. And to such scandalous shifts was Edward reduced, that he quotes a passage from Hoveden, where it is asserted that a Scottish king had done homage to England; but he purposely omits the latter part of the sentence, which expresses that this prince did homage for the lands which he held in England.

When William, king of Scotland, was taken prisoner in the battle of Alnwic, he was obliged, for the recovery of his liberty, to swear fealty to the victor for his crown itself. The deed was performed according to all the rights of the feudal law; the record was preserved in the English archives, and is mentioned by all the historians; but as it is the only one of the kind, and as historians speak of this superiority as a great acquisition gained by the fortunate arms of Henry II., there can remain no doubt that the kingdom of Scotland was, in all former periods, entirely free and independent. Its subjection continued a very few years: king Richard, desirous, before his departure for the Holy Land, to conciliate the friendship of William renounced that homage, which, he says in express terms, had been extorted by his father; and he only retained the usual homage which had been done by the Scottish princes for the lands which they held in England.

But though this transaction rendered the independence of Scotland still more unquestionable, than if no fealty had ever been sworn to the English crown, the Scottish kings, apprized of the point aimed at by their powerful neighbours, seem for a long time to have retained some jealousy on that head, and in doing homage, to have anxiously obviated all such pretensions: when William, in 1200, did homage to John at Lincoln, he was careful to insert a salvo for his royal dignity: when Alexander III. sent assistance to his father-in-law, Henry III., during the wars of the barons, he previously procured an acknowledgment, that this aid was granted only from friendship, not from any right claimed by the English monarch: and when the same prince was invited to assist at the coronation of this very Edward, he declined attendance, till he received a like acknowledgment. [*See note* T, *at the end of this Vol.*]

But as all these reasons (and stronger could not be produced) were but a feeble rampart against the power of the sword, Edward, carrying with him a great army, which was to enforce his proofs, advanced to the frontiers, and invited the Scottish parliament, and all the competitors, to attend him in the castle of Norham, a place situated on the southern banks of the Tweed, in order to determine that cause which had been referred to his arbitration. But though this deference seemed due to so great a monarch, and was no more than what his father and the English barons had, in similar circumstances, paid to Louis IX., the king, careful not to give umbrage, and determined never to produce his claim, till it should be too late to think of opposition, sent the Scottish barons an acknowledgment, that, though at that time they passed the frontiers, this step should never be drawn into precedent, or afford the English kings a pretence for exacting a like submission in any future transaction. When the whole Scottish nation had thus unwarily put themselves into his power, Edward opened the conference at Norham: (10th May:) he informed the parliament, by the mouth of Roger le Brabancon, his chief-justiciary, that he was come thither to determine the right among the competitors to their crown; that he was determined to do strict justice to all parties; and that he was entitled to this authority, not in virtue of the reference made to him, but in quality of superior and liege lord of the king-

dom. [*See note* U, *at the end of this Vol.*] He then produced his proofs of this superiority, which he pretended to be unquestionable, and he required of them an acknowledgment of it; a demand which was superfluous if the fact were already known and avowed, and which plainly betrays Edward's consciousness of his lame and defective title. The Scottish parliament was astonished at so new a pretension, and answered only by their silence. But the king, in order to maintain the appearance of free and regular proceedings, desired them to remove into their own country, to deliberate upon his claim, to examine his proofs, to propose all their objections, and to inform him of their resolution; and he appointed a plain at Upsettleton, on the northern banks of the Tweed, for that purpose.

When the Scottish barons assembled in this place, though moved with indignation at the injustice of this unexpected claim, and at the fraud with which it had been conducted, they found themselves betrayed into a situation in which it was impossible for them to make any defence for the ancient liberty and independence of their country. The king of England, a martial and politic prince, at the head of a powerful army, lay at a very small distance, and was only separated from them by a river fordable in many places. Though by a sudden flight some of them might themselves be able to make their escape, what hopes could they entertain of securing the kingdom against his future enterprises? Without a head, without union among themselves, attached all them to different competitors, whose title they had rashly submitted to the decision of this foreign usurper, and who were thereby reduced to an absolute dependence upon him, they could only expect by resistance, to entail on themselves and their posterity a more grievous and more destructive servitude. Yet, even in this desperate state of their affairs, the Scottish barons, as we learn from Walsingham,* one of the best historians of that period, had the courage to reply, that, till they had a king, they could take no resolution on so momentous a point. The journal of king Edward says, that they made no answer at all; that is, perhaps, no *particular* answer or objection to Edward's claim; and by this solution it is possible to reconcile the journal with the historian. The king, therefore, interpreting their silence as consent, addressed himself to the several competitors, and previously to his pronouncing sentence, required their acknowledgment of his superiority.

It is evident from the genealogy of the royal family of Scotland, that there could only be two questions about the succession, that between Baliol and Bruce on the one hand, and lord Hastings on the other, concerning the partition of the crown; and that between Baliol and Bruce themselves, concerning the preference of their respective titles, supposing the kingdom indivisible: yet there appeared on this occasion no less than nine claimants besides: John Comyn, or Cummin, lord of Badenoch, Florence, earl of Holland, Patric Dunbar, earl of March, William de Vescey, Robert de Pynkeni, Nicholas de Soules, Patric Galythly, Roger de Mandeville, Robert de Ross, not to mention the king of Norway, who claimed as heir to his daughter Margaret. Some of these competitors were descended from more remote branches of the royal family; others were even sprung from illegitimate children; and as none of them had the least pretence of right, it is natural to conjecture that Edward had secretly encouraged them to appear in the lists of claimants, that he might sow the more division among the Scottish nobility, make the cause appear the more intricate, and be able to choose, among a great number, the most obsequious candidate.

But he found them all equally obsequious on this occasion. Robert Bruce was the first that acknowledged Edward's right of superiority over Scotland; and he had so far foreseen the king's pretensions, that even in his petition, where he set forth his claim to the crown, he had previously applied to him as liege lord of the kingdom, a step which was not taken by any of the other competitors. They all, however, with seeming willingness, made a like acknowledgment when required; though Baliol, lest he should give offence to the Scottish nation, had taken care to be absent during the first days, and he was the last that recognised the king's title. Edward next deliberated concerning the method of proceeding in the discussion of this great controversy. He gave orders that Baliol, and such of the competitors as adhered to him, should choose forty commissioners; Bruce and his adherents forty more; to these the king added twenty-four Englishmen: he ordered these hundred and four commissioners to examine the cause deliberately among themselves, and make their report to him: and he promised in the ensuing year to give his determination. Meanwhile he pretended that it was requisite to have all the fortresses of Scotland delivered into his hands, in order to enable him, without opposition, to put the true heir in possession of the crown; and this exorbitant demand was complied with both by the states and by the claimants. The governors also of all the castles immediately resigned their command, except Umfreville, earl of Angus, who refused, without a formal and particular acquittal from the parliament and the several claimants, to surrender his fortresses to so domineering an arbiter, who had given to Scotland so many just reasons of suspicion, Before this assembly broke up, which had fixed such a mark of dishonour on the nation, all the prelates and barons there present swore fealty to Edward; and that prince appointed commissioners to receive a like oath from all the other barons and persons of distinction in Scotland.

The king having finally made, as he imagined, this important acquisition, left the commissioners to sit at Berwick, and examine the titles of the several competitors who claimed the precarious crown, which Edward was willing for some time to allow the lawful heir to enjoy. He went southwards, both in order to assist at the funeral of his mother, queen Eleanor, who died about this time, and to compose some differences which had arisen among the principal nobility. Gilbert, earl of Gloucester, the greatest baron of the kingdom, had espoused the king's daughter; and being elated by that alliance, and still more by his own power, which, he thought, set him above the laws, he permitted his bailiffs and vassals to commit violence on the lands of Humphry Bohun, earl of Hereford, who retaliated the injury by like violence. But this was not a reign in which such illegal proceedings could pass with impunity. Edward procured a sentence against the two earls, committed them both to prison, and would not restore them to their liberty till he exacted a fine of 1000 marks from Hereford, and one of 10,000 from his son-in-law.

1292. During this interval, the titles of John Baliol and of Robert Bruce, whose claims appeared to be the best founded among the competitors for the crown of Scotland, were the subject of general disquisition, as well as of debate among the commissioners. Edward, in order to give greater authority to his intended decision, proposed this general question, both to the commissioners and to all the celebrated lawyers in Europe; Whether a person descended from the eldest sister, but further removed by one degree, were preferable, in the succession of kingdoms, fiefs, and other indivisible inheritances, to one descended from the younger sister, but one degree nearer to the common stock? This was the true state of the case; and the principle of representation had now gained such ground everywhere, that a uniform answer was returned to the king in the affirmative. He therefore pronounced sentence in favour of Baliol; and when Bruce, upon this disappointment, joined afterwards lord Hastings, and claimed a third of the kingdom, which he now pretended to be divisible, Edward, though his interest

* It is said by Hemingford, vol. i. p. 33, that the king menaced violently the Scotch barons, and forced them to compliance, at least to silence.

seemed more to require the partition of Scotland, again pronounced sentence in favour of Baliol. That competitor, upon renewing his oath of fealty to England, was put in possession of the kingdom; all his fortresses were restored to him; and the conduct of Edward, both in the deliberate solemnity of the proceedings, and in the justice of the award, was so far unexceptionable.

1293. Had the king entertained no other view than that of establishing his superiority over Scotland, though the iniquity of that claim was apparent, and was aggravated by the most egregious breach of trust, he might have fixed his pretensions, and have left that important acquisition to his posterity: but he immediately proceeded in such a manner, as made it evident that, not content with this usurpation, he aimed also at the absolute sovereignty and dominion of the kingdom. Instead of gradually inuring the Scots to the yoke, and exerting his rights of superiority with moderation, he encouraged all appeals to England; required king John himself, by six different summons on trivial occasions, to come to London; refused him the privilege of defending his cause by a procurator; and obliged him to appear at the bar of his parliament as a private person. These humiliating demands were hitherto quite unknown to a king of Scotland: they are, however, the necessary consequence of vassalage by the feudal law; and as there was no preceding instance of such treatment submitted to by a prince of that country, Edward must, from that circumstance alone, had there remained any doubt, have been himself convinced that his claim was altogether an usurpation. [*See note* V, *at the end of this Vol.*] But his intention plainly was, to enrage Baliol by these indignities, to engage him in rebellion, and to assume the dominion of the state, as a punishment of his treason and felony. Accordingly Baliol, though a prince of a soft and gentle spirit, returned into Scotland highly provoked at this usage, and determined at all hazards to vindicate his liberty: and the war which soon after broke out between France and England gave him a favourable opportunity of executing his purpose.

WAR WITH FRANCE.

The violence, robberies, and disorders, to which that age was so subject, were not confined to the licentious barons and their retainers at land: the sea was equally infested with piracy: the feeble execution of the laws had given licence to all orders of men; and a general appetite for rapine and revenge, supported by a false point of honour, had also infected the merchants and mariners; and it pushed them, on any provocation, to seek redress by immediate retaliation upon the aggressors. A Norman and an English vessel met off the coast near Bayonne; and both of them having occasion for water, they sent their boats to land, and the several crews came at the same time to the same spring: there ensued a quarrel for the preference: a Norman, drawing his dagger, attempted to stab an Englishman; who, grappling with him, threw his adversary on the ground; and the Norman, as was pretended, falling on his own dagger, was slain. This scuffle between two seamen about water, soon kindled a bloody war between the two nations, and involved a great part of Europe in the quarrel. The mariners of the Norman ship carried their complaints to the French king: Philip, without inquiring into the fact, without demanding redress, bade them take revenge, and trouble him no more about the matter. The Normans, who had been more regular than usual in applying to the crown, needed but this hint to proceed to immediate violence. They seized an English ship in the Channel; and hanging, along with some dogs, several of the crew on the yard-arm, in presence of their companions, dismissed the vessel; and bade the mariners inform their countrymen, that vengeance was now taken for the blood of the Norman killed at Bayonne. This injury, accompanied with so general and deliberate an insult, was resented by the mariners of the cinque-ports, who, without carrying any complaint to the king, or waiting for redress, retaliated, by committing like barbarities on all French vessels without distinction. The French, provoked by their losses, preyed on the ships of all Edward's subjects, whether English or Gascon: the sea became a scene of piracy between the nations: the sovereigns, without either seconding or repressing the violence of their subjects, seemed to remain indifferent spectators: the English made private associations with the Irish and Dutch seamen; the French with Flemish and Genoese. and the animosities of the people on both sides became every day more violent and barbarous. A fleet of two hundred Norman vessels set sail to the south for wine and other commodities; and in their passage seized all the English ships which they met with; hanged the seamen, and seized the goods. The inhabitants of the English seaports, informed of this incident, fitted out a fleet of sixty sail, stronger and better manned than the others, and awaited the enemy on their return. After an obstinate battle, they put them to rout, and sunk, destroyed, or took the greater part of them. No quarter was given; and it is pretended that the loss of the French amounted to fifteen thousand men: which is accounted for by this circumstance, that the Norman fleet was employed in transporting a considerable body of soldiers from the south.

The affair was now become too important to be any longer overlooked by the sovereigns. On Philip's sending an envoy to demand reparation and restitution, the king dispatched the bishop of London to the French court, in order to accommodate the quarrel. He first said that the English courts of justice were open to all men; and if any Frenchman were injured, he might seek reparation by course of law. He next offered to adjust the matter by private arbiters, or by a personal interview with the king of France, or by a reference either to the pope or the college of cardinals, or any particular cardinals agreed on by both parties. The French, probably the more disgusted as they were hitherto losers in the quarrel, refused all these expedients: the vessels and the goods of merchants were confiscated on both sides; depredations were continued by the Gascons on the western coast of France, as well as by the English in the Channel: Philip cited the king, as duke of Guienne, to appear in his court at Paris, and answer for these offences: and Edward, apprehensive of danger to that province, sent John St. John, an experienced soldier, to Bourdeaux, and gave him directions to put Guienne in a posture of defence.

1294. That he might, however, prevent a final rupture between the nations, the king dispatched his brother, Edmond, earl of Lancaster, to Paris; and as this prince had espoused the queen of Navarre, mother to Jane, queen of France, he seemed, on account of that alliance, the most proper person for finding expedients to accommodate the difference. Jane pretended to interpose with her good offices: Mary, the queen-dowager, feigned the same amicable disposition: and these two princesses told Edmond, that the circumstance the most difficult to adjust was the point of honour with Philip, who thought himself affronted by the injuries committed against him by his sub-vassals in Guienne: but if Edward would once consent to give him seizin and possession of that province, he would think his honour fully repaired, would engage to restore Guienne immediately, and would accept of a very easy satisfaction for all the other injuries. The king was consulted on the occasion; and as he then found himself in immediate danger of war with the Scots, which he regarded as the more important concern, this politic prince, blinded by his favourite passion for subduing that nation, allowed himself to be deceived by so gross an artifice. He sent his brother orders to sign and execute the treaty with the two queens; Philip

solemnly promised to execute his part of it; and the king's citation to appear in the court of France was accordingly recalled: but the French monarch was no sooner put in possession of Guienne, than the citation was renewed; Edward was condemned for non-appearance; and Guienne, by a formal sentence, was declared to be forfeited and annexed to the crown.

Edward, fallen into a like snare with that which he himself had spread for the Scots, was enraged; and the more so, as he was justly ashamed of his own conduct, in being so egregiously overreached by the court of France. Sensible of the extreme difficulties which he should encounter in the recovery of Gascony, where he had not retained a single place in his hands, he endeavoured to compensate that loss, by forming alliances with several princes, who he projected should attack France on all quarters, and make a diversion of her forces. Adolphus de Nassau, king of the Romans, entered into a treaty with him for that purpose; as did also Amadæus, count of Savoy, the archbishop of Cologne, the counts of Gueldre and Luxembourg, the duke of Brabant and count of Barre, who had married his two daughters, Margaret and Eleanor: but these alliances were extremely burdensome to his narrow revenues, and proved in the issue entirely ineffectual. More impression was made on Guienne by an English army, which he completed by emptying the jails of many thousand thieves and robbers, who had been confined there for their crimes. So low had the profession of arms fallen, and so much had it degenerated from the estimation in which it stood during the vigour of the feudal system!

1295. The king himself was detained in England, first by contrary winds, then by his apprehension of a Scottish invasion, and by a rebellion of the Welsh, whom he repressed and brought again under subjection. The army which he sent to Guienne, was commanded by his nephew, John de Bretagne, earl of Richmond, and under him by St. John, Tibetot, de Vere, and other officers of reputation; who made themselves masters of the town of Bayonne, as well as of Bourg, Blaye, Reole, St. Severe, and other places, which straitened Bourdeaux, and cut off its communication both by sea and land. The favour which the Gascon nobility bore to the English government facilitated these conquests, and seemed to promise still greater successes; but this advantage was soon lost by the misconduct of some of the officers. Philip's brother, Charles de Valois, who commanded the French armies, having laid siege to Podensac, a small fortress near Reole, obliged Giffard, the governor, to capitulate; and the articles, though favourable to the English, left all the Gascons prisoners at discretion, of whom above fifty were hanged by Charles as rebels: a policy by which he both intimidated that people, and produced an irreparable breach between them and the English. That prince immediately attacked Reole, where the earl of Richmond himself commanded; and as the place seemed not tenable, the English general drew his troops to the water-side, with an intention of embarking with the greater part of the army. The enraged Gascons fell upon his rear, and at the same time opened their gates to the French; who, besides making themselves masters of the place, took many prisoners of distinction. St. Severe was more vigorously defended by Hugh de Vere, son of the earl of Oxford; but was at last obliged to capitulate. The French king, not content with these successes in Gascony, threatened England with an invasion; and, by a sudden attempt, his troops took and burnt Dover; but were obliged soon after to retire. And in order to make a greater diversion of the English force, and engage Edward in dangerous and important wars, he formed a secret alliance with John Baliol, king of Scotland; the commencement of that strict union which during so many centuries was maintained by mutual interests and necessities between the French and Scottish nations. John confirmed this alliance, by stipulating a marriage between his eldest son and the daughter of Charles de Valois.

DIGRESSION CONCERNING THE CONSTITUTION OF PARLIAMENT.

The expenses attending these multiplied wars of Edward, and his preparations for war, joined to alterations which had insensibly taken place in the general state of affairs, obliged him to have frequent recourse to parliamentary supplies, introduced the lower orders of the state into the public councils, and laid the foundations of great and important changes in the government.

Though nothing could be worse calculated for cultivating the arts of peace, or maintaining peace itself, than the long subordination of vassalage from the king to the meanest gentleman, and the consequent slavery of the lower people, evils inseparable from the feudal system, that system was never able to fix the state in a proper warlike posture, or give it the full exertion of its power for defence, and still less for offence, against a public enemy. The military tenants, unacquainted with obedience, inexperienced in war, held a rank in the troops by their birth, not by their merits or services, composed a disorderly, and consequently a feeble army; and during the few days which they were obliged by their tenures to remain in the field, were often more formidable to their own prince than to foreign powers against whom they were assembled. The sovereigns came gradually to disuse this cumbersome and dangerous machine, so apt to recoil upon the hand which held it, and exchanging the military service for pecuniary supplies, enlisted forces by means of a contract with particular officers, (such as those the Italians denominate *Condottieri*,) whom they dismissed at the end of the war. The barons and knights themselves often entered into these engagements with the prince, and were enabled to fill their bands, both by the authority which they possessed over their vassals and tenants, and from the great numbers of loose, disorderly people, whom they found on their estates, and who willingly embraced an opportunity of gratifying their appetite for war and rapine.

Meanwhile the old Gothic fabric, being neglected, went gradually to decay. Though the Conqueror had divided all the lands of England into sixty thousand knights' fees, the number of these was insensibly diminished by various artifices, and the king at last found, that by putting the law in execution, he could assemble a small part only of the ancient force of the kingdom. It was an usual expedient for men who held of the king or great barons by military tenure, to transfer their land to the church, and receive it back by another tenure, called frankalmoigne, by which they were not bound to perform any service. A law was made against this practice, but the abuse had probably gone far before it was attended to, and probably was not entirely corrected by the new statute, which, like most laws of that age, we may conjecture to have been but feebly executed by the magistrate against the perpetual interest of so many individuals. The constable and mareschal, when they mustered the armies, often in a hurry, and for want of better information, received the service of a baron for fewer knights' fees than were due by him; and one precedent of this kind was held good against the king, and became ever after a reason for diminishing the service. The rolls of knights' fees were inaccurately kept; no care was taken to correct them before the armies were summoned into the field;* it was then too late to think of examining records and charters, and the service was accepted on the footing which the vassal himself was pleased to acknowledge, after all the various subdivisions and conjunctions of property had thrown an obscurity on the nature and extent of his tenure. It is easy to judge of the intri-

* We have only of one king, Henry II., who took this pains; and the record called Liber niger Scaccarii was the result of it.

cacies which would attend disputes of this kind with individuals, when even the number of military fees belonging to the church, whose property was fixed and unalienable, became the subject of controversy; and we find in particular, that when the bishop of Durham was charged with seventy knights' fees for the aid levied on occasion of the marriage of Henry II.'s daughter to the duke of Saxony, the prelate acknowledged ten and disowned the other sixty. It is not known in what manner this difference was terminated; but had the question been concerning an armament to defend the kingdom, the bishop's service would probably have been received without opposition for ten fees; and this rate must also have fixed all his future payments. Pecuniary scutages, therefore, diminished as much as military services:* other methods of filling the exchequer, as well as the armies, must be devised: new situations produced new laws and institutions; and the great alterations in the finances and military power of the crown, as well as in private property, were the source of equal innovations in every part of the legislature or civil government.

The exorbitant estates conferred by the Norman on his barons and chieftains, remained not long entire and unimpaired. The landed property was gradually shared out into more hands; and those immense baronies were divided, either by provisions to younger children, by partitions among co-heirs, by sale, or by escheating to the king, who gratified a great number of his courtiers, by dealing them out among them in smaller portions. Such moderate estates, as they required economy, and confined the proprietors to live at home, were better calculated for duration; and the order of knights and small barons grew daily more numerous, and began to form a very respectable rank or order in the state. As they were all immediate vassals of the crown by military tenure, they were, by the principles of the feudal law, equally entitled with the greatest barons to a seat in the national or general councils; and this right, though regarded as a privilege which the owners would not entirely relinquish, was also considered as a burden which they desired to be subjected to on extraordinary occasions only. Hence it was provided in the Charter of king John, that while the great barons were summoned to the national council by a particular writ, the small barons, under which appellation the knights were also comprehended, should only be called by a general summons of the sheriff. The distinction between great and small barons, like that between rich and poor, was not exactly defined; but, agreeably to the inaccurate genius of that age, and to the simplicity of ancient government, was left very much to be determined by the discretion of the king and his ministers. It was usual for the prince to require, by a particular summons, the attendance of a baron in one parliament, and to neglect him in future parliaments; nor was this uncertainty ever complained of as an injury. He attended when required; he was better pleased, on other occasions, to be exempted from the burden; and as he was acknowledged to be of the same order with the greatest barons, it gave them no surprise to see him take his seat in the great council, whether he appeared of his own accord, or by a particular summons from the king. The barons by *writ*, therefore, began gradually to intermix themselves with the barons by *tenure*: and, as Camden tells us, from an ancient manuscript now lost, that after the battle of Evesham a positive law was enacted, prohibiting every baron from appearing in parliament who was not invited thither by a particular summons, the whole baronage of England held thenceforward their seat by writ, and this important privilege of their tenures was in effect abolished. Only where writs had been regularly continued for some time in one great family, the omission of them would have been regarded as an affront, and even as an injury.

A like alteration gradually took place in the order of earls, who were the highest rank of barons. The dignity of an earl, like that of a baron, was anciently territorial and official: he exercised jurisdiction within his county; he levied the third of the fines to his own profit; he was at once a civil and a military magistrate, and though his authority, from the time of the Norman conquest, was hereditary in England, the title was so much connected with the office, that where the king intended to create a new earl, he had no other expedient than to erect a certain territory into a county, or earldom, and to bestow it upon the person and his family.* But as the sheriffs, who were the vicegerents of the earls, were named by the king, and removeable at pleasure, he found them more dependent upon him, and endeavoured to throw the whole authority and jurisdiction of the office into their hands. This magistrate was at the head of the finances, and levied all the king's rents within the county: he assessed at pleasure the talliages of the inhabitants in royal demesne; he had usually committed to him the management of wards, and often of escheats; he presided in the lower courts of judicature, and thus, though inferior to the earl in dignity, he was soon considered, by this union of the judicial and fiscal powers, and by the confidence reposed in him by the king, as much superior to him in authority, and undermined his influence within his own jurisdiction†. It became usual, in creating an earl, to give him a fixed salary, commonly about twenty pounds a year, in lieu of his third of the fines; the diminution of his power kept pace with the retrenchment of his profit, and the dignity of earl, instead of being territorial and official, dwindled into personal and titular. Such were the mighty alterations which already had fully taken place, or were gradually advancing in the house of peers, that is, in the parliament; for there seems anciently to have been no other house.

But though the introduction of barons by writ, and of titular earls had given some increase to royal authority, there were other causes which counterbalanced those innovations, and tended in a higher degree to diminish the power of the sovereign. The disuse into which the feudal militia had in a great measure fallen, made the barons almost entirely forget their dependence on the crown: by the diminution of the number of knights' fees, the king had no reasonable compensation when he levied scutages, and exchanged their service for money; the alienations of the crown lands had reduced him to poverty; and, above all, the concession of the Great Charter had set bounds to royal power, and had rendered it more difficult and dangerous for the prince to exert any extraordinary act of arbitrary authority. In this situation, it was natural for the king to court the friendship of the lesser barons and knights, whose influence was noways dangerous to him, and who, being exposed to oppression from their powerful neighbours, sought a legal protection under the shadow of the throne. He desired, therefore, to have their presence in parliament, where they served to control the turbulent resolutions of the great. To exact a regular attendance of the whole body would have produced confusion, and would have imposed too heavy a burden upon them. To summon only a few by writ, though it was practised, and had a good effect, served not entirely the king's purpose; because these members had no further authority than attended their personal character, and were eclipsed by the appearance of the more powerful nobility. He therefore dispensed with the attendance of most of the lesser barons in parliament; and in return for this indulgence, (for such it was then esteemed,) required them to choose in each county a certain number of their own body, whose

* In order to pay the sum of 100,000 marks, as king Richard's ransom, twenty shillings were imposed on each knight's fee. Had the fees remained on the original footing as settled by the Conqueror, this scutage would have amounted to 90,000 marks, which was nearly the sum required. But we find that other grievous taxes were imposed to complete it; a certain proof that many frauds and abuses had prevailed in the roll of knights' fees.

* This practice, however, seems to have been more familiar in Scotland, and the kingdoms on the continent, than in England.

† There are instances of the princes of the blood who accepted of the office of sheriff. Spelman *in voce* Vicecomes.

charges they bore, and who, having gained the confidence, carried with them, of course, the authority of the whole order. This expedient had been practised at different times in the reign of Henry III., and regularly during that of the present king. The numbers sent up by each county varied at the will of the prince; they took their seat among the other peers; because by their tenure they belonged to that order: the introducing of them into that house scarcely appeared an innovation: and though it was easily in the king's power, by varying their number, to command the resolutions of the whole parliament, this circumstance was little attended to in an age when force was more prevalent than laws, and when a resolution, though taken by the majority of a legal assembly, could not be executed if it opposed the will of the more powerful minority.

But there were other important consequences which followed the diminution and consequent disuse of the ancient feudal militia. The king's expense in levying and maintaining a military force for every enterprise was increased beyond what his narrow revenues were able to bear: as the scutages of his military tenants, which were accepted in lieu of their personal service, had fallen to nothing, there were no means of supply but from voluntary aids granted him by the parliament and clergy; or from the talliages which he might levy upon the towns and inhabitants in royal demesne. In the preceding year Edward had been obliged to exact no less than the sixth of all moveables from the laity, and a moiety of all ecclesiastical benefices, for his expedition into Poictou, and the suppression of the Welsh: and this distressful situation, which was likely often to return upon him and his successors, made him think of a new device, and summon the representatives of all the boroughs to parliament. This period, which is the twenty-third of his reign, seems to be the real and the true epoch of the house of commons, and the faint dawn of popular government in England. For the representatives of the counties were only deputies from the smaller barons and lesser nobility: and the former precedent of the representatives from the boroughs, who were summoned by the earl of Leicester, was regarded as the act of a violent usurpation, had been discontinued in all the subsequent parliaments; and if such a measure had not become necessary on other accounts, that precedent was more likely to blast than give credit to it.

During the course of several years, the kings of England, in imitation of other European princes, had embraced the salutary policy of encouraging and protecting the lower and more industrious orders of the state; whom they found well disposed to obey the laws and civil magistrate, and whose ingenuity and labour furnished commodities requisite for the ornament of peace and support of war. Though the inhabitants of the country were still left at the disposal of their imperious lords, many attempts were made to give more security and liberty to citizens, and make them enjoy unmolested the fruits of their industry. Boroughs were erected by royal patent within the demesne lands; liberty of trade was conferred upon them: the inhabitants were allowed to farm at a fixed rent their own tolls and customs: they were permitted to elect their own magistrates: justice was administered to them by these magistrates, without obliging them to attend the sheriff or county-court: and some shadow of independence, by means of these equitable privileges, was gradually acquired by the people. The king, however, retained still the power of levying talliages or taxes upon them at pleasure;* and though their poverty and the customs of the age, made these demands neither frequent nor exorbitant, such unlimited authority in the sovereign was a sensible check upon commerce, and was utterly incompatible with all the principles of a free government. But when the multiplied necessities of the crown produced a greater avidity for supply, the king, whose prerogative entitled him to exact it, found that he had not power sufficient to enforce his edicts, and that it was necessary, before he imposed taxes, to smooth the way for his demand, and to obtain the previous consent of the boroughs, by solicitations, remonstrances, and authority. The inconvenience of transacting this business with every particular borough was soon felt, and Edward became sensible that the most expeditious way of obtaining supply was, to assemble the deputies of all the boroughs, to lay before them the necessities of the state, to discuss the matter in their presence, and to require their consent to the demands of their sovereign. For this reason he issued writs to the sheriffs, enjoining them to send to parliament, along with two knights of the shire, two deputies from each borough within their county,* and these provided with sufficient powers from their community to consent, in their name, to what he and his council should require of them. "As it is a most equitable rule," he says, in his preamble to this writ, "that what concerns all should be approved of by all; and common dangers be repelled by united efforts;"† a noble principle, which may seem to indicate a liberal mind in the king, and which laid the foundation of a free and an equitable government.

After the election of these deputies by the aldermen and common council, they gave sureties for their attendance before the king and parliament: their charges were respectively borne by the borough which sent them; and they had so little idea of appearing as legislators, a character extremely wide of their low rank and condition, that no intelligence could be more disagreeable to any borough, than to find that they must elect, or to any individual than that he was elected to a trust from which no profit or honour could possibly be derived. They composed not, properly speaking, any essential part of the parliament; they sat apart both from the barons and knights, who disdained to mix with such mean personages; after they had given their consent to the taxes required of them, their business being then finished, they separated, even though the parliament still continued to sit, and to canvass the national business; and as they all consisted of men who were real burgesses of the place from which they were sent, the sheriff, when he found no person of abilities or wealth sufficient for the office, often used the freedom of omitting particular boroughs in his returns; and as he received the thanks of the people for this indulgence, he gave no displeasure to the court, who levied on all the boroughs, without distinction, the tax agreed to by the majority of deputies.‡

The union, however, of the representatives from the boroughs gave gradually more weight to the whole order; and it became customary for them, in return for the supplies which they granted, to prefer petitions to the crown for the redress of any particular grievance of which they found reason to complain. The more the king's demands multiplied, the faster these petitions increased both in number and authority; and the prince found it difficult to refuse men whose grants had supported his throne, and to whose assistance he might so soon be again obliged to have recourse. The

* The king had not only the power of talliating the inhabitants within his own demesnes, but that of granting to particular barons the power of talliating the inhabitants within theirs. See Brady's Answer to Petyt p. 118. Madox, Hist. of the Exchequer, page 518.

* Writs were issued to about 120 cities and boroughs.

† Brady of Boroughs, p. 25, 33, from the records. The writs of the parliament immediately preceding remain; and the return of knights is there required, but not a word of the boroughs; and demonstration that this was the very year in which they commenced. In the year immediately preceding, the taxes were levied by a seeming free consent of each particular borough, beginning with London. *Id.* p. 31, 32, 33, from the records. Also his Answer to Petyt, p. 4, 41.

‡ There is even an instance in the reign of Edward III., when the king named all the deputies. Brady's Ans. to Petyt, p. 16. If he fairly named the most considerable and creditable burgesses, little exception would be taken as their business was not to check the king, but to reason with him, and consent to his demands. It was not till the reign of Richard II., that the sheriffs were deprived of the power of omitting boroughs at pleasure. See Stat. at large, 5th Richard II., cap. 4

commons, however, were still much below the rank of legislators. [*See Note W, at the end of this Vol.*] Their petitions, though they received a verbal assent from the throne, were only the rudiments of laws: the judges were afterwards entrusted with the power of putting them into form; and the king, by adding to them the sanction of his authority, and that sometimes without the assent of the nobles, bestowed validity upon them. The age did not refine so much as to perceive the danger of these irregularities. No man was displeased that the sovereign, at the desire of any class of men, should issue an order which appeared only to concern that class; and his predecessors were so near possessing the whole legislative power, that he gave no disgust by assuming it in this seemingly inoffensive manner. But time and further experience gradually opened men's eyes, and corrected these abuses. It was found that no laws could be fixed for one order of men without affecting the whole; and that the force and efficacy of laws depended entirely on the terms employed in wording them. The house of peers, therefore, the most powerful order in the state, with reason expected that their assent should be expressly granted to all public ordinances;* and in the reign of Henry V., the commons required that no law should be framed merely upon their petitions, unless the statutes were worded by themselves, and had passed their house in the form of a bill.

But as the same causes which had produced a partition of the property continued still to operate, the number of knights and lesser barons, or what the English call the gentry, perpetually increased, and they sunk into a rank still more inferior to the great nobility. The equality of tenure was lost in the great inferiority of power and property; and the house of representatives from the counties was gradually separated from that of the peers, and formed a distinct order in the state. The growth of commerce meanwhile augmented the private wealth and consideration of the burgesses; the frequent demands of the crown increased their public importance; and as they resembled the knights of shires in one material circumstance, that of representing particular bodies of men, it no longer appeared unsuitable to unite them together in the same house, and to confound their rights and privileges. [*See note X, at the end of this Vol.*] Thus the third estate, that of the commons, reached at last its present form; and as the country gentlemen made thenceforwards no scruple of appearing as deputies from the boroughs, the distinction between the members was entirely lost, and the lower house acquired thence a great accession of weight and importance in the kingdom. Still, however, the office of this estate was very different from that which it has since exercised with so much advantage to the public. Instead of checking and controlling the authority of the king, they were naturally induced to adhere to him as the great fountain of law and justice, and to support him against the power of the aristocracy, which at once was the source of oppression to themselves, and disturbed him in the execution of the laws. The king in his turn gave countenance to an order of men, so useful and so little dangerous: the peers also were obliged to pay them some consideration; and by this means the third estate, formerly so abject in England, as well as in all other European nations, rose by slow degrees to their present importance; and in their progress made arts and commerce, the necessary attendants of liberty and equality, flourish in the kingdom. [*See note Y, at the end of this Vol.*]

What sufficiently proves that the commencement of the house of burgesses, who are the true commons, was not an affair of chance, but arose from the necessities of the present situation, is, that Edward at the very same time summoned deputies from the inferior clergy, the first that ever met in England, and he required them to impose taxes on their constituents for the public service. Formerly the ecclesiastical benefices bore no part of the burdens of the state: the pope indeed of late had often levied impositions upon them: he had sometimes granted this power to the sovereign: the king himself had in the preceding year exacted, by menaces and violence, a very grievous tax of half the revenues of the clergy; but as this precedent was dangerous, and could not easily be repeated in a government which required the consent of the subject to any extraordinary resolution, Edward found it more prudent to assemble a lower house of convocation, to lay before them his necessities, and to ask some supply. But on this occasion he met with difficulties. Whether that the clergy thought themselves the most independent body in the kingdom, or were disgusted by the former exorbitant impositions, they absolutely refused their assent to the king's demand of a fifth of their moveables; and it was not till a second meeting that, on their persisting in this refusal, he was willing to accept of a tenth. The barons and knights granted him, without hesitation, an eleventh; the burgesses a seventh. But the clergy still scrupled to meet on the king's writ, lest by such an instance of obedience they should seem to acknowledge the authority of the temporal power: and this compromise was at last fallen upon, that the king should issue his writ to the archbishop; and that the archbishop should, in consequence of it, summon the clergy, who, as they then appeared to obey their spiritual superior, no longer hesitated to meet in convocation. This expedient, however, was the cause why the ecclesiastics were separated into two houses of convocation under their several archbishops, and formed not one estate, as in other countries of Europe, which was at first the king's intention. We now return to the course of our narration.

Edward, conscious of the reasons of disgust which he had given to the king of Scots, informed of the dispositions of that people, and expecting the most violent effects of their resentment, which he knew he had so well merited, employed the supplies granted him by his people in making preparations against the hostilities of his northern neighbour. [1296.] When in this situation, he received intelligence of the treaty secretly concluded between John and Philip; and though uneasy at this concurrence of a French and Scottish war, he resolved not to encourage his enemies by a pusillanimous behaviour, or by yielding to their united efforts. He summoned John to perform the duty of a vassal, and to send him a supply of forces against an invasion from France, with which he was then threatened: he next required that the fortresses of Berwick, Jedborough, and Roxborough should be put into his hands as a security during the war: he cited John to appear in an English parliament to be held at Newcastle; and when none of these successive demands were complied with, he marched northward with numerous forces, 30,000 foot and 4,000 horse, to chastise his rebellious vassal. The Scottish nation, who had little reliance on the vigour and abilities of their prince, assigned him a council of twelve noblemen, in whose hands the sovereignty was really lodged, and who put the country in the best posture of which the present distractions would admit. A great army, composed of 40,000 infantry, though supported only by 500 cavalry, advanced to the frontiers; and after a fruitless attempt upon Carlisle, marched eastwards to defend those provinces which Edward was preparing to attack. But some of the most considerable of the Scottish nobles, Robert Bruce, the father and son, the earls of March and Angus, prognosticating the ruin of their country, from the concurrence of intestine divisions and a foreign invasion, endeavoured here to ingratiate themselves with Edward, by an early sub-

* In those instances found in Cotton's Abridgment, where the king appears to answer of himself the petitions of the commons, he probably exerted no more than that power which was long inherent in the crown, of regulating matters by royal edicts or proclamations. But no durable or general statute seems ever to have been made by the king from the petition of the commons alone, without the assent of the peers. It is more likely that the peers alone, without the commons, would enact statutes.

mission; and the king, encouraged by this favourable incident, led his army into the enemies' country, and crossed the Tweed without opposition at Coldstream. (28th March.) He then received a message from John, by which that prince, having now procured for himself and his nation pope Celestine's dispensation from former oaths, renounced the homage which had been done to England, and set Edward at defiance. This bravado was but ill supported by the military operations of the Scots. Berwick was already taken by assault; sir William Douglas, the governor, was made prisoner; above 7000 of the garrison were put to the sword; and Edward, elated by this great advantage, dispatched earl Warrenne with 12,000 men, to lay siege to Dunbar, which was defended by the flower of the Scottish nobility.

The Scots, sensible of the importance of this place, which, if taken, laid their whole country open to the enemy, advanced with their main army, under the command of the earls of Buchan, Lenox, and Marre, in order to relieve it. Warrenne, not dismayed at the great superiority of their number, marched out to give them battle. He attacked them (27th April) with great vigour; and as undisciplined troops, when numerous, are but the more exposed to a panic upon any alarm, he soon threw them into confusion, and chased them off the field with great slaughter. The loss of the Scots is said to have amounted to 20,000 men: the castle of Dunbar, with all its garrison, surrendered next day to Edward, who, after the battle, had brought up the main body of the English, and who now proceeded with an assured confidence of success. The castle of Roxborough was yielded by James, steward of Scotland; and that nobleman, from whom is descended the royal family of Stuart, was again obliged to swear fealty to Edward. After a feeble resistance, the castles of Edinburgh and Stirling opened their gates to the enemy. All the southern parts were instantly subdued by the English; and to enable them the better to reduce the northern, whose inaccessible situation seemed to give them some more security, Edward sent for a strong re-enforcement of Welsh and Irish, who, being accustomed to a desultory kind of war, were the best fitted to pursue the fugitive Scots into the recesses of their lakes and mountains. But the spirit of the nation was already broken by their misfortunes; and the feeble and timid Baliol discontented with his own subjects, and overawed by the English, abandoned all those resources which his people might yet have possessed in this extremity. He hastened to make his submissions to Edward; he expressed the deepest penitence for his disloyalty to his liege lord; and he made a solemn and irrevocable resignation of his crown into the hands of that monarch. Edward marched northwards to Aberdeen and Elgin, without meeting an enemy: no Scotchman approached him but to pay him submission and do him homage: even the turbulent Highlanders, ever refractory to their own princes, and averse to the restraint of laws, endeavoured to prevent the devastation of their country by giving him early proofs of obedience: and Edward, having brought the whole kingdom to a seeming state of tranquillity, returned to the south with his army. There was a stone to which the popular superstition of the Scots paid the highest veneration: all their kings were seated on it when they received the rite of inauguration; an ancient tradition assured them, that, wherever this stone was placed, their nation should always govern: and it was carefully preserved at Scone, as the true palladium of their monarchy, and their ultimate resource amidst all their misfortunes. Edward got possession of it, and carried it with him to England. He gave orders to destroy the records, and all those monuments of antiquity which might preserve the memory of the independence of the kingdom and refute the English claims of superiority. The Scots pretend that he also destroyed all the annals preserved in their convents: but it is not probable that a nation, so rude and unpolished, should be possessed of any history which deserves much to be regretted. The great seal of Baliol was broken; and that prince himself was carried prisoner to London, and committed to custody in the Tower. Two years after, he was restored to liberty, and submitted to a voluntary banishment in France; where, without making any further attempts for the recovery of his royalty, he died in a private station. Earl Warrenne was left governor of Scotland: Englishmen were entrusted with the chief offices: and Edward, flattering himself that he had attained the end of all his wishes, and that the numerous acts of fraud and violence, which he had practised against Scotland, had terminated in the final reduction of that kingdom, returned with his victorious army into England.

WAR WITH FRANCE.

An attempt which he made about the same time, for the recovery of Guienne, was not equally successful. He sent thither an army of 7000 men, under the command of his brother, the earl of Lancaster. That prince gained at first some advantages over the French at Bourdeaux; but he was soon after seized with a distemper, of which he died at Bayonne. The command devolved on the earl of Lincoln, who was not able to perform anything considerable during the rest of the campaign.

But the active and ambitious spirit of Edward, while his conquests brought such considerable accessions to the English monarchy, could not be satisfied, so long as Guienne, the ancient patrimony of his family, was wrested from him by the dishonest artifices of the French monarch. Finding that the distance of that province rendered all his efforts against it feeble and uncertain, he purposed to attack France in a quarter where she appeared more vulnerable; and with this view he married his daughter Elizabeth to John, earl of Holland, and at the same time contracted an alliance with Guy, earl of Flanders, stipulated to pay him the sum of 75,000 pounds, and projected an invasion, with their united forces, upon Philip, their common enemy. He hoped that, when he himself, at the head of the English, Flemish, and Dutch armies, re-enforced by his German allies, to whom he had promised or remitted considerable sums, should enter the frontiers of France, and threaten the capital itself, Philip would at last be obliged to relinquish his acquisitions, and purchase peace by the restitution of Guienne. But, in order to set this great machine in movement, considerable supplies were requisite from the parliament; and Edward, without much difficulty, obtained from the barons and knights a new grant of a twelfth of all their moveables, and from the boroughs that of an eighth. The great and almost unlimited power of the king over the latter enabled him to throw the heavier part of the burden on them; and the prejudices which he seems always to have entertained against the church, on account of the former zeal of the clergy for the Mountfort faction, made him resolve to load them with still more considerable impositions; and he required of them a fifth of their moveables. But he here met with an opposition which for some time disconcerted all his measures, and engaged him in enterprises that were somewhat dangerous to *him*; and would have proved fatal to any of his predecessors.

DISSENSIONS WITH THE CLERGY.

Boniface VIII., who had succeeded Celestine in the papal throne, was a man of the most lofty and enterprising spirit; and, though not endowed with that severity of manners which commonly accompanies ambition in men of his order, he was determined to carry the authority of the tiara, and his dominion over the temporal power, to as great a height as it had ever attained in any former period. Sensible that his immediate predecessors, by oppressing the church in

every province of Christendom, had extremely alienated the affections of the clergy, and had afforded the civil magistrate a pretence for laying like impositions on ecclesiastical revenues, he attempted to resume the former station of the sovereign pontiff, and to establish himself as the common protector of the spiritual order against all invaders. For this purpose he issued, very early in his pontificate, a general bull, prohibiting all princes from levying, without his consent, any taxes upon the clergy, and all clergymen from submitting to such impositions; and he threatened both of them with the penalties of excommunication in case of disobedience. This important edict is said to have been procured by the solicitation of Robert de Winchelsey, archbishop of Canterbury, who intended to employ it as a rampart against the violent extortions which the church had felt from Edward, and the still greater, which that prince's multiplied necessities gave them reason to apprehend. When a demand, therefore, was made on the clergy of a fifth of their moveables, a tax which was probably much more grievous than a fifth of their revenue, as their lands were mostly stocked with their cattle, and cultivated by their villains, the clergy took shelter under the bull of pope Boniface, and pleaded conscience in refusing compliance. The king came not immediately to extremities on this repulse; but, after locking up all their granaries and barns, and prohibiting all rent to be paid them, he appointed a new synod, to confer with him upon his demand. The primate, not dismayed by these proofs of Edward's resolution, here plainly told him, that the clergy owed obedience to two sovereigns, their spiritual and their temporal; but their duty bound them to a much stricter attachment to the former than to the latter: they could not comply with his commands, (for such, in some measure, the requests of the crown were then deemed,) in contradiction to the express prohibition of the sovereign pontiff.

1297. The clergy had seen, in many instances, that Edward paid little regard to those numerous privileges on which they set so high a value. He had formerly seized in an arbitrary manner, all the money and plate belonging to the churches and convents, and had applied them to the public service; and they could not but expect more violent treatment on this sharp refusal, grounded on such dangerous principles. Instead of applying to the pope for a relaxation of his bull, he resolved immediately to employ the power in his hands; and he told the ecclesiastics, that, since they refused to support the civil government, they were unworthy to receive any benefit from it; and he would accordingly put them out of the protection of laws. This vigorous measure was immediately carried into execution. Orders were issued to the judges to receive no cause brought before them by the clergy; to hear and decide all causes in which they were defendants; to do every man justice against them; to do them justice against nobody. The ecclesiastics soon found themselves in the most miserable situation imaginable. They could not remain in their own houses or convents for want of subsistence: if they went abroad in quest of maintenance, they were dismounted, robbed of their horses and clothes, abused by every ruffian, and no redress could be obtained by them for the most violent injury. The primate himself was attacked on the highway, was stripped of his equipage and furniture, and was at last reduced to board himself, with a single servant, in the house of a country clergyman. The king, meanwhile, remained an indifferent spectator of all these violences; and, without employing his officers in committing any immediate injury on the priests, which might have appeared invidious and oppressive, he took ample vengeance on them for their obstinate refusal of his demands. Though the archbishop issued a general sentence of excommunication against all who attacked the persons or property of the ecclesiastics, it was not regarded: while Edward enjoyed the satisfaction of seeing the people become the voluntary instruments of his justice against them, and inure themselves to throw off that respect for the sacred order, by which they had so long been overawed and governed.

The spirits of the clergy were at last broken by this harsh treatment. Besides that the whole province of York, which lay nearest the danger that still hung over them from the Scots, voluntarily, from the first, voted a fifth of their moveables: the bishops of Salisbury, Ely, and some others, made a composition for the secular clergy within their dioceses; and they agreed not to pay the fifth, which would have been an act of disobedience to Boniface's bull, but to deposit a sum equivalent in some church appointed them; whence it was taken by the king's officers. Many particular convents and clergymen made payment of a like sum, and received the king's protection. Those who had not ready money, entered into recognizances for the payment. And there was scarcely found one ecclesiastic in the kingdom, who seemed willing to suffer, for the sake of religious privileges, this new species of martyrdom, the most tedious and languishing of any, the most mortifying to spiritual pride, and not rewarded by that crown of glory which the church holds up, with such ostentation, to her devoted adherents.

ARBITRARY MEASURES.

But as the money granted by parliament, though considerable, was not sufficient to supply the king's necessities, and that levied by compositions with the clergy came in slowly, Edward was obliged, for the obtaining of further supply, to exert his arbitrary power, and to lay an oppressive hand on all orders of men in the kingdom. He limited the merchants in the quantity of wool allowed to be exported; and at the same time forced them to pay him a duty of forty shillings a sack, which was computed to be above the third of the value. He seized all the rest of the wool, as well as all the leather of the kingdom, into his hands, and disposed of these commodities for his own benefit. He required the sheriffs of each county to supply him with 2,000 quarters of wheat, and as many of oats, which he permitted them to seize wherever they could find them: the cattle and other commodities necessary for supplying his army were laid hold of without the consent of the owners. And though he promised to pay afterwards the equivalent of all these goods, men saw but little probability that a prince, who submitted so little to the limitations of law, could ever, amidst his multiplied necessities, be reduced to a strict observance of his engagements. He showed, at the same time, an equal disregard to the principles of the feudal law, by which all the lands of the kingdom were held: in order to increase his army, and enable him to support that great effort which he intended to make against France, he required the attendance of every proprietor of land possessed of twenty pounds a year, even though he held not of the crown, and was not obliged by his tenure to perform any such service.

These acts of violence and of arbitrary power, notwithstanding the great personal regard generally borne to the king, bred murmurs in every order of men; and it was not long ere some of the great nobility, jealous of their own privileges as well as of national liberty, gave countenance and authority to these complaints. Edward assembled on the sea-coast an army, which he purposed to send over to Gascony, while he himself should in person make an impression on the side of Flanders; and he intended to put these forces under the command of Humphrey Bohun, earl of Hereford, the constable, and Roger Bigod, earl of Norfolk, the mareschal of England. But these two powerful earls refused to execute his commands, and affirmed that they were only obliged by their office to attend his person in the wars. A violent altercation ensued; and the king, in the height

of his passion, addressing himself to the constable, exclaimed, "Sir earl, by God, you shall either go or hang!" "By God, sir king," replied Hereford, "I will neither go nor hang!" And he immediately departed with the mareschal, and above thirty other considerable barons.

Upon this opposition, the king laid aside the project of an expedition against Guienne; and assembled the forces which he himself purposed to transport into Flanders. But the two earls, irritated in the contest and elated by impunity, pretending that none of their ancestors had ever served in that country, refused to perform the duty of their office in mustering the army. The king, now finding it advisable to proceed with moderation, instead of attainting the earls, who possessed their dignities by hereditary right, appointed Thomas de Berkeley, and Geoffrey de Geyneville, to act, in that emergence, as constable and mareschal. He endeavoured to reconcile himself with the church; took the primate again into favour; made him, in conjunction with Reginald de Grey, tutor to the prince, whom he intended to appoint guardian of the kingdom during his absence; and he even assembled a great number of the nobility in Westminster-hall, to whom he deigned to make an apology for his past conduct. He pleaded the urgent necessities of the crown; his extreme want of money; his engagements from honour as well as interest to support his foreign allies: and he promised, if ever he returned in safety, to redress all their grievances, to restore the execution of the laws, and to make all his subjects compensation for the losses which they had sustained. Meanwhile, he begged them to suspend their animosities; to judge of him by his future conduct, of which, he hoped, he should be more master; to remain faithful to his government, or, if he perished in the present war, to preserve their allegiance to his son and successor.

There were certainly, from the concurrence of discontents among the great, and grievances of the people, materials sufficient in any other period to have kindled a civil war in England; but the vigour and abilities of Edward kept every one in awe; and his dexterity, in stopping on the brink of danger, and retracting the measures to which he had been pushed by his violent temper and arbitrary principles, saved the nation from so great a calamity. The two great earls dared not to break out into open violence: they proceeded no further than framing a remonstrance, which was delivered to the king at Winchelsea, when he was ready to embark for Flanders. They there complained of the violations of the Great Charter and that of forests; the violent seizures of corn, leather, cattle, and above all, of wool, a commodity which they affirmed to be equal in value to half the lands of the kingdom; the arbitrary imposition of forty shillings a sack, on the small quantity of wool allowed to be exported by the merchants; and they claimed an immediate redress of all these grievances. The king told them that the greater part of his council were now at a distance, and without their advice he could not deliberate on measures of so great importance.

DISSENSIONS WITH THE BARONS.

But the constable and mareschal, with the barons of their party, resolved to take advantage of Edward's absence, and to obtain an explicit assent to their demands. When summoned to attend the parliament at London, they came with a great body of cavalry and infantry; and before they would enter the city, required that the gates should be put into their custody. The primate, who secretly favoured all their pretensions, advised the council to comply; and thus they became masters both of the young prince and of the resolutions of parliament. Their demands, however, were moderate; and such as sufficiently justify the purity of their intentions in all their past measures: they only required that the two charters should receive a solemn confirmation; that a clause should be added to secure the nation for ever against all impositions and taxes without consent of parliament; and that they themselves and their adherents, who had refused to attend the king into Flanders, should be pardoned for the offence, and should be again received into favour. The prince of Wales and his council assented to these terms; and the charters were sent over to the king in Flanders to be there confirmed by him. Edward felt the utmost reluctance to this measure, which, he apprehended, would for the future impose fetters on his conduct, and set limits to his lawless authority. On various pretences he delayed three days giving any answer to the deputies; and when the pernicious consequences of his refusal were represented to him, he was at last obliged, after many internal struggles, to affix his seal to the charters, as also to the clause that bereaved him of the power, which he had hitherto assumed, of imposing arbitrary taxes upon the people.

That we may finish at once this interesting transaction concerning the settlement of the charters, we shall briefly mention the subsequent events which relate to it The constable and mareschal, informed of the king's compliance, were satisfied; and not only ceased from disturbing the government, but assisted the regency with their power against the Scots, who had risen in arms, and had thrown off the yoke of England. But being sensible that the smallest pretence would suffice to make Edward retract these detested laws, which, though they had often received the sanction both of king and parliament, and had been acknowledged during three reigns, were never yet deemed to have sufficient validity; they insisted that he should again confirm them on his return to England, and should thereby renounce all plea which he might derive from his residing in a foreign country when he formerly affixed his seal to them. It appeared that they judged right of Edward's character and intentions: he delayed his confirmation as long as possible; and when the fear of worse consequences obliged him again to comply, he expressly added a salvo for his royal dignity or prerogative, which in effect enervated the whole force of the charters. The two earls and their adherents left the parliament in disgust; and the king was constrained, on a future occasion, to grant to the people, without any subterfuge, a pure and absolute confirmation of those laws which were so much the object of their passionate affection. Even further securities were then provided for the establishment of national privileges. Three knights were appointed to be chosen in each county, and were invested with the power of punishing, by fine and imprisonment, every transgression or violation of the charters: a precaution which, though it was soon disused, as encroaching too much on royal prerogative, proves the attachment which the English in that age bore to liberty, and their well-grounded jealousy of the arbitrary disposition of Edward.

The work, however, was not yet entirely finished and complete. In order to execute the lesser charter, it was requisite, by new perambulations, to set bounds to the royal forests, and to disafforest all land which former encroachments had comprehended within their limits. Edward discovered the same reluctance to comply with this equitable demand; and it was not till after many delays on his part, and many solicitations and requests, and even menaces of war and violence,* on the part of the barons, that the perambulations were made, and exact boundaries fixed, by a jury in each county, to the extent of his forests. Had not his ambitious and active temper raised him so many foreign enemies, and obliged him to have recourse so often to the assistance of his subjects, it is not likely

* We are told by Tyrrel, vol. iii. p. 145, from the Chronicle of St. Albans, that the barons, not content with the execution of the charter of forests demanded of Edward as high terms as had been imposed on his father, by the earl of Leicester: but no other historian mentions this circumstance.

that those concessions could ever have been extorted from him.

But while the people, after so many successful struggles, deemed themselves happy in the secure possession of their privileges, they were surprised in 1305 to find that Edward had secretly applied to Rome, and had procured from that mercenary court, an absolution from all the oaths and engagements which he had so often reiterated, to observe both the charters. There are some historians so credulous as to imagine that this perilous step was taken by him for no other purpose than to acquire the merit of granting a new confirmation of the charters, as he did soon after; and a confirmation so much the more unquestionable, as it could never after be invalidated by his successors, on pretence of any force or violence which had been imposed upon him. But besides that this might have been done with a better grace, if he had never applied for any such absolution, the whole tenor of his conduct proves him to be little susceptible of such refinements in patriotism; and this very deed itself, in which he anew confirmed the charters, carries on the face of it a very opposite presumption. Though he ratified the charters in general, he still took advantage of the papal bull so far as to invalidate the late perambulations of the forests, which had been made with such care and attention, and to reserve to himself the power, in case of favourable incidents, to extend as much as formerly those arbitrary jurisdictions. If the power was not in fact made use of, we can only conclude that the favourable incidents did not offer.

Thus, after the contests of near a whole century, and these ever accompanied with violent jealousies, often with public convulsions, the Great Charter was finally established; and the English nation have the honour of extorting, by their perseverance, this concession from the ablest, the most warlike, and the most ambitious of all their princes.* It is computed, that above thirty confirmations of the Charter were at different times required of several kings, and granted by them, in full parliament; a precaution which, while it discovers some ignorance of the true nature of law and government, proves a laudable jealousy of national privileges in the people, and an extreme anxiety lest contrary precedents should ever be pleaded as an authority for infringing them, Accordingly we find, that, though arbitrary practices often prevailed, and were even able to establish themselves into settled customs, the validity of the Great Charter was never afterwards formally disputed; and that grant was still regarded as the basis of English government, and the sure rule by which the authority of every custom was to be tried and canvassed. The jurisdiction of the Star-chamber, martial law, imprisonment by warrants from the privy-council, and other practices of a like nature, though established for several centuries, were scarcely ever allowed by the English to be parts of their constitution: the affection of the nation for liberty still prevailed over all precedent, and even all political reasoning: the exercise of these powers, after being long the source of secret murmurs among the people, was, in fulness of time, solemnly abolished as illegal, at least as oppressive, by the whole legislative authority.

To return to the period from which this account of the charters has led us: though the king's impatience to appear at the head of his armies in Flanders made him overlook all considerations, either of domestic discontents or of commotions among the Scots; his embarkation had been so long retarded by the various obstructions thrown in his way, that he lost the proper season for action, and after his arrival made no progress against the enemy. The king of France, taking advantage of his absence, had broken into the Low Countries; had defeated the Flemings in the battle of Furnes; had made himself master of Lisle, St. Omer, Courtrai, and Ypres; and seemed in a situation to take full vengeance on the earl of Flanders, his rebellious vassal. But Edward, seconded by an English army of 50,000 men (for this is the number assigned by historians,) was able to stop the career of his victories; and Philip, finding all the weak resources of his kingdom already exhausted, began to dread a reverse of fortune, and to apprehend an invasion on France itself. The king of England on the other hand, disappointed of assistance from Adolph, king of the Romans, which he had purchased at a very high price, and finding many urgent calls for his presence in England, was desirous of ending, on any honourable terms, a war which served only to divert his force from the execution of more important projects. This disposition in both monarchs soon produced a cessation of hostilities for two years; and engaged them to submit their differences to the arbitration of pope Boniface.

1298. Boniface was among the last of the sovereign pontiffs that exercised an authority over the temporal jurisdiction of princes; and these exorbitant pretensions, which he had been tempted to assume from the successful example of his predecessors, but of which the season was now past, involved him in so many calamities, and were attended with so unfortunate a catastrophe, that they have been secretly abandoned, though never openly relinquished by his successors in the apostolic chair. Edward and Philip, equally jealous of papal claims, took care to insert in their reference, that Boniface was made judge of the difference by their consent, as a private person, not by any right of his pontificate; and the pope, without seeming to be offended at this mortifying clause, proceeded to give a sentence between them, in which they both acquiesced. He brought them to agree that their union should be cemented by a double marriage; that of Edward himself, who was now a widower, with Margaret, Philip's sister, and that of the prince of Wales with Isabella, daughter of that monarch. Philip was likewise willing to restore Guienne to the English, which he had indeed no good pretence to detain; but he insisted that the Scots, and their king, John Baliol, should, as his allies, be comprehended in the treaty, and should be restored to their liberty. Their difference, after several disputes, was compromised by their making mutual sacrifices to each other. Edward agreed to abandon his ally, the earl of Flanders, on condition that Philip should treat in like manner his ally, the king of Scots. The prospect of conquering these two countries, whose situation made them so commodious an acquisition to the respective kingdoms, prevailed over all other considerations; and though they were both finally disappointed in their hopes, their conduct was very reconcileable to the principles of an interested policy. This was the first specimen which the Scots had of the French alliance, and which was exactly conformable to what a smaller power must always expect, when it blindly attaches itself to the will and fortunes of a greater. That unhappy people, now engaged in a brave though unequal contest for their liberties, were totally abandoned by the ally in whom they reposed their final confidence, to the will of an imperious conqueror.

REVOLT OF SCOTLAND.

Though England as well as other European countries was, in its ancient state, very ill qualified for making, and still worse for maintaining, conquest, Scotland was so much inferior in its internal force, and was so ill situated for receiving foreign succours, that it is no wonder Edward, an ambitious monarch, should have cast his eye on so tempting an acquisition, which brought both security and greatness to his native

* It must, however, be remarked, that the king never forgave the chief actors in this transaction; and he found means afterwards to oblige both the constable and mareschal to resign their offices into his hands. The former received a new grant of it: but the office of mareschal was given to Thomas of Brotherton, the king's second son.

country. But the instruments whom he employed to maintain his dominion over the northern kingdom were not happily chosen; and acted not with the requisite prudence and moderation in reconciling the Scottish nation to a yoke which they bore with such extreme reluctance. Warrenne, retiring into England on account of his bad state of health, left the administration entirely in the hands of Ormesby, who was appointed justiciary of Scotland, and Cressingham, who bore the office of treasurer; and a small military force remained to secure the precarious authority of those ministers. The latter had no other object than the amassing of money by rapine and injustice: the former distinguished himself by the rigour and severity of his temper: and both of them, treating the Scots as a conquered people, made them sensible too early of the grievous servitude into which they had fallen. As Edward required that all the proprietors of land should swear fealty to him, every one who refused or delayed giving this testimony of submission, was outlawed and imprisoned, and punished without mercy; and the bravest and most generous spirits of the nation were thus exasperated to the highest degree against the English government.

There was one William Wallace, of a small fortune, but descended of an ancient family in the west of Scotland, whose courage prompted him to undertake, and enabled him finally to accomplish the desperate attempt of delivering his native country from the dominion of foreigners. This man, whose valorous exploits are the object of just admiration, but have been much exaggerated by the traditions of his countrymen, had been provoked by the insolence of an English officer to put him to death; and finding himself obnoxious on that account to the severity of the administration, he fled into the woods, and offered himself as a leader to all those whom their crimes, or bad fortune, or avowed hatred of the English, had reduced to a like necessity. He was endowed with gigantic force of body, with heroic courage of mind, with disinterested magnanimity, with incredible patience, and ability to bear hunger, fatigue, and all the severities of the seasons; and he soon acquired among those desperate fugitives that authority to which his virtues so justly entitled him. Beginning with small attempts, in which he was always successful, he gradually proceeded to more momentous enterprises; and he discovered equal caution in securing his followers, and valour in annoying the enemy. By his knowledge of the country he was enabled, when pursued, to ensure a retreat among the morasses, or forests, or mountains; and again collecting his dispersed associates, he unexpectedly appeared in another quarter, and surprised, and routed, and put to the sword the unwary English. Every day brought accounts of his great actions, which were received with no less favour by his countrymen than terror by the enemy: all those who thirsted after military fame were desirous to partake of his renown: his successful valour seemed to vindicate the nation from the ignominy into which it had fallen, by its tame submission to the English: and though no nobleman of note ventured as yet to join his party, he had gained a general confidence and attachment, which birth and fortune are not alone able to confer.

Wallace having, by many fortunate enterprises, brought the valour of his followers to correspond to his own, resolved to strike a decisive blow against the English government; and he concerted the plan of attacking Ormesby at Scone, and of taking vengeance on him for all the violence and tyranny of which he had been guilty. The justiciary, apprized of his intentions, fled hastily into England: all the other officers of that nation imitated his example: their terror added alacrity and courage to the Scots, who took themselves to arms in every quarter: many of the principal barons, and among the rest sir William Douglas, openly countenanced Wallace's party: Robert Bruce secretly favoured and promoted the same cause: and the Scots, shaking off their fetters, prepared themselves to defend, by an united effort, that liberty which they had so unexpectedly recovered from the hands of their oppressors.

But Warrenne, collecting an army of 40,000 men in the north of England, determined to re-establish his authority; and he endeavoured, by the celerity of his armament and of his march, to compensate for his past negligence, which had enabled the Scots to throw off the English government. He suddenly entered Annandale, and came up with the enemy at Irvine, before their forces were fully collected, and before they had put themselves in a posture of defence. Many of the Scottish nobles, alarmed with their dangerous situation, here submitted to the English, renewed their oaths of fealty, promised to deliver hostages for their good behaviour, and received a pardon for past offences. Others who had not yet declared themselves, such as the steward of Scotland and the earl of Lenox, joined, though with reluctance, the English army; and waited a favourable opportunity for embracing the cause of their distressed countrymen. But Wallace, whose authority over his retainers was more fully confirmed by the absence of the great nobles, persevered obstinately in his purpose; and finding himself unable to give battle to the enemy, he marched northwards, with an intention of prolonging the war, and of turning to his advantage the situation of that mountainous and barren country. When Warrenne advanced to Stirling, he found Wallace encamped at Cambuskenneth, on the opposite banks of the Forth; and being continually urged by the impatient Cressingham, who was actuated both by personal and national animosities against the Scots, he prepared to attack them in that position, which Wallace, no less prudent than courageous, had chosen for his army. In spite of the remonstrances of sir Richard Lundy, a Scotchman of birth and family, who sincerely adhered to the English, he ordered his army to pass a bridge which lay over the Forth; but he was soon convinced, by fatal experience, of the error of his conduct. Wallace, allowing such numbers of the English to pass as he thought proper, attacked them before they were fully formed, put them to rout, pushed part of them into the river, destroyed the rest by the edge of the sword, and gained a complete victory over them. Among the slain was Cressingham himself, whose memory was so extremely odious to the Scots, that they flayed his dead body, and made saddles and girths of his skin. Warrenne, finding the remainder of his army much dismayed by this misfortune, was obliged again to evacuate the kingdom, and retire into England. The castles of Roxborough and Berwick, ill fortified and feebly defended, fell soon after into the hands of the Scots.

Wallace, universally revered as the deliverer of his country, now received from the hands of his followers the dignity of regent or guardian under the captive Baliol; and finding that the disorders of war, as well as the unfavourable seasons, had produced a famine in Scotland, he urged his army to march into England, to subsist at the expense of the enemy, and to revenge all past injuries, by retaliating on that hostile nation. The Scots, who deemed everything possible under such a leader, joyfully attended his call. Wallace, breaking into the northern counties during the winter season, laid every place waste with fire and sword; and after extending on all sides, without opposition, the fury of his ravages as far as the bishopric of Durham, he returned loaded with spoils, and crowned with glory, into his own country. The disorders which at that time prevailed in England, from the refractory behaviour of the constable and mareschal, made it impossible to collect an army sufficient to resist the enemy and exposed the nation to this loss and dishonour.

But Edward, who received in Flanders intelligence of these events, and had already concluded a truce with France, now hastened over to England, in certain hopes, by his activity and valour, not only of wiping

off this disgrace, but of recovering the important conquest of Scotland, which he always regarded as the chief glory and advantage of his reign. He appeased the murmurs of his people by concessions and promises: he restored to the citizens of London the election of their own magistrates, of which they had been bereaved in the latter part of his father's reign: he ordered strict inquiry to be made concerning the corn and other goods which had been violently seized before his departure, as if he intended to pay the value to the owners: and making public professions of confirming and observing the charters, he regained the confidence of the discontented nobles. Having, by all these popular arts, rendered himself entirely master of his people, he collected the whole military force of England, Wales, and Ireland, and marched with an army of near one hundred thousand combatants to the northern frontiers.

Nothing could have enabled the Scots to resist but for one season so mighty a power, except an entire union among themselves; but as they were deprived of their king, whose personal qualities, even when he was present, appeared so contemptible, and had left among his subjects no principle of attachment to him or his family, factions, jealousies, and animosities, unavoidably arose among the great, and distracted all their councils. The elevation of Wallace, though purchased by so great merit and such eminent services, was the object of envy to the nobility, who repined to see a private gentleman raised above them by his rank, and still more by his glory and reputation. Wallace himself, sensible of their jealousy, and dreading the ruin of his country from those intestine discords, voluntarily resigned his authority, and retained only the command over that body of his followers, who, being accustomed to victory under his standard, refused to follow into the field any other leader. The chief power devolved on the steward of Scotland, and Cummin of Badenock; men of eminent birth, under whom the great chieftains were more willing to serve in defence of their country. The two Scottish commanders, collecting their several forces from every quarter, fixed their station at Falkirk, and purposed there to abide the assault of the English. Wallace was at the head of a third body, which acted under his command. The Scottish army placed their pikemen along their front; lined the intervals between the three bodies with archers; and dreading the great superiority of the English in cavalry, endeavoured to secure their front by palisadoes, tied together with ropes. In this disposition they expected the approach of the enemy.

BATTLE OF FALKIRK. *July* 22.

The king, when he arrived in sight of the Scots, was pleased with the prospect of being able, by one decisive stroke, to determine the fortune of the war; and dividing his army also into three bodies, he led them to the attack. The English archers, who began about this time to surpass those of other nations, first chased the Scottish bowmen off the field, then pouring in their arrows among the pikemen, who were cooped up within their entrenchments, threw them into disorder, and rendered the assault of the English pikemen and cavalry more easy and successful. The whole Scottish army was broken, and chased off the field with great slaughter; which the historians, attending more to the exaggerated relations of the populace than to the probability of things, make amount to fifty or sixty thousand men. It is only certain that the Scots never suffered a greater loss in any action, nor one which seemed to threaten more inevitable ruin to their country.

In this general rout of the army, Wallace's military skill and presence of mind enabled him to keep his troops entire; and retiring behind the Carron, he marched leisurely along the banks of that small river, which protected him from the enemy. Young Bruce, who had already given many proofs of his aspiring genius, but who served hitherto in the English army, appeared on the opposite banks; and distinguishing the Scottish chief, as well by his majestic port, as by the intrepid activity of his behaviour, called out to him, and desired a short conference. He here represented to Wallace the fruitless and ruinous enterprise in which he was engaged; and endeavoured to bend his inflexible spirit to submission under superior power and superior fortune: he insisted on the unequal contest between a weak state, deprived of its head and agitated by intestine discord, and a mighty nation, conducted by the ablest and most martial monarch of the age, and possessed of every resource either for protracting the war, or for pushing it with vigour and activity: if the love of his country were his motive for perseverance, his obstinacy tended only to prolong her misery: if he carried his views to private grandeur and ambition, he might reflect that, even if Edward should withdraw his armies, it appeared from past experience that so many haughty nobles, proud of the pre-eminence of their families, would never submit to personal merit, whose superiority they were less inclined to regard as an object of admiration, than as a reproach and injury to themselves. To these exhortations Wallace replied, that, if he had hitherto acted alone as the champion of his country, it was solely because no second, or competitor, or, what he rather wished, no leader, had yet appeared to place himself in that honourable station: that the blame lay entirely on the nobility, and chiefly on Bruce himself, who, uniting personal merit to dignity of family, had deserted the post which both nature and fortune, by such powerful calls, invited him to assume: that the Scots possessed of such a head, would, by their unanimity and concord, have surmounted the chief difficulty under which they now laboured, and might hope, notwithstanding their present losses, to oppose successfully all the powers and abilities of Edward: that Heaven itself could not set a more glorious prize before the eyes either of virtue or ambition, than to join in one object, the acquisition of royalty with the defence of national independence: and that as the interests of his country, more than those of a brave man, could never be sincerely cultivated by a sacrifice of liberty, he himself was determined, as far as possible, to prolong, not her misery but her freedom, and was desirous that his own life, as well as the existence of the nation, might terminate, when they could no otherwise be preserved than by receiving the chains of a haughty victor. The gallantry of these sentiments, though delivered by an armed enemy, struck the generous mind of Bruce: the flame was conveyed from the breast of one hero to that of another: he repented of his engagements with Edward; and opening his eyes to the honourable path pointed out to him by Wallace, secretly determined to seize the first opportunity of embracing the cause, however desperate, of his oppressed country.*

1299. The subjection of Scotland, notwithstanding this great victory of Edward, was not yet entirely completed. The English army, after reducing the southern provinces, was obliged to retire for want of provisions; and left the northern counties in the hands of the natives. The Scots, no less enraged at their present defeat, than elated by their past victories, still maintained the contest for liberty; but being fully sensible of the great inferiority of their force, they endeavoured, by applications to foreign courts, to procure to themselves some assistance. The supplications of the Scottish ministers were rejected by Philip; but were more successful with the court of Rome. Boniface, pleased with an occasion of exerting his authority, wrote a letter to Edward, [1300,] exhorting him to put a stop to his oppressions in Scot-

* This story is told by all the Scotch writers; though it must be owned that Trivet and Hemingford, authors of good credit, both agree that Bruce was not at that time in Edward's army.

land, and displaying all the proofs, such as they had probably been furnished him by the Scots themselves, for the ancient independence of that kingdom. Among other arguments, hinted at above, he mentioned the treaty conducted and finished by Edward himself, for the marriage of his son with the heiress of Scotland; a treaty which would have been absurd, had he been superior lord of the kingdom, and had possessed, by the feudal law, the right of disposing of his ward in marriage. He mentioned several other striking facts, which fell within the compass of Edward's own knowledge; particularly that Alexander, when he did homage to the king, openly and expressly declared in his presence, that he swore fealty not for his crown, but for the lands which he held in England: and the pope's letter might have passed for a reasonable one, had he not subjoined his own claim to be liege lord of Scotland; a claim which had not once been heard of, but which, with a singular confidence, he asserted to be full, entire, and derived from the most remote antiquity. The affirmative style, which had been so successful with him and his predecessors in spiritual contests, was never before abused after a more egregious manner in any civil controversy.

1301. The reply which Edward made to Boniface's letter contains particulars no less singular and remarkable. He there proves the superiority of England by historical facts, deduced from the period of Brutus, the Trojan, who, he said, founded the British monarchy in the age of Eli and Samuel: he supports his position by all the events which passed in the island before the arrival of the Romans; and after laying great stress on the extensive dominions and heroic victories of king Arthur, he vouchsafes at last to descend to the time of Edward the Elder, with which, in his speech to the states of Scotland, he had chosen to begin his claim of superiority. He asserts it to be a fact, "notorious and confirmed by the records of antiquity," that the English monarchs had often conferred the kingdom of Scotland on their own subjects; had dethroned these vassal kings when unfaithful to them; and had substituted others in their stead. He displays with great pomp the full and complete homage which William had done to Henry II., without mentioning the formal abolition of that *extorted* deed by king Richard, and the renunciation of all future claims of the same nature. Yet this paper he begins with a solemn appeal to the Almighty, the searcher of hearts, for his own firm persuasion of the justice of his claim; and no less than a hundred and four barons, assembled in parliament at Lincoln, concur in maintaining before the pope, under their seals, the validity of these pretensions. At the same time, however, they take care to inform Boniface that, though they had justified their cause before him, they did not acknowledge him for their judge; they had sworn to maintain all its royal prerogatives, and would never permit the king himself, were he willing, to relinquish its independence.

1302. That neglect, almost total, of truth and justice, which sovereign states discover in their transactions with each other, is an evil universal and inveterate; is one great source of the misery to which the human race is continually exposed; and it may be doubted whether, in many instances, it be found in the end to contribute to the interest of those princes themselves, who thus sacrifice their integrity to their politics. As few monarchs have lain under stronger temptations to violate the principles of equity than Edward in his transactions with Scotland, so never were they violated with less scruple and reserve; yet his advantages were hitherto precarious and uncertain; and the Scots, once roused to arms and inured to war, began to appear a formidable enemy, even to this military and ambitious monarch. They chose John Cummin for their regent; and not content with maintaining their independence in the northern parts, they made incursions into the southern counties, which Edward imagined he had totally subdued. John de Segrave, whom he had left guardian of Scotland, led an army to oppose them; [24th February, 130$\frac{1}{2}$;] and lying at Roslin, near Edinburgh, sent out his forces in three divisions, to provide themselves with forage and subsistence from the neighbourhood. One party was suddenly attacked by the regent and sir Simon Fraser; and being unprepared, was immediately routed and pursued with great slaughter. The few that escaped, flying to the second division, gave warning of the approach of the enemy: the soldiers ran to their arms, and were immediately led on to take revenge for the death of their countrymen. The Scots, elated with the advantage already obtained, made a vigorous impression upon them: the English, animated with a thirst of vengeance, maintained a stout resistance: the victory was long undecided between them; but at last declared itself entirely in favour of the former, who broke the English and chased them to the third division, now advancing with a hasty march to support their distressed companions. Many of the Scots had fallen in the two first actions; most of them were wounded; and all of them extremely fatigued by the long continuance of the combat: yet were they so transported with success and military rage, that, having suddenly recovered their order, and arming the followers of their camp with the spoils of the slaughtered enemy, they drove with fury upon the ranks of the dismayed English. The favourable moment decided the battle; which the Scots, had they met with a steady resistance, were not long able to maintain; the English were chased off the field; three victories were thus gained in one day; and the renown of these great exploits, seconded by the favourable dispositions of the people, soon made the regent master of all the fortresses in the south; and it became necessary for Edward to begin anew the conquest of the kingdom.

The king prepared himself for this enterprise with his usual vigour and abilities. He assembled both a great fleet and a great army; and entering the frontiers of Scotland, appeared with a force which the enemy could not think of resisting in the open field; the English navy, which sailed along the coast, secured the army from any danger of famine: Edward's vigilance preserved it from surprises; and by this prudent disposition, they marched victorious from one extremity of the kingdom to the other, ravaging the open country, reducing all the castles, and receiving the submissions of all the nobility, even those of Cummin, the regent. The most obstinate resistance was made by the castle of Brechin, defended by sir Thomas Maule; and the place opened not its gates till the death of the governor, by discouraging the garrison, obliged them to submit to the fate which had overwhelmed the rest of the kingdom. Wallace, though he attended the English army in their march, found but few opportunities of signalizing that valour which had formerly made him so terrible to his enemies.

1304. Edward having completed his conquest, which employed him during the space of near two years, now undertook the more difficult work of settling the country, of establishing a new form of government, and of making his acquisition durable to the crown of England. He seems to have carried matters to extremity against the natives; he abrogated all the Scottish laws and customs; he endeavoured to substitute the English in their place; he entirely rased or destroyed all the monuments of antiquity; such records or histories as had escaped his former search were now burnt or dispersed; and he hastened by too precipitate steps to abolish entirely the Scottish name, and to sink it finally in the English.

1305. Edward, however, still deemed his favourite conquest exposed to some danger so long as Wallace was alive; and being prompted both by revenge and policy, he employed every art to discover his retreat, and become master of his person. At last that hardy warrior, who was determined, amidst the universal slavery of his countrymen, still to maintain his independ-

ency, was betrayed into Edward's hands by sir John Monteith, his friend, whom he had made acquainted with the place of his concealment. The king, whose natural bravery and magnanimity should have induced him to respect like qualities in an enemy, enraged at some acts of violence committed by Wallace during the fury of war, resolved to overawe the Scots by an example of severity: he ordered Wallace to be carried in chains to London; (23rd August;) to be tried as a rebel and traitor, though he had never made submissions or sworn fealty to England, and to be executed on the Tower-hill. This was the unworthy fate of a hero, who, through a course of many years, had, with signal conduct, intrepidity, and perseverance, defended against a public and oppressive enemy the liberties of his native country.

But the barbarous policy of Edward failed of the purpose to which it was directed. The Scots, already disgusted at the great innovations introduced by the sword of a conqueror into their laws and government, were further enraged at the injustice and cruelty exercised upon Wallace; and all the envy which, during his life-time, had attended that gallant chief, being now buried in his grave, he was universally regarded as the champion of Scotland, and the patron of her expiring independency. The people, inflamed with resentment, were everywhere disposed to rise against the English government; and it was not long ere a new and more fortunate leader presented himself, who conducted them to liberty, to victory, and to vengeance.

ROBERT BRUCE.

1306. Robert Bruce, grandson of that Robert who had been one of the competitors for the crown, had succeeded by his grandfather's and father's death, to all their rights; and the demise of John Baliol, together with the captivity of Edward, eldest son of that prince, seemed to open a full career to the genius and ambition of this young nobleman. He saw that the Scots, when the title to their crown had expired in the males of their ancient royal family, had been divided into parties nearly equal between the houses of Bruce and Baliol; and that every incident, which had since happened, had tended to wean them from any attachment to the latter. The slender capacity of John had proved unable to defend them against their enemies: he had meanly resigned his crown into the hands of the conqueror; he had, before his deliverance from captivity, reiterated that resignation in a manner seemingly voluntary; and had in that deed thrown out many reflections extremely dishonourable to his ancient subjects, whom he publicly called traitors, ruffians, and rebels, and with whom he declared he was determined to maintain no further correspondence: he had, during the time of his exile, adhered strictly to that resolution; and his son, being a prisoner, seemed ill qualified to revive the rights, now fully abandoned, of his family. Bruce therefore hoped that the Scots, so long exposed from the want of a leader to the oppressions of their enemies, would unanimously fly to his standard, and would seat him on the vacant throne, to which he brought such plausible pretensions. His aspiring spirit, inflamed by the fervour of youth, and buoyed up by his natural courage, saw the glory alone of the enterprise, or regarded the prodigious difficulties which attended it as the source only of further glory. The miseries and oppressions which he had beheld his countrymen suffer in their unequal contest; the repeated defeats and misfortunes which they had undergone; proved to him so many incentives to bring them relief, and conduct them to vengeance against the haughty victor. The circumstances which attended Bruce's first declaration are variously related; but we shall rather follow the account given by the Scottish historians; not that their authority is in general anywise comparable to that of the English, but because they may be supposed sometimes better informed concerning facts which so nearly interested their own nation.

Bruce, who had long harboured in his breast the design of freeing his enslaved country, ventured at last to open his mind to John Cummin, a powerful nobleman, with whom he lived in strict intimacy. He found his friend, as he imagined, fully possessed with the same sentiments; and he needed to employ no arts of persuasion, to make him embrace the resolution of throwing off, on the first favourable opportunity, the usurped dominion of the English. But on the departure of Bruce, who attended Edward to London, Cummin, who either had all along dissembled with him, or began to reflect more coolly in his absence on the desperate nature of his undertaking, resolved to atone for his crime in assenting to this rebellion, by the merit of revealing the secret to the king of England. Edward did not immediately commit Bruce to custody, because he intended at the same time to seize his three brothers, who resided in Scotland; and he contented himself with secretly setting spies upon him, and ordering all his motions to be strictly watched. A nobleman of Edward's court, Bruce's intimate friend, was apprized of his danger; but not daring, amidst so many jealous eyes, to hold any conversation with him, he fell on an expedient to give him warning, that it was full time he should make his escape. He sent him by his servant a pair of gilt spurs, and a purse of gold, which he pretended to have borrowed from him; and left it to the sagacity of his friend to discover the meaning of the present. Bruce immediately contrived the means of his escape; and as the ground was at that time covered with snow, he had the precaution, it is said, to order his horses to be shod with their shoes inverted, that he might deceive those who should track his path over the open fields or cross-roads, through which he purposed to travel. He arrived in a few days at Dumfries in Annandale, the chief seat of his family interest; and he happily found a great number of the Scottish nobility there assembled, and among the rest John Cummin, his former associate.

The noblemen were astonished at the appearance of Bruce among them; (10th February;) and still more when he discovered to them the object of his journey. He told them that he was come to live or die with them in defence of the liberties of his country, and hoped, with their assistance, to redeem the Scottish name from all the indignities which it had so long suffered from the tyranny of their imperious masters: that the sacrifice of the rights of his family was the first injury which had prepared the way for their ensuing slavery; and by resuming them, which was his firm purpose, he opened to them the joyful prospect of recovering from the fraudulent usurper their ancient and hereditary independence: that all past misfortunes had proceeded from their disunion; and they would soon appear no less formidable than of old to their enemies, if they now deigned to follow into the field their rightful prince, who knew no medium between death and victory: that their mountains and their valour, which had, during so many ages, protected their liberty from all the efforts of the Roman empire, would still be sufficient, were they worthy of their generous ancestors, to defend them against the utmost violence of the English tyrant: that it was unbecoming men, born to the most ancient independence known in Europe, to submit to the will of any masters; but fatal to receive those who, being irritated by such persevering resistance, and inflamed with the highest animosity, would never deem themselves secure in their usurped dominion, but by exterminating all the ancient nobility, and even all the ancient inhabitants: and that, being reduced to this desperate extremity, it were better for them at once to perish, like brave men, with swords in their hands, than to dread long, and at last undergo, the fate of the unfortunate Wallace, whose merits, in the brave and obstinate defence of his country, were



finally rewarded by the hands of an English executioner.

The spirit with which this discourse was delivered, the bold sentiments which it conveyed, the novelty of Bruce's declaration, assisted by the graces of his youth and manly deportment, made deep impression on the minds of his audience, and roused all those principles of indignation and revenge with which they had long been secretly actuated. The Scottish nobles declared their unanimous resolution to use the utmost efforts in delivering their country from bondage, and to second the courage of Bruce, in asserting his and their undoubted rights against their common oppressors. Cummin alone, who had secretly taken his measures with the king, opposed this general determination; and by representing the great power of England, governed by a prince of such uncommon vigour and abilities, he endeavoured to set before them the certain destruction which they must expect, if they again violated their oaths of fealty, and shook off their allegiance to the victorious Edward. Bruce, already apprized of his treachery, and foreseeing the certain failure of all his own schemes of ambition and glory from the opposition of so potent a leader, took immediately his resolution; and, moved partly by resentment, partly by policy, followed Cummin on the dissolution of the assembly, attacked him in the cloisters of the Grey Friars, through which he passed, and running him through the body, left him for dead. Sir Thomas Kirkpatric, one of Bruce's friends, asking him soon after if the traitor was slain; "I believe so," replied Bruce. "And is that a matter," cried Kirkpatric, "to be left to conjecture?" "I will secure him." Upon which he drew his dagger, ran to Cummin, and stabbed him to the heart. This deed of Bruce and his associates, which contains circumstances justly condemned by our present manners, was regarded in that age as an effort of manly vigour and just policy. The family of Kirkpatric took for the crest of their arms, which they still wear, a hand with a bloody dagger; and chose for their motto these words, "I will secure him;" the expression employed by their ancestor when he executed that violent action.

THIRD REVOLT OF SCOTLAND.

The murder of Cummin affixed the seal to the conspiracy of the Scottish nobles: they had now no resource left but to shake off the yoke of England, or to perish in the attempt: the genius of the nation roused itself from its present dejection: and Bruce, flying to different quarters, exited his partisans to arms, attacked with success the dispersed bodies of the English, got possession of many of the castles, and having made his authority be acknowledged in most parts of the kingdom, was solemnly crowned and inaugurated in the abbey of Scone, by the bishop of St. Andrews, who had zealously embraced his cause. The English were again chased out of the kingdom, except such as took shelter in the fortresses that still remained in their hands; and Edward found that the Scots, twice conquered in his reign, and often defeated, must yet be anew subdued. Not discouraged with these unexpected difficulties, he sent Aymer de Valence with a considerable force into Scotland, to check the progress of the malcontents; and that nobleman falling unexpectedly upon Bruce at Methven in Perthshire, threw his army into such disorder as ended in a total defeat. Bruce fought with the most heroic courage, was thrice dismounted in the action, and as often recovered himself, but was at last obliged to yield to superior fortune, and take shelter with a few followers in the western isles. The earl of Athole, sir Simon Fraser, and sir Christopher Seton, who had been taken prisoners, were ordered by Edward to be executed as rebels and traitors. [1307.] Many other acts of rigour were exercised by him; and that prince, vowing revenge against the whole Scottish nation, whom he deemed incorrigible in their aversion to his government, assembled a great army, and was preparing to enter the frontiers, secure of success, and determined to make the defenceless Scots the victims of his severity; when he unexpectedly sickened and died (7th July) near Carlisle; enjoining with his last breath his son and successor to prosecute the enterprise, and never to desist till he had finally subdued the kingdom of Scotland. He expired in the sixty-ninth year of his age, and the thirty-fifth of his reign, hated by his neighbours, but extremely respected and revered by his own subjects.

CHARACTER OF THE KING.

The enterprises finished by this prince, and the projects which he formed, and brought near to a conclusion, were more prudent, more regularly conducted, and more advantageous to the solid interests of his kingdom, than those which were undertaken in any reign, either of his ancestors or his successors. He restored authority to the government, disordered by the weakness of his father; he maintained the laws against all the efforts of his turbulent barons; he fully annexed to his crown the principality of Wales; he took many wise and vigorous measures for reducing Scotland to a like condition; and though the equity of this latter enterprise may reasonably be questioned, the circumstances of the two kingdoms promised such certain success, and the advantage was so visible of uniting the whole island under one head, that those who give great indulgence to reasons of state in the measures of princes will not be apt to regard this part of his conduct with much severity. But Edward, however exceptionable his character may appear on the head of justice, is the model of a politic and warlike king: he possessed industry, penetration, courage, vigilance, and enterprise; he was frugal in all his expenses that were not necessary; he knew how to open the public treasures on a proper occasion; he punished criminals with severity; he was gracious and affable to his servants and courtiers; and being of a majestic figure, expert in all military exercises, and in the main well proportioned in his limbs, notwithstanding the great length and the smallness of his legs, he was as well qualified to captivate the populace by his exterior appearance, as to gain the approbation of men of sense by his more solid virtues.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN.

But the chief advantage which the people of England reaped, and still continue to reap, from the reign of this great prince, was the correction, extension, amendment, and establishment of the laws, which Edward maintained in great vigour, and left much improved to posterity: for the acts of a wise legislator commonly remain, while the acquisitions of a conqueror often perish with him. This merit has justly gained to Edward the appellation of the English Justinian. Not only the numerous statutes passed in his reign touch the chief points of jurisprudence, and, according to sir Edward Coke, truly deserve the name of establishments, because they were more constant, standing, and durable laws than any made since; but the regular order maintained in his administration gave an opportunity to the common law to refine itself, and brought the judges to a certainty in their determinations, and the lawyers to a precision in their pleadings. Sir Matthew Hale has remarked the sudden improvement of English law during this reign; and ventures to assert that, till his own time it had never received any considerable increase. Edward settled the jurisdiction of the several courts; first established the office of justice of peace; abstained from the practice, too common before him, of interrupting justice by mandates

from the privy-council,* repressed robberies and disorders; encouraged trade by giving merchants an easy method of recovering their debts; and, in short, introduced a new face of things by the vigour and wisdom of his administration. As law began now to be well established, the abuse of that blessing began also to be remarked. Instead of their former associations for robbery and violence, men entered into formal combinations to support each other in lawsuits; and it was found requisite to check this iniquity by act of parliament.

There happened in this reign a considerable alteration in the execution of the laws: the king abolished the office of chief-justiciary, which he thought possessed too much power, and was dangerous to the crown: he completed the division of the court of exchequer into four distinct courts, which managed each its several branch, without dependence on any one magistrate; and as the lawyers afterwards invented a method, by means of their fictions, of carrying business from one court to another, the several courts became rivals and checks to each other; a circumstance which tended much to improve the practice of the law in England.

But though Edward appeared thus, throughout his whole reign, a friend to law and justice, it cannot be said that he was an enemy to arbitrary power; and in a government more regular and legal than was that of England in his age, such practices as those which may be remarked in his administration, would have given sufficient ground of complaint, and sometimes were, even in his age, the object of general displeasure. The violent plunder and banishment of the Jews, the putting of the whole clergy at once, and by an arbitrary edict, out of the protection of the law; the seizing of all the wool and leather of the kingdom, the heightening of the impositions on the former valuable commodity; the new and illegal commission of Trailbaston; the taking of all the money and plate of monasteries and churches, even before he had any quarrel with the clergy; the subjecting of every man possessed of twenty pounds a year to military service, though not bound to it by his tenure; his visible reluctance to confirm the Great Charter, as if that concession had no validity from the deeds of his predecessors; the captious clause which he at last annexed to his confirmation; his procuring of the pope's dispensation from the oaths which he had taken to observe the Charter; and his levying of talliages at discretion even after the statute, or rather charter, by which he had renounced that prerogative; these are so many demonstrations of his arbitrary disposition, and prove with what exception and reserve we ought to celebrate his love of justice. He took care that his subjects should do justice to each other; but he desired always to have his own hands free in all his transactions, both with them and with his neighbours.

The chief obstacle to the execution of justice in those times was the power of the great barons; and Edward was perfectly qualified, by his character and abilities, for keeping these tyrants in awe, and restraining their illegal practices. This salutary purpose was accordingly the great object of his attention; yet was he imprudently led into a measure which tended to increase and confirm their dangerous authority. He passed a statute which, by allowing them to entail their estates, made it impracticable to diminish the property of the great families, and left them every means of increase and acquisition.

Edward observed a contrary policy with regard to the church: he seems to have been the first Christian prince that passed a statute of mortmain; and prevented by law the clergy from making new acquisitions of lands, which by the ecclesiastical canons they were for ever prohibited from alienating. The opposition between his maxims with regard to the nobility and to the ecclesiastics, leads us to conjecture that it was only by chance he passed the beneficial statute of mortmain, and that his sole object was to maintain the number of knights' fees, and to prevent the superiors from being defrauded of the profits of wardship, marriage, livery, and other emoluments arising from the feudal tenures. This is indeed the reason assigned in the statute itself, and appears to have been his real object in enacting it. The author of the Annals of Waverly ascribes this act chiefly to the king's anxiety for maintaining the military force of the kingdom; but adds, that he was mistaken in his purpose; for that the Amalekites were overcome more by the prayers of Moses than by the sword of the Israelites. The statute of mortmain was often evaded afterwards by the invention of *uses*.

Edward was active in restraining the usurpations of the church; and, excepting his ardour for crusades, which adhered to him during his whole life, seems in other respects to have been little infected with superstition, the vice chiefly of weak minds. But the passion for crusades was really in that age the passion for glory. As the pope now felt himself somewhat more restrained in his former practice of pillaging the several churches in Europe, by laying impositions upon them, he permitted the generals of particular orders, who resided at Rome, to levy taxes on the convents subjected to their jurisdiction; and Edward was obliged to enact a law against this new abuse. It was also become a practice of the court of Rome to provide successors to benefices before they became vacant: Edward found it likewise necessary to prevent by law this species of injustice.

The tribute of 1000 marks a year, to which king John, in doing homage to the pope, had subjected the kingdom, had been pretty regularly paid since his time, though the vassalage was constantly denied, and, indeed, for fear of giving offence, had been but little insisted on. The payment was called by a new name of *census*, not by that of tribute. King Edward seems to have always paid this money with great reluctance, and he suffered the arrears at one time to run on for six years, at another for eleven: but as princes in that age stood continually in need of the pope's good offices, for dispensations of marriage and for other concessions, the court of Rome always found means, sooner or later, to catch the money. The levying of first-fruits was also a new device begun in this reign, by which his holiness thrust his fingers very frequently into the purses of the faithful; and the king seems to have unwarily given way to it.

In the former reign the taxes had been partly scutages, partly such a proportionable part of the moveables as was granted by parliament: in this scutages were entirely dropped; and the assessment on moveables was the chief method of taxation. Edward in his fourth year had a fifteenth granted him; in his fifth year a twelfth; in his eleventh year a thirteenth from the laity, a twentieth from the clergy; in his eighteenth year a fifteenth; in his twenty-second year a tenth from the laity, a sixth from London and other corporated towns, half of their benefices from the clergy; in his twenty-third year an eleventh from the barons and others, a tenth from the clergy, a seventh from the burgesses; in his twenty-fourth year a twelfth from the barons and others, an eighth from the burgesses, from the clergy nothing, because of the pope's inhibition; in his twenty-fifth year an eighth from the laity, a tenth from the clergy of Canterbury, a fifth from those of York; in his twenty-ninth year a fifteenth from the laity, on account of his confirming the perambulations of the forests, the clergy granted nothing; in his thirty-third year, first, a thirteenth from the barons and others, and a twentieth from the burgesses, then a

* Articuli super Cart. cap. 6. Edward enacted a law to this purpose; but it is doubtful whether he ever observed it. We are sure that scarcely any of his successors did. The multitude of these letters of protection were the ground of a complaint by the commons in 3 Edward II. See Ryley, p. 555. This practice was declared illegal by the statute of Northampton, passed in the second of Edward III., but it still continued, like many other abuses. They were instances of it so late as the reign of queen Elizabeth.

fifteenth from all his subjects; in his thirty-fourth year a thirtieth from all his subjects for knighting his eldest son.

These taxes were moderate; but the king had also duties upon exportation and importation granted him from time to time: the heaviest were commonly upon wool. Poundage, or a shilling a pound, was not regularly granted the kings for life till the reign of Henry V.

In 1296 the famous mercantile society, called the *Merchant Adventurers*, had its first origin: it was instituted for the improvement of the woollen manufacture, and the vending of the cloth abroad, particularly at Antwerp; for the English at this time scarcely thought of any more distant commerce.

This king granted a charter or declaration of protection and privileges to foreign merchants, and also ascertained the customs or duties which those merchants were in return to pay on merchandise imported and exported. He promised them security; allowed them a jury on trials, consisting half of natives, half of foreigners; and appointed them a justiciary in London for their protection. But notwithstanding this seeming attention to foreign merchants, Edward did not free them from the cruel hardship of making one answerable for the debts, and even for the crimes, of another that came from the same country. We read of such practices among the present barbarous nations. The king also imposed on them a duty of two shillings on each ton of wine imported, over and above the old duty; and forty pence on each sack of wool exported, besides half a mark, the former duty.*

In the year 1303 the Exchequer was robbed, and of no less a sum than 100,000 pounds, as is pretended. The abbot and monks of Westminster were indicted for this robbery, but acquitted. It does not appear that the king ever discovered the criminals with certainty; though his indignation fell on the society of Lombard merchants, particularly the Frescobaldi, very opulent Florentines.

The pope having in 1307 collected much money in England, the king enjoined the nuncio not to export it in specie, but in bills of exchange. A proof that commerce was but ill understood at that time.

Edward had by his first wife, Eleanor of Castile, four sons; but Edward, his heir and successor, was the only one that survived him. She also bore him eleven daughters, most of whom died in their infancy: of the surviving, Joan was married first to the earl of Gloucester, and after his death to Ralph de Monthermer; Margaret espoused John, duke of Brabant; Elizabeth espoused first John, earl of Holland, and afterwards the Earl of Hereford; Mary was a nun at Ambresbury. He had by his second wife, Margaret of France, two sons and a daughter; Thomas, created earl of Norfolk and mareschal of England; and Edmond, who was created earl of Kent by his brother when king. The princess died in her infancy.

CHAPTER XIV.

EDWARD II.

Weakness of the King—His Passion for Favourites—Piers Gavaston—Discontent of the Barons—Murder of Gavaston—War with Scotland—Battle of Bannockburn—Hugo le Despenser—Civil Commotions—Execution of the Earl of Lancaster—Conspiracy against the King—Insurrection—The King dethroned—Murdered—His Character—Miscellaneous Transactions in this Reign.

1307. THE prepossessions entertained in favour of young Edward kept the English from being fully sensible of the extreme loss which they had sustained by the death of the great monarch who filled the throne; and all men hastened with alacrity to take the oath of allegiance to his son and successor. This prince was in the twenty-third year of his age, was of an agreeable figure, of a mild and gentle disposition, and having never discovered a propensity to any dangerous vice, it was natural to prognosticate tranquillity and happiness from his government. But the first act of his reign blasted all these hopes, and showed him to be totally unqualified for that perilous situation, in which every English monarch, during those ages, had, from the unstable form of the constitution, and the turbulent dispositions of the people derived from it, the misfortune to be placed. The indefatigable Robert Bruce, though his army had been dispersed, and he himself had been obliged to take shelter in the western isles, remained not long inactive; but, before the death of the late king, had sallied from his retreat, had again collected his followers, had appeared in the field, and had obtained by surprise an important advantage over Aymer de Valence, who commanded the English forces. He was now become so considerable as to have afforded the king of England sufficient glory in subduing him, without incurring any danger of seeing all those mighty preparations made by his father fail in the enterprise. But Edward, instead of pursuing his advantages, marched but a little way into Scotland; and having an utter incapacity and equal aversion for all application or serious business, he immediately returned upon his footsteps and disbanded his army. His grandees perceived from this conduct that the authority of the crown, fallen into such feeble hands, was no longer to be dreaded, and that every insolence might be practised by them with impunity.

The next measure taken by Edward gave them an inclination to attack those prerogatives which no longer kept them in awe. There was one Piers Gavaston, son of a Gascon knight of some distinction, who had honourably served the late king, and who in reward of his merits had obtained an establishment for his son in the family of the prince of Wales. This young man soon insinuated himself into the affections of his master by his agreeable behaviour, and by supplying him with all those innocent though frivolous amusements which suited his capacity and his inclinations. He was endowed with the utmost elegance of shape and person, was noted for a fine mien and easy carriage, distinguished himself in all warlike and genteel exercises, and was celebrated for those quick sallies of wit in which his countrymen usually excel. By all these accomplishments he gained so entire an ascendant over young Edward, whose heart was strongly disposed to friendship and confidence, that the late king, apprehensive of the consequences, had banished him the kingdom, and had, before he died, made his son promise never to recal him. But no sooner did he find himself master, as he vainly imagined, than he sent for Gavaston; and even, before his arrival at court, endowed him with the whole earldom of Cornwall, which had escheated to the crown by the death of Edmond, son of Richard, king of the Romans. Not content with conferring on him those possessions, which had sufficed as an appanage for a prince of the blood, he daily loaded him with new honours and riches; married him to his own niece, sister of the earl of Gloucester; and seemed to enjoy no pleasure in his royal dignity, but as it enabled him to exalt to the highest splendour this object of his fond affections.

DISCONTENT OF THE BARONS.

The haughty barons, offended at the superiority of a minion, whose birth, though reputable, they despised, as much inferior to their own, concealed not their discontent; and soon found reasons to justify their animosity in the character and conduct of the man they hated. Instead of disarming envy by the moderation and modesty of his behaviour, Gavaston displayed his power and influence with the utmost ostentation; and deemed no circumstance of his good fortune so agree-

* Rymer, vol. iv. p. 361. It is the charter of Edward I. which is there confirmed by Edward III.

able as its enabling him to eclipse and mortify all his rivals. He was vain-glorious, profuse, rapacious; fond of exterior pomp and appearance, giddy with prosperity; and as he imagined that his fortune was now as strongly rooted in the kingdom, as his ascendant was uncontrolled over the weak monarch, he was negligent in engaging partisans, who might support his sudden and ill-established grandeur. At all tournaments he took delight in foiling the English nobility by his superior address: in every conversation he made them the object of his wit and raillery: every day his enemies multiplied upon him; and nought was wanting but a little time to cement their union, and render it fatal both to him and to his master.

It behoved the king to take a journey to France, both in order to do homage for the dutchy of Guienne, and to espouse the princess Isabella, to whom he had long been affianced, though unexpected accidents had hitherto retarded the completion of the marriage. Edward left Gavaston guardian of the realm, with more ample powers than had usually been conferred; and, on his return with his young queen, renewed all the proofs of that fond attachment to the favourite, of which every one so loudly complained. This princess was of an imperious and intriguing spirit; and finding that her husband's capacity required, as his temper inclined, him to be governed, she thought herself best entitled, on every account, to perform the office; and she contracted a mortal hatred against the person who had disappointed her in these expectations. She was well pleased, therefore, to see a combination of the nobility forming against Gavaston, who, sensible of her hatred, had wantonly provoked her by new insults and injuries.

1308. Thomas, earl of Lancaster, cousin-german to the king, and first prince of the blood, was by far the most opulent and powerful subject in England, and possessed in his own right, and soon after in that of his wife, heiress of the family of Lincoln, no less than six earldoms, with a proportionable estate in land, attended with all the jurisdictions and power which commonly in that age were annexed to landed property. He was turbulent and factious in his disposition; mortally hated the favourite, whose influence over the king exceeded his own; and he soon became the head of that party among the barons who desired the depression of this insolent stranger. The confederated nobles bound themselves by oath to expel Gavaston: both sides began already to put themselves in a warlike posture: the licentiousness of the age broke out in robberies and other disorders, the usual prelude of a civil war: and the royal authority, despised in the king's own hands, and hated in those of Gavaston, became insufficient for the execution of the laws, and the maintenance of peace in the kingdom. A parliament being summoned at Westminster, Lancaster and his party came thither with an armed retinue; and were there enabled to impose their own terms on the sovereign. They required the banishment of Gavaston, imposed an oath on him never to return, and engaged the bishops, who never failed to interpose in all civil concerns, to pronounce him excommunicated if he remained any longer in the kingdom. Edward was obliged to submit; but even in his compliance gave proofs of his fond attachment to his favourite. Instead of removing all umbrage by sending him to his own country, as was expected, he appointed him lord-lieutenant of Ireland, attended him to Bristol on his journey thither, and before his departure conferred on him new lands and riches both in Gascony and England. Gavaston, who did not want bravery, and possessed talents for war, acted during his government with vigour against some Irish rebels, whom he subdued.

Meanwhile the king, less shocked with the illegal violence which had been imposed upon him, than unhappy in the absence of his minion, employed every expedient to soften the opposition of the barons to his return; as if success in that point were the chief object of his government. The high office of hereditary steward was conferred on Lancaster, his father-in-law, the earl of Lincoln, was bought off by other concessions: earl Warrenne was also mollified by civilities, grants, or promises: the insolence of Gavaston being no longer before men's eyes, was less the object of general indignation: and Edward, deeming matters sufficiently prepared for his purpose, applied to the court of Rome, and obtained for Gavaston a dispensation from that oath which the barons had compelled him to take, that he would for ever abjure the realm. He went down to Chester to receive him on his first landing from Ireland; flew into his arms with transports of joy; and having obtained the formal consent of the barons in parliament to his re-establishment, set no longer any bounds to his extravagant fondness and affection. Gavaston himself, forgetting his past misfortunes, and blind to their causes, resumed the same ostentation and insolence; and became more than ever the object of general detestation among the nobility.

The barons first discovered their animosity by absenting themselves from parliament; and finding that this expedient had not been successful, they began to think of employing sharper and more effectual remedies. Though there had scarcely been any national ground of complaint, except some dissipation of the public treasure: though all the acts of mal-administration, objected to the king and his favourite, seemed of a nature more proper to excite heart-burnings in a ball or assembly, than commotions in a great kingdom; yet such was the situation of the times, that the barons were determined, and were able, to make them the reasons of a total alteration in the constitution and civil government. Having come to parliament, in defiance of the laws and the king's prohibition, (7th February,) with a numerous retinue of armed followers, they found themselves entirely masters; and they presented a petition, which was equivalent to a command, requiring Edward to devolve on a chosen junto the whole authority, both of the crown and of the parliament. The king was obliged to sign a commission, (16th March,) empowering the prelates and barons to elect twelve persons who should, till the term of Michaelmas, in the year following, have authority to enact ordinances for the government of the kingdom and regulation of the king's household; consenting that these ordinances should thenceforth and for ever have the force of laws; allowing the ordainers to form associations among themselves and their friends, for their strict and regular observance; and all this for the greater glory of God, the security of the church, and the honour and advantage of the king and kingdom. The barons in return signed a declaration; in which they acknowledged that they owed these concessions merely to the king's free grace: promised that this commission should never be drawn into precedent; and engaged that the power of the ordainer should expire at the time appointed.

1311. The chosen junto accordingly framed their ordinances, and presented them to the king and parliament for their confirmation in the ensuing year. Some of these ordinances were laudable, and tended to the regular execution of justice: such as those requiring sheriffs to be men of property, abolishing the practice of issuing privy-seals for the suspension of justice, restraining the practice of purveyance, prohibiting the adulteration and alteration of the coin, excluding foreigners from the farms of the revenue, ordering all payments to be regularly made into the exchequer, revoking all late grants of the crown, and giving the parties damages in the case of vexatious prosecutions. But what chiefly grieved the king was the ordinance for the removal of evil counsellors, by which a great number of persons were by name excluded from every office of power and profit; and Piers Gavaston himself was for ever banished the king's dominions, under

the penalty, in case of disobedience, of being declared a public enemy. Other persons, more agreeable to the barons, were substituted in all the offices. And it was ordained, that for the future all the considerable dignities in the household, as well as in the law, revenue, and military governments, should be appointed by the *baronage* in parliament; and the power of making war, or assembling his military tenants, should no longer be invested solely in the king, nor be exercised without the consent of the nobility.

Edward, from the same weakness both in his temper and situation, which had engaged him to grant this unlimited commission to the barons, was led to give a parliamentary sanction to their ordinances: but as a consequence of the same character he *secretly* made a protest against them, and declared, that since the commission was granted only for the making of ordinances to the advantage of king and kingdom, such articles as should be found prejudicial to both, were to be held as not ratified and confirmed. It is no wonder, indeed, that he retained a firm purpose to revoke ordinances which had been imposed on him by violence, which entirely annihilated the royal authority, and above all, which deprived him of the company and society of a person whom, by an unusual infatuation, he valued above all the world, and above every consideration of interest or tranquillity.

As soon, therefore, as Edward, removing to York, had freed himself from the immediate terror of the barons' power, he invited back Gavaston from Flanders, which that favourite had made the place of his retreat; and declaring his banishment to be illegal, and contrary to the laws and customs of the kingdom, openly reinstated him in his former credit and authority. The barons, highly provoked at this disappointment, and apprehensive of danger to themselves, from the declared animosity of so powerful a minion, saw that either his or their ruin was now inevitable; and they renewed, with redoubled zeal, their former confederacy against him. [1312.] The earl of Lancaster was a dangerous head of this alliance: Guy earl of Warwick entered into it with a furious and precipitate passion: Humphry Bohun, earl of Hereford, the constable, and Aymer de Valence, earl of Pembroke, brought to it a great accession of power and interest: even earl Warrenne deserted the royal cause, which he had hitherto supported, and was reduced to embrace the side of the confederates. And as Robert de Winchelsey, archbishop of Canterbury, professed himself of the same party, he determined the body of the clergy, and consequently the people, to declare against the king and his minion. So predominant at that time was the power of the great nobility, that the combination of a few of them was always able to shake the throne: and such an universal concurrence became irresistible. The earl of Lancaster suddenly raised an army, and marched to York, where he found the king already removed to Newcastle. He fled thither in pursuit of him; and Edward had just time to escape to Tinmouth, where he embarked, and sailed with Gavaston to Scarborough. He left his favourite in that fortress, which, had it been properly supplied with provisions, was deemed impregnable; and he marched forward to York, in hopes of raising an army, which might be able to support him against his enemies. Pembroke was sent by the confederates to besiege the castle of Scarborough; and Gavaston, sensible of the bad condition of his garrison, was obliged to capitulate, (19th May,) and to surrender himself prisoner. He stipulated that he should remain in Pembroke's hands for two months; that endeavours should, during that time, be mutually used for a general accommodation; that if the terms proposed by the barons were not accepted, the castle should be restored to him in the same condition as when he surrendered it: and that the earl of Pembroke and Henry Piercy should, by contract, pledge all their lands for the fulfilling of these conditions. Pembroke, now master of the person of this public enemy, conducted him to the castle of Dedington, near Banbury; where, on pretence of other business, he left him protected by a feeble guard. Warwick, probably in concert with Pembroke, attacked the castle; the garrison refused to make any resistance; Gavaston was yielded up to him, and conducted to Warwick castle; the earls of Lancaster, Hereford, and Arundel immediately repaired thither; and without any regard either to the laws or the military capitulation, they ordered the head of the obnoxious favourite to be struck off by the hands of the executioner.

The king had retired northward to Berwick when he heard of Gavaston's murder; (1st July;) and his resentment was proportioned to the affection which he had ever borne him while living. He threatened vengeance on all the nobility who had been active in that bloody scene, and he made preparations for war in all parts of England. But being less constant in his enmities than in his friendships, he soon after hearkened to terms of accommodation, granted the barons a pardon of all offences; and as they stipulated to ask him publicly pardon on their knees, he was so pleased with these vain appearances of submission, that he seemed to have sincerely forgiven them all past injuries. But as they still pretended, notwithstanding their lawless conduct, a great anxiety for the maintenance of law, and required the establishment of their former ordinances as a necessary security for that purpose, Edward told them that he was willing to grant them a free and legal confirmation of such of these ordinances as were not entirely derogatory to the prerogative of the crown. This answer was received for the present as satisfactory. The king's person, after the death of Gavaston, was now become less obnoxious to the public; and as the ordinances insisted on appeared to be nearly the same with those which had formerly been extorted from Henry III. by Mountfort, and which had been attended with so many fatal consequences, they were on that account demanded with less vehemence by the nobility and people. The minds of all men seemed to be much appeased: the animosities of faction no longer prevailed: and England, now united under its head, would henceforth be able, it was hoped, to take vengeance on all its enemies; particularly on the Scots, whose progress was the object of general resentment and indignation.

WAR WITH SCOTLAND.

Immediately after Edward's retreat from Scotland, Robert Bruce left his fastnesses, in which he intended to have sheltered his feeble army; and supplying his defect of strength by superior vigour and abilities, he made deep impression on all his enemies, foreign and domestic. He chased Lord Argyle, and the chieftain of the Macdowals, from their hills, and made himself entirely master of the high country; he thence invaded with success the Cummins in the low countries of the north. He took the castles of Inverness, Forfar, and Brechin. He daily gained some new accession of territory; and, what was a more important acquisition, he daily reconciled the minds of the nobility to his dominion, and enlisted under his standard every bold leader, whom he enriched by the spoils of his enemies. Sir James Douglas, in whom commenced the greatness and renown of that warlike family, seconded him in all his enterprises. Edward Bruce, Robert's own brother, distinguished himself by acts of valour; and the terror of the English power being now abated by the feeble conduct of the king, even the least sanguine of the Scots began to entertain hopes of recovering their independence; and the whole kingdom, except a few fortresses, which he had not the means to attack, had acknowledged the authority of Robert.

In this situation Edward had found it necessary to grant a truce to Scotland, and Robert successfully

employed the interval in consolidating his power, and introducing order into his civil government, disjointed by a long continuance of wars and factions. The interval was very short: the truce, ill observed on both sides, was at last openly violated; and war recommenced with greater fury than ever. Robert, not content with defending himself, had made successful inroads into England, subsisted his needy followers by the plunder of that country, and taught them to despise the military genius of a people who had long been the object of their terror. Edward, at last, roused from his lethargy, had marched an army into Scotland; and Robert, determined not to risk too much against an enemy so much superior, retired again into the mountains. The king advanced beyond Edinburgh; but being destitute of provisions, and being ill supported by the English nobility, who were then employed in framing their ordinances, he was soon obliged to retreat, without gaining any advantage over the enemy. But the appearing union of all the parties in England after the death of Gavaston, seemed to restore that kingdom to its native force, opened again the prospect of reducing Scotland, and promised a happy conclusion to a war in which both the interests and passions of the nation were so deeply engaged.

1314. Edward assembled forces from all quarters, with a view of finishing, at one blow, this important enterprise. He summoned the most warlike of his vassals from Gascony; he enlisted troops from Flanders, and other foreign countries; he invited over great numbers of the disorderly Irish as to a certain prey; he joined to them a body of the Welsh, who were actuated by like motives; and assembling the whole military force of England, he marched to the frontiers with an army which, according to the Scotch writers, amounted to an hundred thousand men.

The army collected by Robert exceeded not thirty thousand combatants; but being composed of men who had distinguished themselves by many acts of valour, who were rendered desperate by their situation, and who were inured to all the varieties of fortune, they might justly, under such a leader, be deemed formidable to the most numerous and best appointed armies. The castle of Stirling, which, with Berwick, was the only fortress in Scotland that remained in the hands of the English, had long been besieged by Edward Bruce: Philip de Mowbray, the governor, after an obstinate defence, was at last obliged to capitulate, and to promise, that if before a certain day which was now approaching, he were not relieved, he should open his gates to the enemy. Robert, therefore, sensible that here was the ground on which he must expect the English, chose the field of battle with all the skill and prudence imaginable, and made the necessary preparations for their reception. He posted himself at Bannockburn, about two miles from Stirling, where he had a hill on his right flank, and a morass on his left; and not content with having taken these precautions to prevent his being surrounded by the more numerous army of the English, he foresaw the superior strength of the enemy in cavalry, and made provision against it. Having a rivulet in front, he commanded deep pits to be dug along its banks, and sharp stakes to be planted in them; and he ordered the whole to be carefully covered over with turf. The English arrived in sight on the evening, and a bloody conflict immediately ensued between two bodies of cavalry; where Robert, who was at the head of the Scots, engaged in single combat with Henry de Bohun, a gentleman of the family of Hereford, and at one stroke cleft his adversary to the chin with a battle-axe, in sight of the two armies. The English horse fled with precipitation to their main body.

BATTLE OF BANNOCKBURN. *June* 25.

The Scots, encouraged by this favourable event, and glorying in the valour of their prince, prognosticated a happy issue to the combat on the ensuing day: the English, confident in their numbers, and elated with former successes, longed for an opportunity of revenge; and the night, though extremely short in that season, and in that climate, appeared tedious to the impatience of the several combatants. Early in the morning Edward drew out his army, and advanced towards the Scots: the earl of Gloucester, his nephew, who commanded the left wing of the cavalry, impelled by the ardour of youth, rushed on to the attack without precaution, and fell among the covered pits, which had been prepared by Bruce for the reception of the enemy. This body of horse were disordered; Gloucester himself was overthrown and slain: Sir James Douglas, who commanded the Scottish cavalry, gave the enemy no leisure to rally, but pushed them off the field with considerable loss, and pursued them in sight of their whole line of infantry. While the English army were alarmed with this unfortunate beginning of the action, which commonly proves decisive, they observed an army on the heights towards the left, which seemed to be marching leisurely in order to surround them, and they were distracted by their multiplied fears. This was a number of waggoners and sumpter-boys, whom Robert had collected; and having supplied them with military standards, gave them the appearance, at a distance, of a formidable body. The stratagem took effect; a panic seized the English; they threw down their arms and fled. They were pursued with great slaughter for the space of ninety miles, till they reached Berwick; and the Scots, besides an inestimable booty, took many persons of quality prisoners, and above 400 gentlemen, whom Robert treated with great humanity, and whose ransom was a new accession of wealth to the victorious army. The king himself narrowly escaped, by taking shelter in Dunbar, whose gates were opened to him by the earl of March; and he thence passed by sea to Berwick.

Such was the great and decisive battle of Bannockburn, which secured the independence of Scotland, fixed Bruce on the throne of that kingdom, and may be deemed the greatest overthrow that the English nation, since the conquest, has ever received. The number of slain on those occasions is always uncertain, and is commonly much magnified by the victors: but this defeat made a deep impression on the minds of the English; and it was remarked, that for some years, no superiority of numbers could encourage them to keep the field against the Scots. Robert, in order to avail himself of his present success, entered England, and ravaged all the northern counties without opposition: he besieged Carlisle; but that place was saved by the valour of Sir Andrew Harcla, the governor: he was more successful against Berwick, which he took by assault; and this prince, elated by his continued prosperity, now entertained hopes of making the most important conquests on the English. He sent over his brother Edward, with an army of 6000 men, into Ireland, [1315,] and that nobleman assumed the title of king of that island; he himself followed soon after with more numerous forces. The horrible and absurd oppressions which the Irish suffered under the English government, made them, at first, fly to the standard of the Scots, whom they regarded as their deliverers; but a grievous famine, which at that time desolated both Ireland and Britain, reduced the Scottish army to the greatest extremities, and Robert was obliged to return, with his forces much diminished, into his own country. His brother, after having experienced a variety of fortune, was defeated and slain near Dundalk by the English, commanded by Lord Bermingham; and these projects, too extensive for the force of the Scottish nation, thus vanished into smoke.

Edward, besides suffering those disasters from the invasion of the Scots, and the insurrection of the Irish,





Battle of Bannockburn 1314

was also infested with a rebellion in Wales; and, above all, by the factions of his own nobility, who took advantage of the public calamities, insulted his fallen fortunes, and endeavoured to establish their own independence on the ruins of the throne. Lancaster, and the barons of his party, who had declined attending him on his Scottish expedition, no sooner saw him return with disgrace, than they insisted on the renewal of their ordinances, which, they still pretended, had validity; and the king's unhappy situation obliged him to submit to their demands. The ministry was new modelled by the direction of Lancaster; that prince was placed at the head of the council: it was declared that all the offices should be filled, from time to time, by the votes of parliament, or rather by the will of the great barons. And the nation, under this new model of government, endeavoured to put itself in a better posture of defence against the Scots. But the factious nobles were far from being terrified with the progress of these public enemies: on the contrary, they founded the hopes of their own future grandeur on the weakness and distresses of the crown. Lancaster himself was suspected, with great appearance of reason, of holding a secret correspondence with the king of Scots; and though he was entrusted with the command of the English armies, he took care that every enterprise should be disappointed, and every plan of operations prove unsuccessful.

All the European kingdoms, especially that of England, were at this time unacquainted with the office of a prime-minister, so well understood at present in all regular monarchies; and the people could form no conception of a man, who, though still in the rank of a subject, possessed all the power of a sovereign, eased the prince of the burden of affairs, supplied his want of experience or capacity, and maintained all the rights of the crown, without degrading the greatest nobles by their submission to his temporary authority. Edward was plainly, by nature, unfit to hold himself the reins of government: he had no vices, but was unhappy in a total incapacity for serious business. He was sensible of his own defects, and necessarily sought to be governed; yet every favourite whom he successively chose was regarded as a fellow-subject exalted above his rank and station. He was the object of envy to the great nobility; his character and conduct were decried with the people; his authority over the king and kingdom was considered as an usurpation; and unless the prince had embraced the dangerous expedient of devolving his power on the earl of Lancaster, or some mighty baron, whose family interest was so extensive as to be able alone to maintain his influence, he could expect no peace or tranquillity upon the throne.

HUGH LE DESPENSER.

The king's chief favourite, after the death of Gavaston, was Hugh le Despenser, or Spenser, a young man of English birth, of high rank, and of a noble family. He possessed all the exterior accomplishments of person and address which were fitted to engage the weak mind of Edward; but was destitute of that moderation and prudence which might have qualified him to mitigate the envy of the great, and conduct him through all the perils of that dangerous station to which he was advanced. His father, who was of the same name, and who, by means of his son, had also attained great influence over the king, was a nobleman venerable from his years, respected through all his past life for wisdom, valour, and integrity, and well fitted, by his talents and experience, could affairs have admitted of any temperament, to have supplied the defects both of the king and of his minion. But no sooner was Edward's attachment declared for young Spenser, than the turbulent Lancaster, and most of the great barons, regarded him as their rival, made him the object of their animosity, and formed violent plans for his ruin. They first declared their discontent by withdrawing from parliament; and it was not long ere they found a pretence for proceeding to greater extremities against him.

CIVIL COMMOTIONS. 1321.

The king, who set no limits to his bounty towards his minions, had married the younger Spenser to his niece, one of the coheirs of the earl of Gloucester, slain at Bannockburn. The favourite, by his succession to that opulent family, had inherited great possessions in the marches of Wales; and being desirous of extending still further his influence in those quarters, he is accused of having committed injustice on the barons of Audley and Ammori, who had also married two sisters of the same family. There was likewise a baron in that neighbourhood, called William de Brauose, lord of Gower, who had made a settlement of his estate on John de Mowbray, his son-in-law; and, in case of failure of that nobleman and his issue, had substituted the earl of Hereford in the succession to the barony of Gower. Mowbray, on the decease of his father-in-law, entered immediately in possession of the estate, without the formality of taking livery and seizin from the crown: but Spenser, who coveted that barony, persuaded the king to put in execution the rigour of the feudal law, to seize Gower as escheated to the crown, and to confer it upon him. This transaction, which was the proper subject of a lawsuit, immediately excited a civil war in the kingdom. The earls of Lancaster and Hereford flew to arms: Audley and Ammori joined them with all their forces: the two Rogers de Mortimer and Roger de Clifford, with many others, disgusted, for private reasons, at the Spensers, brought a considerable accession to the party; and their army being now formidable, they sent a message to the king, requiring him immediately to dismiss or confine the younger Spenser; and menacing him, in case of refusal, with renouncing their allegiance to him, and taking revenge on that minister by their own authority. They scarcely waited for an answer; but immediately fell upon the lands of young Spenser, which they pillaged and destroyed; murdered his servants, drove off his cattle, and burned his houses: they thence proceeded to commit like devastations on the estates of Spenser, the father, whose character they had hitherto seemed to respect: and having drawn and signed a formal association among themselves, they marched to London with all their forces, stationed themselves in the neighbourhood of that city, and demanded of the king the banishment of both the Spensers. These noblemen were then absent; the father abroad; the son at sea; and both of them employed in different commissions: the king therefore replied, that his coronation oath, by which he was bound to observe the laws, restrained him from giving his assent to so illegal a demand, or condemning noblemen who were accused of no crime, nor had any opportunity afforded them of making answer. Equity and reason were but a feeble opposition to men who had arms in their hands, and who, being already involved in guilt, saw no safety but in success and victory. They entered London with their troops; and giving in to the parliament, which was then sitting, a charge against the Spensers, of which they attempted not to prove one article, they procured, by menaces and violence, a sentence of attainder and perpetual exile against these ministers. This sentence was voted by the lay barons alone: for the commons, though now an estate in parliament, were yet of so little consideration, that their assent was not demanded; and even the votes of the prelates were neglected amidst the present disorders. The only symptom which these turbulent barons gave of their regard to law, was their requiring from the king an indemnity for their illegal proceedings; after which they disbanded their army, and separated, in security, as they imagined, to their several castles.

This act of violence, in which the king was obliged to acquiesce, rendered his person and his authority so contemptible, that every one thought himself entitled to treat him with neglect. The queen, having occasion soon after to pass by the castle of Leeds, in Kent, which belonged to the lord Badlesmere, desired a night's lodging, but was refused admittance; and some of her attendants, who presented themselves at the gate, were killed. The insult upon this princess, who had always endeavoured to live on good terms with the barons, and who joined them heartily in their hatred of the younger Spenser, was an action which nobody pretended to justify; and the king thought that he might, without giving general umbrage, assemble an army and take vengeance on the offender. No one came to the assistance of Badlesmere; and Edward prevailed. But having now some forces on foot, and having concerted measures with his friends throughout England, he ventured to take off the mask, to attack all his enemies, and to recal the two Spensers, whose sentence he declared illegal, unjust, contrary to the tenor of the Great Charter, passed without the assent of the prelate, and extorted by violence from him and the estate of barons. Still the commons were not mentioned by either party.

1322. The king had now got the start of the barons; an advantage which, in those times, was commonly decisive: and he hastened with his army to the marches of Wales, the chief seat of the power of his enemies, whom he found totally unprepared for resistance. Many of the barons in those parts endeavoured to appease him by submission: their castles were seized, and their persons committed to custody. But Lancaster, in order to prevent the total ruin of his party, summoned together his vassals and retainers; declared his alliance with Scotland, which had long been suspected; received the promise of a re-enforcement from that country, under the command of Randolf, earl of Murray, and sir James Douglas; and being joined by the earl of Hereford, advanced with all his forces against the king; who had collected an army of 30,000 men, and was superior to his enemies. Lancaster posted himself at Burton-upon-Trent, and endeavoured to defend the passages of the river: but being disappointed in that plan of operations, this prince, who had no military genius, and whose personal courage was even suspected, fled with his army to the north, in expectation of being there joined by his Scottish allies. He was pursued by the king; and his army diminished daily, till he came to Boroughbridge, where he found sir Andrew Harcla posted with some forces on the opposite side of the river, and ready to dispute the passage with him. He was repulsed in an attempt which he made to force his way; the earl of Hereford was killed; the whole army of the rebels was disconcerted; (16th March;) Lancaster himself was become incapable of taking any measures, either for flight or defence; and he was seized, without resistance, by Harcla, and conducted to the king. In those violent times, the laws were so much neglected on both sides, that, even where they might, without any sensible inconvenience, have been observed, the conquerors deemed it unnecessary to pay any regard to them. Lancaster, who was guilty of open rebellion, and was taken in arms against his sovereign, instead of being tried by the laws of his country, which pronounced the sentence of death against him, was condemned by a court-martial, and led to execution. (23d March.) Edward, however, little vindictive in his natural temper, here indulged his revenge, and employed against the prisoner the same indignities which had been exercised, by his orders, against Gavaston. He was clothed in a mean attire, placed on a lean jade without a bridle, a hood was put on his head, and in this posture, attended by the acclamations of the people, this prince was conducted to an eminence near Pomfret, one of his own castles, and there beheaded.

Thus perished Thomas, earl of Lancaster, prince of the blood, and one of the most potent barons that had ever been in England. His public conduct sufficiently discovers the violence and turbulence of his character: his private deportment appears not to have been more innocent: and his hypocritical devotion, by which he gained the favour of the monks and populace, will rather be regarded as an aggravation than an alleviation of his guilt. Badlesmere, Giffard, Barret, Cheney, Fleming, and about eighteen of the most notorious offenders, were afterwards condemned by a legal trial, and were executed. Many were thrown into prison: others made their escape beyond sea: some of the king's servants were rewarded from the forfeitures: Harcla received for his services the earldom of Carlisle, and a large estate, which he soon after forfeited with his life, for a treasonable correspondence with the king of Scotland. But the greater part of those vast escheats was seized by young Spenser, whose rapacity was insatiable. Many of the barons of the king's party were disgusted with this partial division of the spoils: the envy against Spenser rose higher than ever: the usual insolence of his temper, inflamed by success, impelled him to commit many acts of violence: the people, who always hated him, made him still more the object of aversion: all the relations of the attainted barons and gentlemen secretly vowed revenge: and though tranquillity was, in appearance, restored to the kingdom, the general contempt of the king, and odium against Spenser, bred dangerous humours, the source of future revolutions and convulsions.

In this situation, no success could be expected from foreign wars; and Edward, after making one more fruitless attempt against Scotland, whence he retreated with dishonour, found it necessary to terminate hostilities with that kingdom by a truce of thirteen years. Robert, though his title to the crown was not acknowledged in the treaty, was satisfied with ensuring his possession of it during so long a time. He had repelled with gallantry all the attacks of England: he had carried war both into that kingdom and into Ireland: he had rejected with disdain the pope's authority, who pretended to impose his commands upon him, and oblige him to make peace with his enemies: his throne was firmly established, as well in the affections of his subjects as by force of arms; yet there naturally remained some inquietude in his mind, while at war with a state which, however at present disordered by faction, was of itself so much an overmatch for him, both in riches and in numbers of people. And this truce was, at the same time, the more seasonable for England, because the nation was at that juncture threatened with hostilities from France.

1324. Philip the Fair, king of France, who died in 1315, had left the crown to his son Louis Hutin, who, after a short reign, dying without male issue, was succeeded by Philip the Long, his brother, whose death soon after made way for Charles the Fair, the youngest brother of that family. This monarch had some grounds of complaint against the king's ministers in Guienne; and as there was no common or equitable judge in that strange species of sovereignty established by the feudal law, he seemed desirous to take advantage of Edward's weakness, and, under that pretence, to confiscate all his foreign dominions. After an embassy by the earl of Kent, the king's brother, had been tried in vain, queen Isabella obtained permission to go over to Paris, and endeavour to adjust in an amicable manner the difference with her brother: but while she was making some progress in this negociation, Charles started a new pretension, the justice of which could not be disputed, that Edward himself should appear in his court, and do homage for the fees which he held in France. But there occurred many difficulties in complying with this demand. Young Spenser, by whom the king was implicitly governed, had unavoidably been engaged in many quarrels with the queen, who aspired to the same influence; and though that artful princess, of

her leaving England, had dissembled her animosity. Spenser, well acquainted with her secret sentiments, was unwilling to attend his master to Paris, and appear in a court, where her credit might expose him to insults, if not to danger. He hesitated no less on allowing the king to make the journey alone; both fearing lest that easy prince should in his absence fall under other influence; and foreseeing the perils to which he himself should be exposed, if, without the protection of royal authority, he remained in England, where he was so generally hated. While these doubts occasioned delays and difficulties, Isabella proposed [1325] that Edward should resign the dominion of Guienne to his son, now thirteen years of age, and that the prince should come to Paris, and do the homage which every vassal owed to his superior lord. This expedient, which seemed so happily to remove all difficulties, was immediately embraced: Spenser was charmed with the contrivance: young Edward was sent to Paris; and the ruin, covered under this fatal snare, was never perceived or suspected by any of the English council.

CONSPIRACY AGAINST THE KING.

The queen on her arrival in France had there found a great number of English fugitives, the remains of the Lancastrian faction; and their common hatred of Spenser soon begat a secret friendship and correspondence between them and that princess. Among the rest was young Roger Mortimer, a potent baron in the Welsh marches, who had been obliged, with others, to make his submissions to the king; had been condemned for high-treason; but having received a pardon for his life, was afterwards detained in the Tower, with an intention of rendering his confinement perpetual. He was so fortunate as to make his escape into France; and being one of the most considerable persons now remaining of the party, as well as distinguished by his violent animosity against Spenser, he was easily admitted to pay his court to queen Isabella. The graces of his person and address advanced him quickly in her affections: he became her confidant and counsellor in all her measures: and gaining ground daily upon her heart, he engaged her to sacrifice at last to her passion, all the sentiments of honour and of fidelity to her husband. Hating now the man whom she had injured, and whom she never valued, she entered ardently into all Mortimer's conspiracies; and having artfully gotten into her hands the young prince, and heir of the monarchy, she resolved on the utter ruin of the king, as well as of his favourite. She engaged her brother to take part in the same criminal purpose: her court was daily filled with the exiled barons: Mortimer lived in the most declared intimacy with her: a correspondence was secretly carried on with the malcontent party in England: and when Edward, informed of those alarming circumstances, required her speedily to return with the prince, she publicly replied, that she would never set foot in the kingdom, till Spenser was for ever removed from his presence and councils: a declaration which procured her great popularity in England, and threw a decent veil over all her treasonable enterprises.

INSURRECTIONS.

Edward endeavoured to put himself in a posture of defence; but besides the difficulties arising from his own indolence and slender abilities, and the want of authority which of consequence attended all his resolutions, it was not easy for him, in the present state of the kingdom and revenue, to maintain a constant force ready to repel an invasion, which he knew not at what time or place he had reason to expect. All his efforts were unequal to the traitorous and hostile conspiracies, which, both at home and abroad, were forming against his authority, and which were daily penetrating further even into his own family. His brother, the earl of Kent, a virtuous but weak prince, who was then at Paris, was engaged by his sister-in-law, and by the king of France, who was also his cousin-german, to give countenance to the invasion, whose sole object, he believed, was the expulsion of the Spensers: he prevailed on his elder brother, the earl of Norfolk, to enter secretly into the same design: the earl of Leicester, brother and heir of the earl of Lancaster, had too many reasons for his hatred of these ministers, to refuse his concurrence. Walter de Reynel, archbishop of Canterbury, and many of the prelates, expressed their approbation of the queen's measures: several of the most potent barons, envying the authority of the favourite, were ready to fly to arms: the minds of the people, by means of some truths and many calumnies, were strongly disposed to the same party: and there needed but the appearance of the queen and prince, with such a body of foreign troops as might protect her against immediate violence, to turn all this tempest, so artfully prepared, against the unhappy Edward.

1326. Charles, though he gave countenance and assistance to the faction, was ashamed openly to support the queen and prince against the authority of a husband and father: and Isabella was obliged to court the alliance of some other foreign potentate, from whose dominions she might set out on her intended enterprise. For this purpose she affianced young Edward, whose tender age made him incapable to judge of the consequences, with Philippa, daughter of the count of Holland and Hainault; and having, by the open assistance of this prince, and the secret protection of her brother, enlisted in her service near 3,000 men, she set sail from the harbour of Dort, and landed safely, and without opposition, on the coast of Suffolk. [24th September.] The earl of Kent was in her company, two other princes of the blood, the earl of Norfolk and the earl of Leicester joined her soon after landing with all their followers: three prelates, the bishops of Ely, Lincoln, and Hereford, brought her both the force of their vassals and the authority of their character: even Robert de Watteville, who had been sent by the king to oppose her progress in Suffolk, deserted to her with all his forces. To render her cause more favourable, she renewed her declaration, that the sole purpose of her enterprise was to free the king and kingdom from the tyranny of the Spensers, and of chancellor Baldoc, their creature. The populace were allured by her specious pretences: the barons thought themselves secure against forfeitures by the appearance of the prince in her army; and a weak, irresolute king, supported by ministers generally odious, was unable to stem this torrent, which bore with such irresistible violence against him.

Edward, after trying in vain to rouse the citizens of London to some sense of duty, departed for the west, where he hoped to meet with a better reception; and he had no sooner discovered his weakness by leaving the city, than the rage of the populace broke out without control against him and his ministers. They first plundered, then murdered all those who were obnoxious to them: they seized the bishop of Exeter, a virtuous and loyal prelate, as he was passing through the streets; and having beheaded him, they threw his body into the river. They made themselves masters of the Tower by surprise; then entered into a formal association to put to death without mercy every one who should dare to oppose the enterprise of queen Isabella and of the prince. A like spirit was soon communicated to all other parts of England; and threw the few servants of the king who still entertained thoughts of performing their duty into terror and astonishment.

Edward was hotly pursued to Bristol by the earl of Kent, seconded by the foreign forces under John de Hainault. He found himself disappointed in his expectations with regard to the loyalty of those parts; and he passed over to Wales where, he flattered him-

self, his name was more popular, and which he hoped to find uninfected with the contagion of general rage which had seized the English. The elder Spenser, created earl of Winchester, was left governor of the castle of Bristol; but the garrison mutinied against him, and he was delivered into the hands of his enemies. This venerable noble, who had nearly reached his ninetieth year, was instantly, without trial, or witness, or accusation, or answer, condemned to death by the rebellious barons: he was hanged on a gibbet; his body was cut in pieces, and thrown to the dogs; and his head was sent to Winchester, the place whose title he bore, and was there set on a pole, and exposed to the insults of the populace.

The king, disappointed anew in his expectations of succour from the Welsh, took shipping for Ireland; but being driven back by contrary winds, he endeavoured to conceal himself in the mountains of Wales: he was soon discovered, was put under the custody of the earl of Leicester, and was confined in the castle of Kenilworth. The younger Spenser, his favourite, who also fell into the hands of his enemies, was executed, like his father, without any appearance of a legal trial; the earl of Arundel, almost the only man of his rank in England who had maintained his loyalty, was, without any trial, put to death at the instigation of Mortimer: Baldoc, the chancellor, being a priest, could not with safety be so suddenly despatched; but being sent to the bishop of Hereford's palace in London, he was there, as his enemies probably foresaw, seized by the populace, was thrown into Newgate, and soon after expired from the cruel usage which he had received. Even the usual reverence paid to the sacerdotal character gave way, with every other consideration, to the present rage of the people.

THE KING DETHRONED.

The queen, to avail herself of the prevailing delusion, summoned, in the king's name, a parliament at Westminster; [1327;] where, together with the power of her army, and the authority of her partisans among the barons, who were concerned to secure their past treasons by committing new acts of violence against their sovereign, she expected to be seconded by the fury of the populace, the most dangerous of all instruments, and the least answerable for their excesses. A charge was drawn up against the king, (13th January,) in which, even though it was framed by his inveterate enemies, nothing but his narrow genius, or his misfortunes, were objected to him; for the greatest malice found no particular crime with which it could reproach this unhappy prince. He was accused of incapacity for government, of wasting his time in idle amusements, of neglecting public business, of being swayed by evil counsellors, of having lost by his misconduct the kingdom of Scotland and part of Guienne; and, to swell the charge, even the death of some barons, and the imprisonment of some prelates, convicted of treason, were laid to his account. It was in vain, amidst the violence of arms and tumult of the people, to appeal either to law or to reason: the deposition of the king, without any appearing opposition, was voted by parliament: the prince, already declared regent by his party, was placed on the throne; and a deputation was sent to Edward at Kenilworth to require his resignation, which menaces and terror soon extorted from him.

But it was impossible that the people, however corrupted by the barbarity of the times, still further inflamed by faction, could for ever remain insensible to the voice of nature. Here, a wife had first deserted, next invaded, and then dethroned her husband; had made her minor son an instrument in this unnatural treatment of his father; had by lying pretences seduced the nation into a rebellion against their sovereign; had pushed them into violence and cruelties that had dishonoured them: all those circumstances were so odious in themselves, and formed such a complicated scene of guilt, that the least reflection sufficed to open men's eyes, and make them detest this flagrant infringement of every public and private duty. The suspicions which soon arose of Isabella's criminal commerce with Mortimer, the proofs which daily broke out of this part of her guilt, increased the general abhorrence against her; and her hypocrisy, in publicly bewailing with tears the king's unhappy fate, was not able to deceive even the most stupid and most prejudiced of her adherents. In proportion as the queen became the object of public hatred, the dethroned monarch, who had been the victim of her crimes and her ambition, was regarded with pity, with friendship, with veneration; and men became sensible that all his misconduct, which faction had so much exaggerated, had been owing to the unavoidable weakness, not to any voluntary depravity of his character. The earl of Leicester, now earl of Lancaster, to whose custody he had been committed, was soon touched with those generous sentiments; and, besides using his prisoner with gentleness and humanity, he was suspected to have entertained still more honourable intentions in his favour. The king, therefore, was taken from his hands, and delivered over to lord Berkeley, and Mautravers, and Gournay, who were entrusted alternately, each for a month, with the charge of guarding him. While he was in the custody of Berkeley, he was still treated with the gentleness due to his rank and his misfortunes; but when the turn of Mautravers and Gournay came, every species of indignity was practised against him, as if their intention had been to break entirely the prince's spirit, and to employ his sorrows and afflictions, instead of more violent and more dangerous expedients, for the instruments of his murder. It is reported that one day, when Edward was to be shaved, they ordered cold and dirty water to be brought from the ditch for that purpose; and when he desired it to be changed, and was still denied his request, he burst into tears, which bedewed his cheeks; and he exclaimed, that in spite of their insolence, he should be shaved with clean and warm water. But as this method of laying Edward in his grave appeared still too slow to the impatient Mortimer, he secretly sent orders to the two keepers, who were at his devotion, instantly to despatch him; and these ruffians contrived to make the manner of his death as cruel and barbarous as possible. Taking advantage of Berkeley's sickness, in whose custody he then was, and who was thereby incapacitated from attending his charge; they came to Berkeley castle, (21st September,) and put themselves in possession of the king's person. They threw him on a bed; held him down violently with a table, which they flung over him; thrust into his fundament a red-hot iron, which they inserted through a horn; and though the outward marks of violence upon his person were prevented by this expedient, the horrid deed was discovered to all the guards and attendants by the screams with which the agonizing king filled the castle while his bowels were consuming.

Gournay and Mautravers were held in general detestation; and when the ensuing revolution in England threw their protectors from power, they found it necessary to provide for their safety by flying the kingdom. Gournay was afterwards seized at Marseilles, delivered over to the seneschal of Guienne, put on board a ship with a view of carrying him to England; but he was beheaded at sea by secret orders, as was supposed, from some nobles and prelates in England, anxious to prevent any discovery which he might make of his accomplices. Mautravers concealed himself for several years in Germany; but having found means of rendering some service to Edward III. he ventured to approach his person, threw himself on his knees before him, submitted to mercy, and received a pardon.

It is not easy to imagine a man more innocent and inoffensive than the unhappy king whose tragical death

we have related; nor a prince less fitted for governing that fierce and turbulent people subjected to his authority. He was obliged to devolve on others the weight of government, which he had neither ability or inclination to bear: the same indolence and want of penetration led him to make choice of ministers and favourites who were not always the best qualified for the trust committed to them; the seditious grandees, pleased with his weakness, yet complaining of it, under pretence of attacking his ministers, insulted his person and invaded his authority; and the impatient populace, mistaking the source of their grievances, threw all the blame upon the king, and increased the public disorders by their faction and violence. It was in vain to look for protection from the laws, whose voice, always feeble in those times, was not heard amidst the din of arms: what could not defend the king was less able to give shelter to any of the people: the whole machine of government was torn in pieces with fury and violence; and men, instead of regretting the manners of their age, and the form of their constitution, which required the most steady and most skilful hand to conduct them, imputed all errors to the person who had the misfortune to be entrusted with the reins of empire.

But though such mistakes are natural and almost unavoidable, while the events are recent, it is a shameful delusion in modern historians to imagine that all the ancient princes who were unfortunate in their government, were also tyrannical in their conduct, and that the seditions of the people always proceeded from some invasion of their privileges by the monarch. Even a great and good king was not in that age secure against faction and rebellion, as appears in the case of Henry II.; but a great king had the best chance, as we learn from the history of the same period, for quelling and subduing them. Compare the reigns and characters of Edward I. and II. The father made several violent attempts against the liberties of the people; his barons opposed him; he was obliged, at least found it prudent, to submit; but as they dreaded his valour and abilities, they were content with reasonable satisfaction, and pushed no further their advantages against him. The facility and weakness of the son, not his violence, threw everything into confusion; the laws and government were overturned; an attempt to reinstate them was an unpardonable crime; and no attonement, but the deposition and tragical death of the king himself, could give those barons contentment. It is easy to see that a constitution which depended so much on the personal character of the prince, must necessarily, in many of its parts, be a government of will, not of laws. But always to throw, without distinction, the blame of all disorders upon the sovereign, would introduce a fatal error in politics, and serve as a perpetual apology for treason and rebellion; as if the turbulence of the great, and madness of the people, were not, equally with the tyranny of princes, evils incident to human society, and no less carefully to be guarded against in every well-regulated constitution.

MISCELLANEOUS TRANSACTIONS DURING THIS REIGN.

While these abominable scenes passed in England, the theatre of France was stained with a wickedness equally barbarous, and still more public and deliberate. The order of knights templars had arisen during the first fervour of the Crusades; and uniting the two qualities the most popular in that age, devotion and valour, and exercising both in the most popular of all enterprises, the defence of the Holy Land, they made rapid advances in credit and authority, and had acquired, from the piety of the faithful, ample possessions in every country of Europe, especially in France. Their great riches, joined to the course of time, had by degrees relaxed the severity of these virtues; and the templars had in a great measure lost that popularity which first raised them to honour and distinction. Acquainted from experience with the fatigues and dangers of those fruitless expeditions to the East, they rather chose to enjoy in ease their opulent revenues in Europe: and being all men of birth, educated, according to the custom of that age, without any tincture of letters, they scorned the ignoble occupations of a monastic life, and passed their time wholly in the fashionable amusements of hunting, gallantry, and the pleasures of the table. Their rival order, that of St. John of Jerusalem, whose poverty had as yet preserved them from like corruptions, still distinguished themselves by their enterprises against the infidels, and succeeded to all the popularity, which was lost by the indolence and luxury of the templars. But though these reasons had weakened the foundations of this order, once so celebrated and revered, the immediate cause of their destruction proceeded from the cruel and vindictive spirit of Philip the Fair; who, having entertained a private disgust against some eminent templars, determined to gratify at once his avidity and revenge, by involving the whole order in an undistinguished ruin. On no better information than that of two knights, condemned by their superiors to perpetual imprisonment for their vices and profligacy, he ordered on one day all the templars in France to be committed to prison, and imputed to them such enormous and absurd crimes as are sufficient of themselves to destroy all the credit of the accusation. Besides their being universally charged with murder, robbery, and vices the most shocking to nature, every one, it was pretended, whom they received into their order, was obliged to renounce his Saviour, to spit upon the cross, and to join to this impiety the superstition of worshipping a gilded head, which was secretly kept in one of their houses at Marseilles. They also initiated, it was said, every candidate by such infamous rites, as could serve to no other purpose than to degrade the order in his eyes, and destroy for ever the authority of all his superiors over him.* Above a hundred of these unhappy gentlemen were put to the question, in order to extort from them a confession of their guilt; the more obstinate perished in the hands of their tormentors; several, to procure immediate ease in the violence of their agonies, acknowledged whatever was required of them; forged confessions were imputed to others: and Philip, as if their guilt were now certain, proceeded to a confiscation of all their treasures. But no sooner were the templars relieved from their tortures, than, preferring the most cruel execution to a life with infamy, they disavowed their confessions, exclaimed against the forgeries, justified the innocence of their order, and appealed to all the gallant actions performed by them in ancient or later times, as a full apology for their conduct. The tyrant, enraged at this disappointment, and thinking himself now engaged in honour to proceed to extremities, ordered fifty-four of them, whom he branded as relapsed heretics, to perish by the punishment of fire in his capital; great numbers expired after a like manner in other parts of the kingdom: and when he found that the perseverance of these unhappy victims, in justifying to the last their innocence, had made deep impression on the spectators, he endeavoured to overcome the constancy of the templars by new inhumanities. The grand master of the order, John de Molay, and another great officer, brother to the sovereign of Dauphiny, were conducted to a scaffold, erected before the church of Notredame, at Paris; a full pardon was offered to them on the one hand; the fire destined for their execution was shown to them on the other: these gallant nobles still persisted in the protestations of their own innocence and that of their order; and were instantly hurried into the flames by the executioner.

* It was pretended that he kissed the [illegible] of [illegible] in a secret, lewd, and [illegible]. Dupuy, pp. 15, 16. Walsingham, p. 104.

In all this barbarous injustice, Clement V., who was the creature of Philip, and then resided in France, fully concurred; and without examining a witness, or making any inquiry into the truth of facts, he summarily, by the plenitude of his apostolic power, abolished the whole order. The templars all over Europe were thrown into prison; their conduct underwent a strict scrutiny; the power of their enemies still pursued and oppressed them; but nowhere, except in France were the smallest traces of their guilt pretended to be found. England sent an ample testimony of their piety and morals; but as the order was now annihilated, the knights were distributed into several convents, and their possessions were, by command of the pope, transferred to the order of St. John. We now proceed to relate some other detached transactions of the present period.

The kingdom of England was afflicted with a grievous famine during several years of this reign. Perpetual rains and cold weather not only destroyed the harvest, but bred a mortality among the cattle, and raised every kind of food to an enormous price. The parliament, in 1315, endeavoured to fix more moderate rates to commodities; not sensible that such an attempt was impracticable, and that, were it possible to reduce the price of provisions by any other expedient than by introducing plenty, nothing could be more pernicious and destructive to the public. Where the produce of a year, for instance, falls so far short as to afford full subsistence only for nine months, the only expedient for making it last all the twelve is to raise the prices, to put the people by that means on short allowance, and oblige them to save their food till a more plentiful season. But, in reality, the increase of prices is a necessary consequence of scarcity; and laws instead of preventing it only aggravate the evil, by cramping and restraining commerce. The parliament accordingly, in the ensuing year, repealed their ordinance, which they had found useless and burdensome.

The prices affixed by the parliament are somewhat remarkable: three pounds ten shillings of our present money for the best stalled ox; for other oxen, two pounds eight shillings; a fat hog of two years old, ten shillings; a fat wether unshorn, a crown; if shorn, three shillings and sixpence halfpenny; a fat goose, sevenpence halfpenny; a fat capon, sixpence; a fat hen, threepence; two chickens, threepence; four pigeons, threepence; two dozen of eggs, threepence. If we consider these prices, we shall find that butchers' meat, in this time of great scarcity, must still have been sold, by the parliamentary ordinance, three times cheaper than our middling prices at present: poultry somewhat lower; because, being now considered as a delicacy, it has risen beyond its proportion. In the country places of Ireland and Scotland, where delicacies bear no price, poultry is at present as cheap, if not cheaper than butchers' meat. But the inference I would draw from the comparison of prices is still more considerable: I suppose that the rates affixed by parliament were inferior to the usual market-prices in those years of famine and mortality of cattle; and that these commodities, instead of a third, had really risen to a half of the present value. But the famine at that time was so consuming, that wheat was sometimes sold for above four pounds ten shillings a quarter,* usually for three pounds; that is, twice our middling prices: a certain proof of the wretched state of tillage in those ages. We formerly found that the middling price of corn in that period was half of the present price; while the middling price of cattle was only an eighth part: we here find the same immense disproportion in years of scarcity. It may thence be inferred with certainty that the raising of corn was a species of manufactory, which few in that age could practise with advantage; and there is reason to think that other manufactures more refined were sold even beyond their present prices; at least there is a demonstration for it in the reign of Henry VII., from the rates affixed to scarlet and other broad-cloth by act of parliament. During all those times, it was usual for the princes and great nobility to make settlements of their velvet beds and silken robes, in the same manner as of their estates and manors. In the list of jewels and plate which had belonged to the ostentatious Gavaston, and which the king recovered from the earl of Lancaster after the murder of that favourite, we find some embroidered girdles, flowered shirts, and silk waistcoats. It was afterwards one article of accusation against that potent and opulent earl when he was put to death, that he had purloined some of that finery of Gavaston's. The ignorance of those ages in manufactures, and still more, their unskilful husbandry, seem a clear proof that the country was then far from being populous.

All trade and manufactures, indeed, were then at a very low ebb. The only country in the northern parts of Europe where they seem to have risen to any tolerable degree of improvement was Flanders. When Robert, earl of that country, was applied to by the king, and was desired to break off commerce with the Scots, whom Edward called his rebels, and represented as excommunicated on that account by the church, the earl replied, that Flanders was always considered as common, and free and open to all nations.

The petition of the elder Spenser to parliament, complaining of the devastation committed on his lands by the barons, contains several particulars which are curious, and discover the manners of the age. He affirms that they had ravaged sixty-three manors belonging to him, and he makes his losses amount to 46,000 pounds; that is, to 138,000 of our present money. Among other particulars, he enumerates 28,000 sheep, 1000 oxen and heifers, 1200 cows with their breed for two years, 560 cart-horses, 2000 hogs, together with 600 bacons, 80 carcases of beef, and 600 muttons in the larder; ten tuns of cyder, arms for 200 men, and other warlike engines and provisions. The plain inference is, that the greater part of Spenser's vast estate, as well as the estates of the other nobility, was farmed by the landlord himself, managed by his stewards or bailiffs, and cultivated by his villains. Little or none of it was let on lease to husbandmen; its produce was consumed in rustic hospitality by the baron or his officers; a great number of idle retainers, ready for any disorder or mischief, were maintained by him; all who lived upon his estate were absolutely at his disposal; instead of applying to courts of justice, he usually sought redress by open force and violence; the great nobility were a kind of independent potentates, who, if they submitted to any regulations at all, were less governed by the municipal law, than by a rude species of the law of nations. The method in which we find they treated the king's favourites and ministers, is a proof of their usual way of dealing with each other. A party which complains of the arbitrary conduct of ministers, ought naturally to affect a great regard for the laws and constitution, and maintain at least the appearance of justice in their proceedings; yet those barons, when discontented, came to parliament with an armed force, constrained the king to assent to their measures, and without any trial, or witness, or conviction, passed, from the pretended notoriety of facts, an act of banishment or attainder against the minister, which, on the first revolution of fortune, was reversed by like expedients. The parliament during factious times was nothing but the organ of present power. Though the persons of whom it was chiefly composed seemed to enjoy great independence, they really possessed no true liberty; and the security of each individual among them was not so much derived from the general protection of law, as from his own private power, and that of his confederates. The authority of the monarch, though far from absolute, was irregular, and might often reach him: the current of a faction

* Walsing. p. 108, says it rose to six pounds.

might overwhelm him; a hundred considerations, of benefits and injuries, friendships and animosities, hopes and fears, were able to influence his conduct: and amidst these motives a regard to equity, and law, and justice, was commonly, in those rude ages, of little moment. Nor did any man entertain thoughts of opposing present power who did not deem himself strong enough to dispute the field with it by force, and was not prepared to give battle to the sovereign or the ruling party.

Before I conclude this reign, I cannot forbear making another remark, drawn from the detail of losses given in by the elder Spenser; particularly the great quantity of salted meat which he had in his larder, 600 bacons, 80 carcases of beef, 600 muttons. We may observe that the outrage of which he complained began after the third of May, or the eleventh, new style, as we learn from the same paper. It is easy therefore to conjecture what a vast store of the same kind he must have laid up at the beginning of winter; and we may draw a new conclusion with regard to the wretched state of ancient husbandry, which could not provide subsistence for the cattle during winter, even in such a temperate climate as the south of England; for Spenser had but one manor so far north as Yorkshire. There being few or no inclosures, except perhaps for deer, no sown grass, little hay, and no other resource of feeding cattle; the barons, as well as the people, were obliged to kill and salt their oxen and sheep in the beginning of winter, before they became lean upon the common pasture, a precaution still practised with regard to oxen in the least cultivated parts of this island. The salting of mutton is a miserable expedient, which has everywhere been long disused. From this circumstance, however trivial in appearance, may be drawn important inferences with regard to the domestic economy and manner of life in those ages.

The disorders of the times, from foreign wars and intestine dissensions, but above all, the cruel famine, which obliged the nobility to dismiss many of their retainers, increased the number of robbers in the kingdom; and no place was secure from their incursions. They met in troops like armies, and overran the country. Two cardinals themselves, the pope's legates, notwithstanding the numerous train which attended them, were robbed, and despoiled of their goods and equipage, when they travelled on the highway.

Among the other wild fancies of the age, it was imagined that the persons affected with leprosy, a disease at that time very common, probably from bad diet, had conspired with the Saracens to poison all the springs and fountains; and men being glad of any pretence to get rid of those who were a burden to them, many of those unhappy people were burnt alive on this chimerical imputation. Several Jews also were punished in their persons, and their goods were confiscated, on the same account.

Stowe, in his Survey of London, gives us a curious instance of the hospitality of the ancient nobility in this period: it is taken from the accounts of the cofferer or steward of Thomas, earl of Lancaster and contains the expenses of that earl during the year 1313, which was not a year of famine. For the pantry, buttery, and kitchen, 3405 pounds; for 369 pipes of red wine, and two of white, 104 pounds, &c. The whole 7309 pounds; that is, near 22,000 pounds of our present money; and making allowance for the cheapness of commodities, near a hundred thousand pounds.

I have seen a French manuscript, containing accounts of some private disbursements of this king. There is an article, among others, of a crown paid to one for making the king laugh. To judge by the events of the reign, this ought not to have been an easy undertaking.

This king left four children, two sons and two daughters: Edward, his eldest son and successor; John, created afterwards earl of Cornwall, who died young at Perth; Jane, afterwards married to David Bruce, king of Scotland; and Eleanor, married to Reginald, count of Gueldres.

CHAPTER XV.

EDWARD III.

War with Scotland — Execution of the Earl of Kent — Execution of Mortimer, Earl of March — State of Scotland — War with that Kingdom — King's Claim to the Crown of France — Preparations for War with France — War — Naval Victory — Truce — Disasters — Affairs of Britanny — Renewal of the War with France — Invasion of France — Battle of Cressy — War with Scotland — Captivity of the King of Scots — Calais taken.

1327. 29th Jan. THE violent party, which had taken arms against Edward II. and finally deposed that unfortunate monarch, deemed it requisite, for their future security, to pay so far an exterior obeisance to the law, as to desire a parliamentary indemnity for all their illegal proceedings; on account of the necessity which, it was pretended, they lay under, of employing force against the Spensers and other evil counsellors, enemies of the kingdom. All the attainders also, which had passed against the earl of Lancaster and his adherents, when the chance of war turned against them, were easily reversed during the triumph of their party; and the Spensers, whose former attainder had been reversed by parliament, were now again, in this change of fortune, condemned by the votes of their enemies. A council of regency was likewise appointed by parliament, consisting of twelve persons; five prelates, the archbishops of Canterbury and York, the bishops of Winchester, Worcester, and Hereford; and seven lay peers, the earls of Norfolk, Kent, and Surrey, and the lords Wake, Ingham, Piercy, and Ross. The earl of Lancaster was appointed guardian and protector of the king's person. But, though it was reasonable to expect, that, as the weakness of the former king had given reins to the licentiousness of the barons, great domestic tranquillity would not prevail during the present minority, the first disturbance arose from an invasion by foreign enemies.

WAR WITH SCOTLAND.

The king of Scots, declining in years and health, but retaining still that martial spirit which had raised his nation from the lowest ebb of fortune, deemed the present opportunity favourable for infesting England. He first made an attempt on the castle of Norham, in which he was disappointed; he then collected an army of 25,000 men on the frontiers, and having given the command to the earl of Murray and lord Douglas, threatened an incursion into the northern counties. The English regency, after trying in vain every expedient to restore peace with Scotland, made vigorous preparations for war; and, besides assembling an English army of near sixty thousand men, they invited back John of Hainault, and some foreign cavalry, whom they had dismissed; and whose discipline and arms had appeared superior to those of their own country. Young Edward himself, burning with a passion for military fame, appeared at the head of these numerous forces; and marched from Durham, the appointed place of rendezvous, in quest of the enemy, who had already broken into the frontiers and were laying everything waste around them.

Murray and Douglas were the two most celebrated warriors, bred in the long hostilities between the Scots

and English; and their forces, trained in the same school, and inured to hardships, fatigues, and dangers, were perfectly qualified, by their habits and manner of life, for that desultory and destructive war which they carried into England. Except a body of about 4000 cavalry, well armed, and fit to make a steady impression in battle, the rest of the army were light-armed troops, mounted on small horses, which found subsistence everywhere, and carried them, with rapid and unexpected marches, whether they meant to commit depredations on the peaceable inhabitants, or to attack an armed enemy, or to retreat into their own country. Their whole equipage consisted of a bag of oatmeal, which, as a supply in case of necessity, each soldier carried behind him; together with a light plate of iron, on which he instantly baked the meal into a cake in the open fields. But his chief subsistence was the cattle which he seized; and his cookery was as expeditious as all his other operations. After flaying the animal, he placed the skin, loose, and hanging in the form of a bag, upon some stakes; he poured water into it, kindled a fire below, and thus made it serve as a caldron for the boiling of his victuals.

The chief difficulty which Edward met with, after composing some dangerous frays which broke out between his foreign forces and the English, was to come up with an army so rapid in its marches, and so little encumbered in its motions. Though the flame and smoke of burning villages directed him sufficiently to the place of their encampment, he found, upon hurrying thither, that they had already dislodged; and he soon discovered, by new marks of devastation, that they had removed to some distant quarter. After harassing his army during some time in this fruitless chase, he advanced northwards, and crossed the Tyne, with a resolution of awaiting them on their return homewards, and taking vengeance for all their depredations. But that whole country was already so much wasted by their frequent incursions, that it could not afford subsistence to his army; and he was obliged again to return southwards, and change his plan of operations. He had now lost all track of the enemy; and though he promised the reward of a hundred pounds a year to any one who should bring him an account of their motions, he remained inactive some days, before he received any intelligence of them. He found at last, that they had fixed their camp on the southern banks of the Were, as if they intended to await a battle; but their prudent leaders had chosen the ground with such judgment, that the English, on their approach, saw it impracticable, without temerity, to cross the river in their front, and attack them in their present situation. Edward, impatient for revenge and glory, here sent them a defiance, and challenged them, if they dared, to meet him in an equal field, and try the fortune of arms. The bold spirit of Douglas could ill brook this bravado, and he advised the acceptance of the challenge; but he was overruled by Murray, who replied to Edward, that he never took the counsel of an enemy in any of his operations. The king, therefore, kept still his position opposite to the Scots; and daily expected, that necessity would oblige them to change their quarters, and give him an opportunity of overwhelming them with superior forces. After a few days, they suddenly decamped, and marched further up the river; but still posted themselves in such a manner as to preserve the advantage of the ground, if the enemy should venture to attack them. Edward insisted, that all hazards should be run, rather than allow these ravagers to escape with impunity; but Mortimer's authority prevented the attack, and opposed itself to the valour of the young monarch. While the armies lay in this position, an incident happened which had well nigh proved fatal to the English. Douglas having gotten the word, and surveyed exactly the situation of the English camp, entered it secretly in the night-time, with a body of two hundred determined soldiers, and advanced to the royal tent, with a view of killing or carrying off the king in the midst of his army. But some of Edward's attendants, awaking in that critical moment, made resistance; his chaplain and chamberlain sacrificed their lives for his safety; the king himself, after making a valorous defence, escaped in the dark: and Douglas, having lost the greater part of his followers, was glad to make a hasty retreat with the remainder. Soon after, the Scottish army decamped without noise in the dead of night; and having thus gotten the start of the English, arrived without further loss in their own country. Edward, on entering the place of the Scottish encampment, found only six Englishmen, whom the enemy, after breaking their legs, had tied to trees, in order to prevent their carrying any intelligence to their countrymen.

The king was highly incensed at the disappointment which he had met with in his first enterprise, and at the head of so gallant an army. The symptoms which he had discovered of bravery and spirit gave extreme satisfaction, and were regarded as sure prognostics of an illustrious reign: but the general displeasure fell violently on Mortimer, who was already the object of public odium: and every measure which he pursued, tended to aggravate, beyond all bounds, the hatred of the nation both against him and queen Isabella.

When the counsel of regency was formed, Mortimer, though in the plenitude of his power, had taken no care to ensure a place in it; but this semblance of moderation was only a cover to the most iniquitous and most ambitious projects. He rendered that council entirely useless by usurping to himself the whole sovereign authority; he settled on the queen dowager the greater part of the royal revenues; he never consulted either the princes of the blood or the nobility in any public measure; the king himself was so besieged by his creatures, that no access could be procured to him; and all the envy which had attended Gavaston and Spenser fell much more deservedly on the new favourite.

1328. Mortimer, sensible of the growing hatred of the people, thought it requisite on any terms to secure peace abroad; and he entered into a negociation with Robert Bruce for that purpose. As the claim of superiority in England, more than any other cause, had tended to inflame the animosities between the two nations, Mortimer, besides stipulating a marriage between Jane, sister of Edward, and David, the son and heir of Robert, consented to resign absolutely this claim, to give up all the homages done by the Scottish parliament and nobility, and to acknowledge Robert as independent sovereign of Scotland. In return for these advantages, Robert stipulated the payment of 30,000 marks to England. This treaty was ratified by parliament; but was nevertheless the source of great discontent among the people, who having entered zealously into the pretensions of Edward I., and deeming themselves disgraced by the successful resistance made by so inferior a nation, were disappointed, by this treaty, in all future hopes both of conquest and of vengeance.

The princes of the blood, Kent, Norfolk, and Lancaster, were much united in their councils; and Mortimer entertained great suspicions of their designs against him. In summoning them to parliament, he strictly prohibited them, in the king's name, from coming attended by an armed force, an illegal but usual practice in that age. The three earls, as they approached to Salisbury, the place appointed for the meeting of parliament, found, that though they themselves, in obedience to the king's command, had brought only their usual retinue with them, Mortimer and his party were attended by all their followers in arms; and they began with some reason to apprehend a dangerous design against their persons. They retreated, assembled their retainers, and were returning with an army to take vengeance on Mortimer; when the weakness of Kent and Norfolk who deserted the

common cause, obliged Lancaster also to make his submissions. The quarrel, by the interposition of the prelates, seemed for the present to be appeased.

1329. But Mortimer, in order to intimidate the princes, determined to have a victim; and the simplicity with the good intentions of the earl of Kent, afforded him soon after an opportunity of practising upon him. By himself and his emissaries he endeavoured to persuade that prince that his brother, king Edward, was still alive, and detained in some secret prison in England. The earl, whose remorses for the part which he had acted against the late king probably inclined him to give credit to this intelligence, entered into a design of restoring him to liberty, of reinstating him on the throne, and of making thereby some atonement for the injuries which he himself had unwarily done him.... 1330. After this harmless contrivance had been allowed to proceed a certain length, the earl was seized by Mortimer, was accused before the parliament, and condemned by those slavish though turbulent barons, to lose his life and fortune. The queen and Mortimer apprehensive of young Edward's lenity towards his uncle, hurried on the execution, and the prisoner was beheaded next day: (9th March): but so general was the affection borne him, and such pity prevailed for his unhappy fate, that though peers had been easily found to condemn him, it was evening before his enemies could find an executioner to perform the office.

The earl of Lancaster, on pretence of his having assented to this conspiracy, was soon after thrown into prison: many of the prelates and nobility were prosecuted. Mortimer employed this engine to crush all his enemies, and to enrich himself and his family by the forfeitures. The estate of the earl of Kent was seized for his younger son, Geoffrey: the immense fortunes of the Spensers and their adherents were mostly converted to his own use: he affected a state and dignity equal or superior to the royal: his power became formidable to every one: his illegal practices were daily complained of: and all parties, forgetting past animosities, conspired in their hatred of Mortimer.

It was impossible that these abuses could long escape the observation of a prince endowed with so much spirit and judgment as young Edward, who being now in his eighteenth year, and feeling himself capable of governing, repined at being held in fetters by this insolent minister. But so much was he surrounded by the emissaries of Mortimer, that it behoved him to conduct the project for subverting him with the same secrecy and precaution as if he had been forming a conspiracy against his sovereign. He communicated his intentions to lord Mountacute, who engaged the lords Molins and Clifford, sir John Nevil, of Hornby, sir Edward Bohun, Ufford, and others, to enter into their views; and the castle of Nottingham was chosen for the scene of the enterprise. The queen-dowager and Mortimer lodged in that fortress: the king also was admitted, though with a few only of his attendants: and as the castle was strictly guarded, the gates locked every evening, and the keys carried to the queen, it became necessary to communicate the design to sir William Eland, the governor, who zealously took part in it. By his direction, the king's associates were admitted through a subterraneous passage, which had formerly been contrived for a secret outlet from the castle, but was now buried in rubbish; and Mortimer, without having it in his power to make resistance, was suddenly seized in an apartment adjoining to the queen's. A parliament was immediatly summoned for his condemnation. He was accused before that assembly of having usurped regal power from the council of regency appointed by parliament; of having procured the death of the late king; of having deceived the earl of Kent into a conspiracy to restore that prince; of having solicited and obtained exorbitant grants of the royal demesnes; of having dissipated the public treasure; of accepting 20,000 marks of the money paid by the king of Scots; and of other crimes and misdemeanors. The parliament condemned him, from the supposed notoriety of the facts, without trial, or hearing his answer, or examining a witness; and he was hanged on a gibbet at the Elmes, in the neighbourhood of London. (29th November.) It is remarkable that this sentence was, near twenty years after, reversed by parliament, in favour of Mortimer's son; and the reason assigned was the illegal manner of proceeding. The principles of law and justice were established in England, not in such a degree as to prevent any iniquitous sentence against a person obnoxious to the ruling party; but sufficient, on the return of his credit or that of his friends, to serve as a reason or pretence for its reversal.

1331. Justice was also executed, by a sentence of the house of peers, on some of the inferior criminals, particularly on Simon de Bereford: but the barons in that act of jurisdiction entered a protest, that though they had tried Bereford, who was none of their peers, they should not for the future be obliged to receive any such indictment. The queen was confined to her own house at Risings, near London: her revenue was reduced to 4000 pounds a year; and though the king, during the remainder of her life, paid her a decent visit once or twice a year, she never was able to reinstate herself in any credit or authority.

Edward having now taken the reins of government into his own hands, applied himself with industry and judgment to redress all those grievances which had proceeded either from want of authority in the crown, or from the late abuses of it. He issued writs to the judges, enjoining them to administer justice, without paying any regard to arbitrary orders from the ministers; and as the robbers, thieves, murderers, and criminals of all kinds, had, during the course of public convulsions, multiplied to an enormous degree, and were openly protected by the great barons, who made use of them against their enemies, the king, after exacting from the peers a solemn promise in parliament that they would break off all connexions with such malefactors, set himself in earnest to remedy the evil. Many of these gangs had become so numerous as to require his own presence to disperse them; and he exerted both courage and industry in executing this salutary office. The ministers of justice, from his example, employed the utmost diligence in discovering, pursuing, and punishing the criminals; and this disorder was by degrees corrected, at least palliated; the utmost that could be expected with regard to a disease hitherto inherent in the constitution.

STATE OF SCOTLAND.

In proportion as the government acquired authority at home, it became formidable to the neighbouring nations; and the ambitious spirit of Edward sought, and soon found, an opportunity of exerting itself. The wise and valiant Robert Bruce, who had recovered by arms the independence of his country, and had fixed it by the last treaty of peace with England, soon after died, and left David his son, a minor, and under the guardianship of Randolf, earl of Murray, the companion of all his victories. It had been stipulated in this treaty, that both the Scottish nobility, who before the commencement of the wars enjoyed lands in England, and the English who inherited estates in Scotland, should be restored to their respective possessions: but though this article had been executed pretty regularly on the part of Edward, Robert, who observed that the estates claimed by Englishmen were much more numerous and valuable than the others, either thought it dangerous to admit so many secret enemies into the kingdom, or found it difficult to wrest from his own followers the possessions bestowed on them as the reward of former services; and he had protracted the performance of his part of the stipulation. The English nobles, disappointed in their expectations, began to think of a remedy; and as their influence was great in the north, their enmity alone, even though unsup-

ported by the king of England, became dangerous to the minor prince, who succeeded to the Scottish throne.

1332. Edward Baliol, the son of that John who was crowned king of Scotland, had been detained sometime a prisoner in England after his father was released; but having also obtained his liberty, he went over to France, and resided in Normandy, on his patrimonial estate in that country, without any thoughts of reviving the claims of his family to the crown of Scotland. His pretensions, however plausible, had been so strenuously abjured by the Scots, and rejected by the English, that he was universally regarded as a private person; and he had been thrown into prison on account of some private offence of which he was accused. Lord Beaumont, a great English baron, who, in the right of his wife, claimed the earldom of Buchan in Scotland, found him in this situation; and deeming him a proper instrument for his purpose, made such interest with the king of France, who was not aware of the consequences, that he recovered him his liberty, and brought him over with him to England.

The injured nobles, possessed of such a head, began to think of vindicating their rights by force of arms; and they applied to Edward for his concurrence and assistance. But there were several reasons which deterred the king from openly avowing their enterprise. In his treaty with Scotland he had entered into a bond of 20,000 pounds, payable to the pope, if within four years he violated the peace; and as the term was not yet elapsed, he dreaded the exacting of that penalty by the sovereign pontiff, who possessed so many means of forcing princes to make payment. He was also afraid that violence and injustice would everywhere be imputed to him, if he attacked with superior force a minor king, and a brother-in-law, whose independent title had so lately been acknowledged by a solemn treaty. And as the regent of Scotland, on every demand which had been made of restitution to the English barons, had always confessed the justice of their claim, and only given an evasive answer, grounded on plausible pretences, Edward resolved not to proceed by open violence, but to employ like artifices against him. He secretly encouraged Baliol in his enterprise; connived at his assembling forces in the north; and gave countenance to the nobles who were disposed to join the attempt. A force of near 2,500 men were enlisted under Baliol, by Umfreville, earl of Angus, the lords Beaumont, Ferrars, Fitz-warin, Wake, Stafford, Talbot, and Mowbray. As these adventurers apprehended that the frontiers would be strongly armed and guarded, they resolved to make their attack by sea; and having embarked at Ravenspur, they reached in a few days the coast of Fife.

Scotland was at that time in a very different situation from that in which it had appeared under the victorious Robert. Besides the loss of that great monarch, whose genius and authority preserved entire the whole political fabric, and maintained an union among the unruly barons, lord Douglas, impatient of rest, had gone over to Spain in a crusade against the Moors, and had there perished in battle: the earl of Murray, who had long been declining through age and infirmities, had lately died, and had been succeeded in the regency by Donald, earl of Marre, a man of much inferior talents: the military spirit of the Scots, though still unbroken, was left without a proper guidance and direction: and a minor king seemed ill qualified to defend an inheritance, which it had required all the consummate valour and abilities of his father to acquire and maintain. But as the Scots were apprised of the intended invasion, great numbers, on the appearance of the English fleet, immediately ran to the shore, in order to prevent the landing of the enemy. Baliol had valour and activity, and he drove back the Scots with considerable loss. He marched westward into the heart of the country, flattering himself that the ancient partisans of his family would declare for him. But the fierce animosities which had been kindled between the two nations, inspiring the Scots with a strong prejudice against a prince supported by the English, he was regarded as a common enemy; and the regent found no difficulty in assembling a great army to oppose him. It is pretended that Marre had no less than 40,000 men under his banners; but the same hurry and impatience that made him collect a force which, from it greatness, was so disproportioned to the occasion, rendered all his motions unskilful and imprudent. The river Erne ran between the two armies; and the Scots, confiding in that security, as well as in their great superiority of numbers, kept no order in their encampment. Baliol passed the river in the night time; attacked the unguarded and undisciplined Scots; (11th August;) threw them into confusion, which was increased by the darkness, and by their very numbers to which they trusted; and he beat them off the field with great slaughter. But in the morning, when the Scots were at some distance, they were ashamed of having yielded the victory to so weak a foe, and they hurried back to recover the honour of the day. Their eager passions urged them precipitately to battle, without regard to some broken ground which lay between them and the enemy, and which disordered and confounded their ranks. Baliol seized the favourable opportunity, advanced his troops upon them, prevented them from rallying, and anew chased them off the field with redoubled slaughter. There fell about 12,000 Scots in this action; and among these the flower of the nobility; the regent himself, the earl of Carric, a natural son of their late king, the earls of Athole and Monteith, lord Hay, of Errol, constable, and the lords Keith and Lindsey. The loss of the English scarcely exceeded thirty men; a strong proof, among many others, of the miserable state of military discipline in those ages.

Baliol soon after made himself master of Perth; but still was not able to bring over any of the Scots to his party. Patric Dunbar, earl of March, and Sir Archibald Douglas, brother to the lord of that name, appeared at the head of the Scottish armies, which amounted still to near 40,000 men; and they purposed to reduce Baliol and the English by famine. They blockaded Perth by land; they collected some vessels, with which they invested it by water; but Baliol's ships attacking the Scottish fleet, gained a complete victory; and opened the communication between Perth and the sea. The Scotch armies were then obliged to disband for want of pay and subsistence: the nation was, in effect, subdued by a handful of men; each nobleman who found himself most exposed to danger, successively submitted to Baliol; that prince was crowned at Scone, (27th September;) David, his competitor, was sent over to France with his betrothed wife, Jane, sister to Edward; and the heads of his party sued to Baliol for a truce, which he granted them, in order to assemble a parliament in tranquillity, and have his title recognised by the whole Scottish nation.

1333. But Baliol's imprudence, or his necessities, making him dismiss the greater part of his English followers, he was, notwithstanding the truce, attacked of a sudden near Annan, by Sir Archibald Douglas and other chieftains of that party: he was routed; his brother, John Baliol, was slain; he himself was chased into England in a miserable condition; and thus lost his kingdom by a revolution as sudden as that by which he had acquired it.

WAR WITH SCOTLAND.

While Baliol enjoyed his short-lived and precarious royalty, he had been sensible that, without the protection of England, it would be impossible for him to maintain possession of the throne; and he had secretly sent a message to Edward, offering to acknowledge his superiority, to renew the homage for his crown, and to

espouse the princess Jane, if the pope's consent could be obtained for dissolving her former marriage, which was not yet consummated. Edward, ambitious of recovering that important concession, made by Mortimer during his minority, threw off all scruples, and willingly accepted the offer; but as the dethroning of Baliol had rendered this stipulation of no effect, the king prepared to reinstate him in possession of the crown; an enterprise which appeared from late experience so easy and so little hazardous. As he possessed many popular arts, he consulted his parliament on the occasion; but that assembly, finding the resolution already taken, declined giving any opinion, and only granted him, in order to support the enterprise, an aid of a fifteenth from the personal estates of the nobility and gentry, and a tenth of the moveables of boroughs. And they added a petition, that the king would thenceforth live on his own revenue, without grieving his subjects by illegal taxes, or by the outrageous seizure of their goods in the shape of purveyance.

As the Scots expected that the chief brunt of the war would fall upon Berwick, Douglas, the regent, threw a strong garrison into that place, under the command of sir William Keith; and he himself assembled a great army on the frontiers, ready to penetrate into England as soon as Edward should have invested that place. The English army was less numerous, but better supplied with arms and provisions, and retained in stricter discipline; and the king, notwithstanding the valiant defence made by Keith, had in two months reduced the garrison to extremities, and had obliged them to capitulate: they engaged to surrender, if they were not relieved within a few days by their countrymen. This intelligence being conveyed to the Scottish army, which was preparing to invade Northumberland, changed their plan of operations, and engaged them to advance towards Berwick, and attempt the relief of that important fortress. Douglas, who had ever purposed to decline a pitched battle, in which he was sensible of the enemy's superiority, and who intended to have drawn out the war by small skirmishes, and by mutually ravaging each other's country, was forced by the impatience of his troops to put the fate of the kingdom upon the event of one day. He attacked the English at Halidown-hill, (19th July,) a little north of Berwick; and, though his heavy-armed cavalry dismounted, in order to render the action more steady and desperate, they were received with such valour by Edward, and were so galled by the English archers, that they were soon thrown into disorder, and on the fall of Douglas, their general, were totally routed. The whole army fled in confusion, and the English, but much more the Irish, gave little quarter in the pursuit; all the nobles of chief distinction were either slain or taken prisoners; near thirty thousand of the Scots fell in the action; while the loss of the English amounted only to one knight, one esquire, and thirteen private soldiers; an inequality almost incredible.

After this fatal blow the Scottish nobles had no other resource than instant submission; and Edward, leaving a considerable body with Baliol to complete the conquest of the kingdom, returned with the remainder of his army to England. Baliol was acknowledged king by a parliament assembled at Edinburgh; the superiority of England was again recognised; many of the Scottish nobility swore fealty to Edward; and, to complete the misfortunes of that nation, Baliol ceded Berwick, Dunbar, Roxborough, Edinburgh, and all the south-east counties of Scotland, which were declared to be for ever annexed to the English monarchy.

1334. If Baliol, on his first appearance, was dreaded by the Scots as an instrument employed by England for the subjection of the kingdom, this deed confirmed all their suspicions, and rendered him the object of universal hatred. Whatever submissions they might be obliged to make, they considered him, not as their prince, but as the delegate and confederate of their determined enemy: and neither the manners of the age, nor the state of Edward's revenue, permitting him to maintain a standing army in Scotland, the English forces were no sooner withdrawn than the Scots revolted from Baliol, and returned to their former allegiance under Bruce. Sir Andrew Murray, appointed regent by the party of this latter prince, employed with success his valour and activity in many small but decisive actions against Baliol; and in a short time had almost wholly expelled him the kingdom. Edward was obliged again to assemble an army, [1336,] and to march into Scotland: the Scots, taught by experience, withdrew into their hills and fastnesses; he destroyed the houses and ravaged the estates of those whom he called rebels; but this confirmed them still further in their obstinate antipathy to England and to Baliol: and being now rendered desperate, they were ready to take advantage, on the first opportunity, of the retreat of their enemy, and they soon reconquered their country from the English. Edward made anew his appearance in Scotland with like success: he found everything hostile in the kingdom except the spot on which he was encamped; and though he marched uncontrolled over the low countries, the nation itself was further than ever from being broken and subdued. Besides being supported by their pride and anger, passions difficult to tame, they were encouraged, amidst all their calamities, by daily promises of relief from France; and as a war was now likely to break out between that kingdom and England, they had reason to expect, from this incident, a great diversion of that force which had so long oppressed and overwhelmed them.

KING'S CLAIM TO THE CROWN OF FRANCE. 1337.

We now come to a transaction, on which depended the most memorable events, not only of this long and active reign, but of the whole English and French history, during more than a century; and it will therefore be necessary to give a particular account of the springs and causes of it.

It had long been a prevailing opinion, that the crown of France could never descend to a female; and, in order to give more authority to this maxim, and assign it a determinate origin, it had been usual to derive it from a clause in the Salian Code, the law of an ancient tribe among the Franks; though that clause, when strictly examined, carries only the appearance of favouring this principle, and does not really, by the confession of the best antiquaries, bear the sense commonly imposed upon it. But though positive law seems wanting among the French for the exclusion of females, the practice had taken place; and the rule was established beyond controversy on some ancient, as well as some modern precedents. During the first race of the monarchy, the Franks were so rude and barbarous a people, that they were incapable of submitting to a female reign; and in that period of their history there were frequent instances of kings advanced to royalty in prejudice of females, who were related to the crown by nearer degrees of consanguinity. These precedents, joined to like causes, had also established the male succession in the second race; and though the instances were neither so frequent nor so certain during that period, the principle of excluding the female line seems still to have prevailed, and to have directed the conduct of the nation. During the third race, the crown had descended from father to son for eleven generations, from Hugh Capet to Louis Hutin; and thus, in fact, during the course of nine hundred years, the French monarchy had always been governed by males, and no female, and none who founded his title on a female, had ever mounted the throne. Philip the Fair, father of Louis Hutin, left three sons, this Louis, Philip the Long, and Charles the Fair, and one daughter, Isabella, Queen of Eng-

land. Louis Hutin, the eldest, left at his death one daughter, by Margaret, sister to Eudes, duke of Burgundy; and as his queen was then pregnant, Philip, his younger brother, was appointed regent, till it should appear whether the child proved a son or a daughter. The queen bore a male, who lived only a few days: Philip was proclaimed king: and as the duke of Burgundy made some opposition, and asserted the rights of his niece, the states of the kingdom, by a solemn and deliberate decree, gave her an exclusion, and declared all females for ever incapable of succeeding to the crown of France. Philip died after a short reign, leaving three daughters; and his brother Charles, without dispute or controversy, then succeeded to the crown. The reign of Charles was also short: he left one daughter; but as his queen was pregnant, the next male heir was appointed regent, with a declared right of succession, if the issue should prove female. This prince was Philip de Valois, cousin-german to the deceased king; being the son of Charles de Valois, brother of Philip the Fair. The queen of France was delivered of a daughter: the regency ended; and Philip de Valois was unanimously placed on the throne of France.

The king of England, who was at that time a youth of fifteen years of age, embraced a notion that he was entitled, in right of his mother, to the succession of the kingdom, and that the claim of the nephew was preferable to that of the cousin-german. There could not well be imagined a notion weaker or worse grounded. The principle of excluding females was of old an established opinion in France, and had acquired equal authority with the most express and positive law: it was supported by ancient precedents: it was confirmed by recent instances, solemnly and deliberately decided: and, what placed it still further beyond controversy, if Edward was disposed to question its validity, he thereby cut off his own pretensions; since the three last kings had all left daughters, who were still alive, and who stood before him in the order of succession. He was therefore reduced to assert, that, though his mother, Isabella, was, on account of her sex, incapable of succeeding, he himself, who inherited through her, was liable to no such objection, and might claim by the right of propinquity. But, besides that this pretension was more favourable to Charles, king of Navarre, descended from the daughter of Louis Hutin, it was so contrary to the established principles of succession in every country in Europe, was so repugnant to the practice, both in private and public inheritances, that nobody in France thought of Edward's claim: Philip's title was universally recognised: and he never imagined that he had a competitor; much less so formidable a one as the king of England.

But though the youthful and ambitious mind of Edward had rashly entertained this notion, he did not think proper to insist on his pretensions, which must have immediately involved him, on very unequal terms, in a dangerous and implacable war with so powerful a monarch. Philip was a prince of mature years, of great experience, and, at that time, of an established character both for prudence and valour; and by these circumstances, as well as by the internal union of his people, and their acquiescence in his undoubted right, he possessed every advantage above a raw youth, newly raised, by injustice and violence, to the government of the most intractable and most turbulent subjects in Europe. But there immediately occurred an incident which required that Edward should either openly declare his pretensions, or for ever renounce and abjure them. He was summoned to do homage for Guienne: Philip was preparing to compel him by force of arms: that country was in a very bad state of defence: and the forfeiture of so rich an inheritance was, by the feudal law, the immediate consequence of his refusing or declining to perform the duty of a vassal. Edward therefore thought it prudent to submit to present necessity: he went over to Amiens: did homage to Philip: and as there had arisen some controversy concerning the terms of this submission, he afterwards sent over a formal deed, in which he acknowledged that he owed liege homage to France; which was in effect ratifying, and that in the strongest terms, Philip's title to the crown of that kingdom. His own claim indeed was so unreasonable, and so thoroughly disavowed by the whole French nation, that to insist on it was no better than pretending to the violent conquest of the kingdom; and it is probable that he would never have further thought of it, had it not been for some incidents which excited an animosity between the monarchs.

Robert of Artois was descended from the blood royal of France, was a man of great character and authority, had espoused Philip's sister, and, by his birth, talents, and credit, was entitled to make the highest figure, and fill the most important offices, in the monarchy. This prince had lost the county of Artois, which he claimed as his birthright, by a sentence, commonly deemed iniquitous, of Philip the Fair; and he was seduced to attempt recovering possession by an action so unworthy of his rank and character as a forgery. The detection of this crime covered him with shame and confusion: his brother-in-law not only abandoned him, but prosecuted him with violence: Robert, incapable of bearing disgrace, left the kingdom, and hid himself in the Low Countries: chased from that retreat by the authority of Philip, he came over to England: in spite of the French king's menaces and remonstrances, he was favourably received by Edward; and was soon admitted into the councils, and shared the confidence of that monarch. Abandoning himself to all the movements of rage and despair, he endeavoured to revive the prepossession entertained by Edward in favour of his title to the crown of France, and even flattered him, that it was not impossible for a prince of his valour and abilities to render his claim effectual. The king was the more disposed to hearken to suggestions of this nature, because he had, in several particulars, found reason to complain of Philip's conduct with regard to Guienne, and because that prince had both given protection to the exiled David Bruce, and supported, at least encouraged, the Scots in their struggles for independence. Thus resentment gradually filled the breasts of both monarchs, and made them incapable of hearkening to any terms of accommodation proposed by the pope, who never ceased interposing his good offices between them. Philip thought that he should be wanting to the first principles of policy if he abandoned Scotland: Edward affirmed, that he must relinquish all pretensions to generosity, if he withdrew his protection from Robert. The former, informed of some preparations for hostilities which had been made by his rival, issued a sentence of felony and attainder against Robert, and declared, that every vassal of the crown, whether *within or without* the kingdom, who gave countenance to that traitor would be involved in the same sentence; a menace easy to be understood: the latter, resolute not to yield, endeavoured to form alliances in the Low Countries and on the frontiers of Germany, the only places from which he either could make an effectual attack upon France, or produce such a diversion as might save the province of Guienne, which lay so much exposed to the power of Philip.

PREPARATIONS FOR WAR WITH FRANCE.

The king began with opening his intentions to the count of Hainault, his father-in-law; and having engaged him in his interests, he employed the good offices and councils of that prince in drawing into his alliance the other sovereigns of that neighbourhood. The duke of Brabant was induced, by his mediation, and by large remittances of money from England, to promise his concurrence: the archbishop of Cologne, the duke of Gueldres, the marquis of Juliers, the count



of Namur, the lords of Fauquemont and Baquen, were engaged by like motives to embrace the English alliance. These sovereign princes could supply, either from their own states or from the bordering countries, great numbers of warlike troops; and nought was wanting to make the force on that quarter very formidable but the accession of Flanders, which Edward procured by means somewhat extraordinary and unusual.

As the Flemings were the first people in the northern parts of Europe that cultivated arts and manufactures, the lower ranks of men among them had risen to a degree of opulence unknown elsewhere to those of their station in that barbarous age; had acquired privileges and independence, and began to emerge from that state of vassalage, or rather of slavery, into which the common people had been universally thrown by the feudal institutions. It was probably difficult for them to bring their sovereign and their nobility to conform themselves to the principles of law and civil government, so much neglected in every other country: it was impossible for them to confine themselves within the proper bounds in their opposition and resentment against any instance of tyranny: they had risen in tumults; had insulted the nobles; had chased their earl into France; and, delivering themselves over to the guidance of a seditious leader, had been guilty of all that insolence and disorder, to which the thoughtless and enraged populace are so much inclined, wherever they are unfortunate enough to be their own masters.

Their present leader was James d'Arteville, a brewer in Ghent, who governed them with a more absolute sway than had ever been assumed by any of their lawful sovereigns: he placed and displaced the magistrates at pleasure; he was accompanied by a guard, who, on the least signal from him, instantly assassinated any man that happened to fall under his displeasure: all the cities of Flanders were full of his spies; and it was immediate death to give him the smallest umbrage. The few nobles who remained in the country, lived in continual terror from his violence: he seized the estates of all those whom he had either banished or murdered; and bestowing a part on their wives and children, converted the remainder to his own use. Such were the first effects that Europe saw of popular violence, after having groaned, during so many ages, under monarchical and aristocratical tyranny.

James d'Arteville was the man to whom Edward addressed himself for bringing over the Flemings to his interests; and that prince, the most haughty and most aspiring of the age, never courted any ally with so much assiduity and so many submissions, as he employed towards the seditious and criminal tradesman D'Arteville, proud of these advances from the king of England, and sensible that the Flemings were naturally inclined to maintain connexions with the English, who furnished them the materials of their woollen manufactures, the chief source of their opulence, readily embraced the interests of Edward, and invited him over into the Low Countries. Edward, before he entered on this great enterprise, affected to consult his parliament, asked their advice, and obtained their consent. And, the more to strengthen his hands, he procured from them a grant of 20,000 sacks of wool; which might amount to about a hundred thousand pounds. This commodity was a good instrument to employ with the Flemings; and the price of it with his German allies. He completed the other necessary sums by loans, by pawning the crown jewels, by confiscating, or rather robbing at once all the Lombards, who now exercised the invidious trade, formerly monopolized by the Jews, of lending on interest; and being attended by a body of English forces, and by several of his nobility, he sailed over to Flanders.

1338. The German princes, in order to justify their unprovoked hostilities against France, had required the sanction of some legal authority; and Edward, that he might give them satisfaction on this head, had applied to Louis of Bavaria, then emperor, and had been created by him *vicar of the empire*; an empty title, but which seemed to give him a right of commanding the service of the princes of Germany. The Flemings, who were vassals of France, pretending like scruples with regard to the invasion of their liege lord; Edward, by the advice of d'Arteville, assumed, in his commissions, the title of king of France; and, in virtue of this right, claimed their assistance for dethroning Philip de Valois, the usurper of his kingdom. This step, which he feared would destroy all future amity between the kingdoms, and beget endless and implacable jealousies in France, was not taken by him without much reluctance and hesitation: and not being in itself very justifiable, it has in the issue been attended with many miseries to both kingdoms. From this period we may date the commencement of that great animosity which the English nation have ever since borne to the French, which had so visible an influence on all future transactions, and which has been, and continues to be, the spring of many rash and precipitate resolutions among them: in all the preceding reigns since the Conquest, the hostilities between the two crowns had been only casual and temporary; and as they had never been attended with any bloody or dangerous event, the traces of them were easily obliterated by the first treaty of pacification. The English nobility and gentry valued themselves on their French and Norman extraction: they affected to employ the language of that country in all public transactions, and even in familiar conversation: and both the English court and camp being always full of nobles, who came from different provinces of France, the two people were, during some centuries, more intermingled together than any two distinct nations whom we meet with in history. But the fatal pretensions of Edward III. dissolved all these connexions, and left the seeds of great animosity in both countries, especially among the English. For it is remarkable that this latter nation, though they were commonly the aggressors, and by their success and situation were enabled to commit the most cruel injuries on the other, have always retained a stronger tincture of national antipathy; nor is their hatred retaliated on them to an equal degree by the French. That country lies in the middle of Europe, has been successively engaged in hostilities with all its neighbours, the popular prejudices have been diverted into many channels, and, among a people of softer manners, they never rose to a great height against any particular nation.

Philip made great preparations against the attack from the English, and such as seemed more than sufficient to secure him from the danger. Besides the concurrence of all the nobility in his own populous and warlike kingdom, his foreign alliances were both more cordial and more powerful than those which were formed by his antagonist. The pope, who at this time lived at Avignon, was dependent on France, and being disgusted at the connexions between Edward and Louis of Bavaria, whom he had excommunicated, he embraced with zeal and sincerity the cause of the French monarch. The king of Navarre, the duke of Britanny, the count of Bar, were in the same interests; and on the side of Germany, the king of Bohemia, the Palatine, the dukes of Lorraine and Austria, the bishop of Liege, the counts of Deuxpont, Vaudemont, and Geneva. The allies of Edward were in themselves weaker; and having no object but his money, which began to be exhausted, they were slow in their motions, and irresolute in their measures. The duke of Brabant, the most powerful among them, seemed even inclined to withdraw himself wholly from the alliance [1339]; and the king was necessitated both to give the Brabanters new privileges in trade, and to contract his son Edward with the daughter of that prince, ere he could bring him to fulfil his engagements. The summer was wasted in conferences and negociations before Edward could take the field; and he was obliged, in

order to allure his German allies into his measures, to pretend that the first attack should be made upon Cambra, a city of the empire which had been garrisoned by Philip. But finding, upon trial, the difficulty of the enterprise, he conducted them towards the frontiers of France; and he there saw, by a sensible proof, the vanity of his expectations: the count of Namur, and even the count of Hainault, his brother-in-law (for the old count was dead) refused to commence hostilities against their liege lord, and retired with their troops. So little account did they make of Edward's pretensions to the crown of France!

WAR WITH FRANCE.

The king, however, entered the enemy's country, and encamped on the fields of Vironfosse, near Capelle, with an army of near 50,000 men, composed almost entirely of foreigners: Philip approached him with an army of near double the force, composed chiefly of native subjects; and it was daily expected that a battle would ensue. But the English monarch was averse to engage against so great a superiority: the French thought it sufficient if he eluded the attacks of his enemy, without running any unnecessary hazard. The two armies faced each other for some days: mutual defiances were sent: and Edward, at last, retired into Flanders and disbanded his army.

Such was the fruitless and almost ridiculous conclusion of Edward's mighty preparations; and, as his measures were the most prudent that could be embraced in his situation, he might learn from experience in what a hopeless enterprise he was engaged. His expenses, though they had led to no end, had been consuming and destructive: he had contracted near 300,000 pounds of debt; he had anticipated all his revenue; he had pawned everything of value which belonged either to himself or his queen; he was obliged, in some measure, even to pawn himself to his creditors, by not sailing to England till he obtained their permission, and by promising, on his word of honour, to return in person, if he did not remit their money.

But he was a prince of too much spirit to be discouraged by the first difficulties of an undertaking; and he was anxious to retrieve his honour by more successful and more gallant enterprises. For this purpose he had, during the course of the campaign, sent orders to summons a parliament by his son Edward, whom he had left with the title of guardian, and to demand some supply in his urgent necessities. The barons seemed inclined to grant his request; but the knights, who often, at this time, acted as a separate body from the burgesses, made some scruple of taxing the constituents without their consent; and they desired the guardian to summon a new parliament, which might be properly empowered for that purpose. The situation of the king and parliament was for the time nearly similar to that which they constantly fell into about the beginning of the last century; and similar consequences began visibly to appear. The king, sensible of the frequent demands which he should be obliged to make on his people, had been anxious to ensure to his friends a seat in the house of commons, and at his instigation the sheriffs and other placemen had made interest to be elected into that assembly; an abuse which the knights desired the king to correct by the tenure of his writ of summons, and which was accordingly remedied. On the other hand, the knights had professedly annexed conditions to their intended grant, and required a considerable retrenchment of the royal prerogatives, particularly with regard to purveyance, and the levying of the ancient feudal aids for knighting the king's eldest son, and marrying his eldest daughter. The new parliament called by the guardian retained the same free spirit; and though they offered him a supply of 30,000 sacks of wool, no business was concluded; because the conditions which they annexed appeared too high to be compensated by a temporary concession. But when Edward himself came over to England he summoned another parliament, and he had the interest to procure a supply on more moderate terms. A confirmation of the two charters, and of the privileges of boroughs, a pardon for old debts and trespasses, and a remedy for some abuses in the execution of common law, were the chief conditions insisted on; and the king, in return for his concessions on these heads, obtained from the barons and knights an unusual grant for two years, of the ninth sheaf, lamb, and fleece on their estates; and from the burgesses a ninth of their moveables at their true value. The whole parliament also granted a duty of forty shillings on each sack of wool exported, on each three hundred wool-fells, and on each last of leather for the same term of years; but dreading the arbitrary spirit of the crown, they expressly declared that this grant was to continue no longer, and was not to be drawn into precedent. Being soon after sensible that this supply, though considerable and very unusual in that age, would come in slowly, and would not answer the king's urgent necessities, proceeding both from his debts and his preparations for war, they agreed that 20,000 sacks of wool should immediately be granted him, and their value be deducted from the ninths which were afterwards to be levied.

But there appeared at this time another jealousy in the parliament which was very reasonable, and was founded on a sentiment that ought to have engaged them rather to check than support the king in all those ambitious projects so little likely to prove successful, and so dangerous to the nation if they did. Edward, who, before the commencement of the former campaign, had in several commissions assumed the title of king of France, now more openly in all public deeds gave himself that appellation, and always quartered the arms of France with those of England in his seals and ensigns. The parliament thought proper to obviate the consequences of this measure, and to declare that they owed him no obedience as king of France, and that the two kingdoms must for ever remain distinct and independent. They undoubtedly foresaw that France, if subdued, would, in the end, prove the seat of government; and they deemed this previous protestation necessary, in order to prevent their becoming a province to that monarchy. A frail security, if the event had really taken place!

1340. As Philip was apprized, from the preparations which were making both in England and the Low Countries, that he must expect another invasion from Edward, he fitted out a great fleet, (13th June,) of 400 vessels, manned with 40,000 men; and he stationed them off Sluise, with a view of intercepting the king in his passage. The English navy was much inferior in number, consisting only of 240 sail; but whether it were by the superior abilities of Edward, or the greater dexterity of his seamen, they gained the wind of the enemy, and had the sun in their backs; and with these advantages began the action. The battle was fierce and bloody: the English archers, whose force and address were now much celebrated, galled the French on their approach; and when the ships grappled together, and the contest became more steady and furious, the example of the king, and of so many gallant nobles who accompanied him, animated to such a degree the seamen and soldiery, that they maintained everywhere a superiority over the enemy. The French also had been guilty of some imprudence in taking their station so near the coast of Flanders, and choosing that place for the scene of action. The Flemings, descrying the battle, hurried out of their harbours, and brought a re-enforcement to the English; which, coming unexpectedly, had a greater effect than in proportion to its numbers. Two hundred and thirty French ships were taken; thirty thousand Frenchmen were killed, with two of their admirals: the loss of the English was inconsiderable, compared to the greatness and importance of the victory. None of Philip's

courtiers, it is said, dared to inform him of the event; till his fool or jester gave him a hint, by which he discovered the loss that he had sustained.

The lustre of this great success increased the king's authority among his allies, who assembled their forces with expedition, and joined the English army. Edward marched to the frontiers of France, at the head of above 100,000 men, consisting chiefly of foreigners, a more numerous army than either before or since has ever been commanded by any king of England. At the same time, the Flemings, to the number of 50,000 men, marched out under the command of Robert of Artois, and laid siege to St. Omer; but this tumultuary army, composed entirely of tradesmen inexperienced in war, was routed by a sally of the garrison, and, notwithstanding the abilities of their leader, was thrown into such a panic, that they were instantly dispersed, and never more appeared in the field. The enterprises of Edward, though not attended with so inglorious an issue, proved equally vain and fruitless. The king of France had assembled an army more numerous than the English; was accompanied by all the chief nobility of his kingdom; was attended by many foreign princes, and even by three monarchs, the king of Bohemia, Scotland, and Navarre; yet he still adhered to the prudent resolution of putting nothing to hazard: and after throwing strong garrisons into all the frontier towns, he retired backwards, persuaded that the enemy, having wasted their force in some tedious and unsuccessful enterprise, would afford him an easy victory.

Tournay was at that time one of the most considerable cities of Flanders, containing above 60,000 inhabitants of all ages, who were affectionate to the French government; and as the secret of Edward's designs had not been strictly kept, Philip learned that the English, in order to gratify their Flemish allies, had intended to open the campaign with the siege of this place: he took care, therefore, to supply it with a garrison of 14,000 men, commanded by the bravest nobility of France; and he reasonably expected that these forces, joined to the inhabitants, would be able to defend the city against all the efforts of the enemy. Accordingly Edward, when he commenced the siege, about the end of July, found everywhere an obstinate resistance: the valour of one side was encountered with equal valour by the other: every assault was repulsed, and proved unsuccessful: and the king was at last obliged to turn the siege into a blockade, in hopes that the great numbers of the garrison and citizens, which had enabled them to defend themselves against his attacks, would but expose them to be the more easily reduced by famine. The count of Eu, who commanded in Tournay, as soon as he perceived that the English had formed this plan of operations, endeavoured to save his provisions by expelling all the useless mouths; and the duke of Brabant, who wished no success to Edward's enterprises, gave every one a free passage through his quarters.

After the siege had continued ten weeks, the city was reduced to distress; and Philip, recalling all his scattered garrisons, advanced towards the English camp, at the head of a mighty army, with an intention of still avoiding any decisive action, but of seeking some opportunity for throwing relief into the place. Here Edward, irritated with the small progress he had hitherto made, and with the disagreeable prospect that lay before him, sent Philip a defiance by a herald; and challenged him to decide their claims for the crown of France, either by single combat, or by an action, of a hundred against a hundred, or by a general engagement. But Philip replied that, Edward having done homage to him for the dutchy of Guienne, and having solemnly acknowledged him for his superior, it by no means became him to send a defiance to his liege lord and sovereign: that he was confident, notwithstanding all Edward's preparations, and his conjunction with the rebellious Flemings, he himself should soon be able to chase him from the frontiers of France; that as the hostilities from England had prevented him from executing his purposed crusade against the infidels, he trusted in the assistance of the Almighty, who would reward his pious intentions, and punish the aggressor, whose ill-grounded claims had rendered them abortive: that Edward proposed a duel on very unequal terms, and offered to hazard only his own person against both the kingdom of France, and the person of the king: but that if he would increase the stake, and put also the kingdom of England on the issue of the duel, he would, notwithstanding that the terms would still be unequal, very willingly accept of the challenge. It was easy to see that these mutual bravadoes were intended only to dazzle the populace, and that the two kings were too wise to think of executing their pretended purpose

While the French and English armies lay in this situation, and a general action was every day expected, Jane, countess dowager of Hainault, interposed with her good offices, and endeavoured to conciliate peace between the contending monarchs, and to prevent any further effusion of blood. This princess was mother-in-law to Edward, and sister to Philip; and though she had taken the vows in a convent, and had renounced the world, she left her retreat on this occasion, and employed all her pious efforts to allay those animosities which had taken place betwen persons so nearly related to her and to each other. As Philip had no material claims on his antagonist, she found that he hearkened willingly to the proposals; and even the haughty and ambitious Edward, convinced of his fruitless attempt, was not averse to her negociation. He was sensible from experience, that he had engaged in an enterprise which far exceeded his force; and that the power of England was never likely to prevail over that of a superior kingdom, firmly united under an able and prudent monarch. He discovered that all the allies whom he could gain by negociation, were at bottom averse to his enterprise; and though they might second it to a certain length, would immediately detach themselves, and oppose its final accomplishment, if ever they could be brought to think that there was seriously any danger of it. He even saw that their chief purpose was to obtain money from him; and as his supplies from England came in very slowly, and had much disappointed his expectations, he perceived their growing indifference in his cause, and their desire of embracing all plausible terms of accommodation. Convinced at last that an undertaking must be imprudent which could only be supported by means so unequal to the end, he concluded a truce, (3d September,) which left both parties in possession of their present acquisitions, and stopped all further hostilities on the side of the low countries, Guienne, and Scotland, till Midsummer next. A negociation was soon after opened at Arras, under the mediation of the pope's legates; and the truce was attempted to be converted into a solid peace. Edward here required that Philip should free Guienne from all claims of superiority, and entirely withdraw his protection from Scotland: but as he seemed not anywise entitled to make such high demands, either from his past successes or future prospects, they were totally rejected by Philip, who agreed only to a prolongation of the truce.

The king of France soon after detached the emperor Louis from the alliance of England, and engaged him to revoke the title of Imperial Vicar, which he had conferred on Edward. The king's other allies on the frontiers of France, disappointed in their hopes, gradually withdrew from the confederacy; and Edward himself, harassed by his numerous and importunate creditors, was obliged to make his escape by stealth into England.

DOMESTIC DISTURBANCES.

The unusual tax of a ninth sheaf, lamb, and fleece, imposed by parliament, together with the great

want of money, and still more, of credit in England, had rendered the remittances to Flanders extremely backward; nor could it be expected that any expeditious method of collecting an imposition, which was so new in itself, and which yielded only a gradual produce, could possibly be contrived by the king or his ministers. And though the parliament, foreseeing the inconvenience, had granted, as a present resource, 20,000 sacks of wool, the only English goods that bore a sure price in foreign markets, and were the next to ready money, it was impossible but the getting possession of such a bulky commodity, the gathering it from different parts of the kingdom, and the disposing of it abroad, must take up more time than the urgency of the king's affairs would permit, and must occasion all the disappointments complained of during the course of the campaign. But though nothing had happened which Edward might not reasonably have foreseen, he was so irritated with the unfortunate issue of his military operations, and so much vexed and affronted by his foreign creditors, that he was determined to throw the blame somewhere off himself, and he came in a very bad humour into England. He discovered his peevish disposition by the first act which he performed after his arrival: as he landed unexpectedly, he found the Tower negligently guarded; and he immediately committed to prison the constable, and all others who had the charge of that fortress, and he treated them with unusual rigour. His vengeance fell next on the officers of the revenue, the sheriffs, the collectors of taxes, the undertakers of all kinds; and besides dismissing all of them from their employments, he appointed commissioners to inquire into their conduct; and these men, in order to gratify the king's humour, were sure not to find any person innocent who came before them. Sir John St. Paul, keeper of the privy-seal, sir John Stonore, chief-justice, Andrew Aubrey, mayor of London, were displaced and imprisoned, as were also the bishop of Chichester, chancellor, and the bishop of Lichfield, treasurer. Stratford, archbishop of Canterbury, to whom the charge of collecting the new taxes had been chiefly entrusted, fell likewise under the king's displeasure; but being absent at the time of Edward's arrival, he escaped feeling the immediate effects of it.

There were strong reasons which might discourage the kings of England in those ages from bestowing the chief offices of the crown on prelates and other ecclesiastical persons. These men had so intrenched themselves in privileges and immunities, and so openly challenged an exemption from all secular jurisdiction, that no civil penalty could be inflicted on them for any malversation in office; and as even treason itself was declared to be no canonical offence, nor was allowed to be a sufficient reason for deprivation or other spiritual censures, that order of men had ensured to themselves an almost total impunity, and were not bound by any political law or statute. But on the other hand, there were many peculiar causes which favoured their promotion. Besides that they possessed almost all the learning of the age, and were best qualified for civil employment, the prelates enjoyed equal dignity with the greatest barons, and gave weight, by their personal authority, to the powers entrusted with them; while at the same time they did not endanger the crown, by accumulating wealth or influence in their families, and were restrained, by the decency of their character, from that open rapine and violence so often practised by the nobles. These motives had induced Edward, as many of his predecessors, to entrust the chief departments of government in the hands of ecclesiastics, at the hazard of seeing them disown his authority as soon as it was turned against them.

1341. This was the case with the archbishop Stratford. That prelate, informed of Edward's indignation against him, prepared himself for the storm; and, not content with standing upon the defensive, he resolved, by beginning the attack, to show the king that he knew the privileges of his character, and had courage to maintain them. He issued a general sentence of excommunication against all who on any pretext exercised violence on the person or goods of clergymen; who infringed those privileges secured by the Great Charter, and by ecclesiastical canons; or who accused a prelate of treason, or any other crime, in order to bring him under the king's displeasure. Even Edward had reason to think himself struck at by this sentence; both on account of the imprisonment of the two bishops and that of other clergymen concerned in levying the taxes, and on account of his seizing their lands and moveables, that he might make them answerable for any balance which remained in their hands. The clergy, with their primate at their head, were now formed into a regular combination against the king, and many calumnies were spread against him, in order to deprive him of the confidence and affections of his people. It was pretended that he meant to recal the general pardon, and the remission which he had granted of old debts, and to impose new and arbitrary taxes without consent of parliament. The archbishop went so far, in a letter to the king himself, as to tell him that there were two powers by which the world was governed, the holy pontifical apostolic dignity, and the royal subordinate authority: that of these two powers the clerical was evidently the supreme; since the priests were to answer at the tribunal of the divine judgment for the conduct of kings themselves; that the clergy were the spiritual fathers of all the faithful, and, amongst others, of kings and princes; and were entitled, by a heavenly charter, to direct their wills and actions, and to censure their transgressions: and that prelates had heretofore cited emperors before their tribunal, had sitten in judgment on their life and behaviour, and had anathematized them for their obstinate offences. These topics were not well calculated to appease Edward's indignation; and when he called a parliament, he sent not to the primate, as to the other peers, a summons to attend it. Stratford was not discouraged at this mark of neglect or anger: he appeared before the gates, arrayed in his pontifical robes, holding the crosier in his hand, and accompanied by a pompous train of priests and prelates; and he required admittance as the first and highest peer in the realm. During two days the king rejected his application; but sensible either that this affair might be attended with dangerous consequences, or that in his impatience he had groundlessly accused the primate of malversation in his office, which seems really to have been the case, he at last permitted him to take his seat, and was reconciled to him.

Edward now found himself in a bad situation both with his own people and with foreign states; and it required all his genius and capacity to extricate himself from such multiplied difficulties and embarrassments. His unjust and exorbitant claims on France and Scotland had engaged him in an implacable war with these two kingdoms, his nearest neighbours; he had lost almost all his foreign alliances by his irregular payments; he was deeply involved in debts, for which he owed a consuming interest, his military operations had vanished into smoke: and, except his naval victory, none of them had been attended even with glory or renown, either to himself or to the nation: the animosity between him and the clergy was open and declared: the people were discontented on account of many arbitrary measures in which he had been engaged: and, what was more dangerous, the nobility, taking advantage of his present necessities, were determined to retrench his power, and, by encroaching on the ancient prerogatives of the crown, to acquire to themselves independence and authority. But the aspiring genius of Edward, which had so far transported him beyond the bounds of discretion, proved at last sufficient to reinstate him in his former authority, and finally to render his reign the most triumphant that is to be met with in English history: though for the pre-

sent he was obliged, with some loss of honour, to yield to the current which bore so strongly against him.

The parliament framed an act, which was likely to produce considerable innovations in the government. They premised, that whereas the Great Charter had, to the manifest peril and slander of the king, and damage of his people, been violated in many points, particularly by the imprisonment of free men, and the seizure of their goods, without suit, indictment, or trial, it was necessary to confirm it anew, and to oblige all the chief officers of the law, together with the steward and chamberlain of the household, the keeper of the privy-seal, the controller and treasurer of the wardrobe, and those who were entrusted with the education of the young prince, to swear to the regular observance of it. They also remarked, that the peers of the realm had formerly been arrested and imprisoned, and dispossessed of their temporalities and lands, and even some of them put to death, without judgment or trial; and they therefore enacted that such violences should henceforth cease, and no peer be punished but by the award of his peers *in parliament*. They required, that whenever any of the great offices above mentioned became vacant, the king should fill it by the advice of his council, and the consent of such barons as should at that time be found to reside in the neighbourhood of the court. And they enacted, that on the third day of every session, the king should resume into his own hand all these offices, except those of justices of the two benches, and the barons of exchequer; that the ministers should for the time be reduced to private persons; that they should in that condition answer before parliament to any accusation brought against them; and that, if they were found anywise guilty, they should finally be dispossessed of their offices, and more able persons be substituted in their place. By these last regulations the barons approached as near as they durst to those restrictions which had formerly been imposed on Henry III. and Edward II., and which, from the dangerous consequences attending them, had become so generally odious, that they did not expect to have either the concurrence of the people in demanding them, or the assent of the present king in granting them.

In return for these important concessions, the parliament offered the king a grant of 20,000 sacks of wool; and his wants were so urgent, from the clamours of his creditors, and the demands of his foreign allies, that he was obliged to accept of the supply on these hard conditions. He ratified this statute in full parliament; but he *secretly* entered a protest of such a nature as were sufficient, one should imagine, to destroy all future trust and confidence with his people: he declared that as soon as his convenience permitted, he would, from his own authority, revoke what had been extorted from him.* Accordingly, he was no sooner possessed of the parliamentary supply, than he issued an edict, which contains many extraordinary positions and pretensions. He first asserts, that that statute had been enacted contrary to law; as if a free legislative body could ever do anything illegal. He next affirms, that as it was hurtful to the prerogatives of the crown, which he had sworn to defend, he had only dissembled when he seemed to ratify it; but that he had never in his own breast given his assent to it. He does not pretend that either he or the parliament lay under force; but only that some inconvenience would have ensued, had he not seemingly affixed his sanction to that pretended statute. He therefore, with the advice of his council, and *some* earls and barons, abrogates and annuls it; and though he professes himself willing and determined to observe such articles of it as were formerly law, he declares it to have henceforth no force or authority. The parliaments that were afterwards assembled took no notice of this arbitrary exertion of royal power, which, by a parity of reason, left all their laws at the mercy of the king; and, during the course of two years, Edward had so far re-established his influence, and freed himself from his present necessities, that he then obtained from his parliament a legal repeal of the obnoxious statute. This transaction certainly contains remarkable circumstances, which discover the manners and sentiments of the age; and may prove what inaccurate work might be expected from such rude hands, when employed in legislation, and in rearing the delicate fabric of laws and constitution.

But though Edward had happily recovered his authority at home, which had been impaired by the events of the French war, he had undergone so many mortifications from that attempt, and saw so little prospect of success, that he would probably have dropped his claim, had not a revolution in Britanny opened to him more promising views, and given his enterprising genius a full opportunity of displaying itself.

AFFAIRS OF BRITANNY.

John III., duke of Britanny, had, during some years, found himself declining through age and infirmities; and having no issue, he was solicitous to prevent those disorders to which, on the event of his demise, a disputed succession might expose his subjects. His younger brother, the count of Penthievre, had left only one daughter, whom the duke deemed his heir; and as his family had inherited the dutchy by a female succession, he thought her title preferable to that of the count of Mountfort, who, being his brother by a second marriage, was the male heir of that principality. He accordingly purposed to bestow his niece in marriage on some person who might be able to defend her rights, and he cast his eye on Charles of Blois, nephew of the king of France, by his mother Margaret of Valois, sister to that monarch. But as he both loved his subjects, and was beloved by them, he determined not to take this important step without their approbation; and having assembled the states of Britanny, he represented to them the advantages of that alliance, and the prospect which it gave of an entire settlement of the succession. The Bretons willingly concurred in his choice: the marriage was concluded; all his vassals, and among the rest the count of Mountfort, swore fealty to Charles and to his consort as to their future sovereigns; and every danger of civil commotions seemed to be obviated, as far as human prudence could provide a remedy against them.

But on the death of this good prince, the ambition of the count of Mountfort broke through all these regulations, and kindled a war, not only dangerous to Britanny, but to a great part of Europe. While Charles of Blois was soliciting at the court of France the investiture of the dutchy, Mountfort was active in acquiring immediate possession of it; and by force or intrigue he made himself master of Rennes, Nantz, Brest, Hennebonne, and all the most important fortresses, and engaged many considerable barons to acknowledge his authority. Sensible that he could expect no favour from Philip, he made a voyage to England, on pretence of soliciting his claim to the earldom of Richmond, which had devolved to him by his brother's death; and there, offering to do homage to Edward as king of France, for the dutchy of Britanny, he proposed a strict alliance for the support of their mutual pretensions. Edward saw immediately the advantages attending this treaty: Mountfort, an active and valiant prince, closely united to him by interest, opened at once an entrance into the heart of France, and afforded him much more flattering views than his allies on the side of Germany and the Low Countries, who had no sincere attachment to his cause, and whose progress was also obstructed by those numerous fortifications which

* Statutes at Large, 15 Edward III. That this protest of the king's was *secret*, appears evidently, since otherwise it would have been absurd in the parliament to have accepted of his assent, besides, the king owns that he *dissembled*, which would not have been the case had his protest been public.

had been raised on that frontier. Robert of Artois was zealous in enforcing these considerations; the ambitious spirit of Edward was little disposed to sit down under those repulses which he had received, and which he thought had so much impaired his reputation: and it required a very short negociation to conclude a treaty of alliance between two men who, though their pleas with regard to the preference of male or female succession were directly opposite, were intimately connected by their immediate interest.

As this treaty was still a secret, Mountfort on his return ventured to appear at Paris, in order to defend his cause before the court of peers; but observing Philip and his judges to be prepossessed against his title, and dreading their intentions of arresting him, till he should restore what he had seized by violence, he suddenly made his escape; and war immediately commenced between him and Charles of Blois. Philip sent his eldest son, the duke of Normandy, with a powerful army, to the assistance of the latter; and Mountfort, unable to keep the field against his rival, remained in the city of Nantz, where he was besieged. The city was taken by the treachery of the inhabitants; Mountfort fell into the hands of his enemies; was conducted as a prisoner to Paris; and was shut up in the tower of the Louvre.

1342. This event seemed to put an end to the pretensions of the count of Mountfort; but his affairs were immediately retrieved by an unexpected incident, which inspired new life and vigour into his party. Jane of Flanders, countess of Mountfort, the most extraordinary woman of the age, was roused, by the captivity of her husband, from those domestic cares to which she had hitherto limited her genius; and she courageously undertook to support the falling fortunes of her family. No sooner did she receive the fatal intelligence, than she assembled the inhabitants of Rennes, where she then resided; and carrying her infant son in her arms, deplored to them the calamity of their sovereign. She recommended to their care the illustrious orphan, the sole male remaining of their ancient princes, who had governed them with such indulgence and lenity, and to whom they had ever professed the most zealous attachment. She declared herself willing to run all hazards with them in so just a cause; discovered the resources which still remained in the alliance of England; and entreated them to make one effort against an usurper, who, being imposed on them by the arms of France, would in return make a sacrifice to his protector of the ancient liberties of Britanny. The audience, moved by the affecting appearance, and inspirited by the noble conduct of the princess, vowed to live and die with her in defending the rights of her family: all the other fortresses of Britanny embraced the same resolution; the countess went from place to place, encouraging the garrisons, providing them with everything necessary for subsistence, and concerting the proper plans of defence; and after she had put the whole province in a good posture, she shut herself up in Hennebonne, where she awaited with impatience the arrival of those succours which Edward had promissed her. Meanwhile she sent over her son to England, that she might both put him in a place of safety, and engage the king more strongly, by such a pledge, to embrace with zeal the interests of her family.

Charles of Blois, anxious to make himself master of so important a fortress as Hennebonne, and still more to take the countess prisoner, from whose vigour and capacity all the difficulties to his succession in Britanny now proceeded, sat down before the place with a great army, composed of French, Spaniards, Genoese, and some Bretons; and he conducted the attack with indefatigable industry. The defence was no less vigorous; the besiegers were repulsed on every assault; frequent sallies were made with success by the garrison; and the countess herself being the most forward in all military operations, every one was ashamed not to exert himself to the utmost in this desperate situation. One day she perceived that the besiegers, entirely occupied in an attack, had neglected a distant quarter of their camp; and she immediately sallied forth at the head of a body of 200 cavalry, threw them into confusion, did great execution upon them, and set fire to their tents, baggage, and magazines; but when she was preparing to return, she found that she was intercepted, and that a considerable body of the enemy had thrown themselves between her and the gates. She instantly took her resolution; she ordered her men to disband, and to make the best of their way by flight to Brest; she met them at the appointed place of rendezvous, collected another body of 500 horse, returned to Hennebonne, broke unexpectedly through the enemy's camp, and was received with shouts and acclamations by the garrison, who, encouraged by this re-enforcement, and by so rare an example of female valour, determined to defend themselves to the last extremity.

The reiterated attacks, however, of the besiegers had at length made several breaches in the walls; and it was apprehended that a general assault, which was every hour expected, would overpower the garrison, diminished in numbers, and extremely weakened with watching and fatigue. It became necessary to treat of a capitulation; and the bishop of Leon was already engaged for that purpose in a conference with Charles of Blois; when the countess, who had mounted to a high tower, and was looking towards the sea with great impatience, descried some sails at a distance. She immediately exclaimed, "Behold the succours; the English succours! No capitulation!" This fleet had on board a body of heavy-armed cavalry, and six thousand archers, whom Edward had prepared for the relief of Hennebonne, but who had been long detained by contrary winds. They entered the harbour under the command of sir Walter Manny, one of the bravest captains of England; and having inspired fresh courage into the garrison, immediately sallied forth, beat the besiegers from all their posts, and obliged them to decamp.

But notwithstanding this success, the countess of Mountfort found that her party, overpowered by numbers, was declining in every quarter; and she went over to solicit more effectual succours from the king of England. Edward granted her a considerable re-enforcement, under Robert of Artois, who embarked on board a fleet of forty-five ships, and sailed to Britanny. He was met in his passage by the enemy; an action ensued, where the countess behaved with her wonted valour, and charged the enemy sword in hand, but the hostile fleets, after a sharp action, were separated by a storm, and the English arrived safely in Britanny. The first exploit of Robert was the taking of Vannes, which he mastered by conduct and address: but he survived a very little time this prosperity. The Breton noblemen of the party of Charles assembled secretly in arms, attacked Vannes of a sudden, and carried the place, chiefly by reason of a wound received by Robert, of which he soon after died at sea on his return to England.

After the death of this unfortunate prince, the chief author of all the calamities with which his country was overwhelmed for more than a century, Edward undertook in person the defence of the countess of Mountfort; and as the last truce with France was now expired, the war, which the English and French had hitherto carried on as allies to the competitors for Britanny, was thenceforth conducted in the name and under the standard of the two monarchs. The king landed at Morbian, near Vannes, with an army of 12,000 men; and, being master of the field, he endeavoured to give a lustre to his arms, by commencing at once three important sieges, that of Vannes, of Rennes, and of Nantz. But by undertaking too much, he failed of success in all his enterprises. Even the siege of Vannes, which Edward in person conducted with vigour, advanced but slowly; and the French had all

the leisure requisite for making preparations against him. The duke of Normandy, eldest son of Philip, appeared in Britanny, at the head of an army of 30,000 infantry and 4000 cavalry; and Edward was now obliged to draw together all his forces, and to intrench himself strongly before Vannes, where the duke of Normandy soon after arrived, and in a manner invested the besiegers. The garrison and the French camp were plentifully supplied with provisions; while the English, who durst not make any attempt upon the place in the presence of a superior enemy, drew all their subsistence from England, exposed to the hazards of the sea, and sometimes to those which arose from the fleet of the enemy. In this dangerous situation, Edward willingly hearkened to the mediation of the pope's legates, the cardinals of Palestine and Frescati, [1343,] who endeavoured to negociate, if not a peace, at least a truce between the two kingdoms. A treaty was concluded for a cessation of arms during three years; and Edward had the abilities, notwithstanding his present dangerous situation, to procure to himself very equal and honourable terms. It was agreed that Vannes should be sequestered, during the truce, in the hands of the legates, to be disposed of afterwards as they pleased; and though Edward knew the partiality of the court of Rome towards his antagonists, he saved himself by this device from the dishonour of having undertaken a fruitless enterprise. It was also stipulated that all prisoners should be released, that the places in Britanny should remain in the hands of the present possessors, and that the allies on both sides should be comprehended in the truce. Edward, soon after concluding this treaty, embarked with his army for England.

The truce, though calculated for a long time, was of very short duration; and each monarch endeavoured to throw on the other the blame of its infraction. Of course the historians of the two countries differ in their account of the matter. It seems probable, however, as is affirmed by the French writers, that Edward, in consenting to the truce, had no other view than to extricate himself from a perilous situation into which he had fallen, and was afterwards very careless in observing it. In all the memorials which remain on this subject, he complains chiefly of the punishment inflicted on Oliver de Clisson, John de Montauban, and other Breton noblemen, who, he says, were partisans of the family of Mountfort, and consequently under the protection of England. But it appears that, at the conclusion of the truce, those noblemen had openly, by their declarations and actions, embraced the cause of Charles of Blois; and if they had entered into any secret correspondence and engagements with Edward, they were traitors to their party, and were justly punishable by Philip and Charles for their breach of faith; nor had Edward any ground of complaint against France for such severities. But when he laid these pretended injuries before the parliament, [1344,] whom he affected to consult on all occasions, that assembly entered into the quarrel, advised the king not to be amused by a fraudulent truce, and granted him supplies for the renewal of the war; the counties were charged with a fifteenth for two years, and the boroughs with a tenth. The clergy consented to give a tenth for three years.

These supplies enabled the king to complete his military preparations; and he sent his cousin, Henry, earl of Derby, son of the earl of Lancaster, into Guienne, for the defence of that province. This prince, the most accomplished in the English court, possessed to a high degree the virtues of justice and humanity, as well as those of valour and conduct,* and, not content with protecting and cherishing the province committed to his care, he made a successful invasion on the enemy. He attacked the count of Lisle, the French general at Bergerac, beat him from his intrenchments, and took the place. He reduced a great part of Perigord, and continually advanced in his conquests, till the count of Lisle, having collected an army of ten or twelve thousand men, sat down before Auberoche, in hopes of recovering that place, which had fallen into the hands of the English. [1345.] The earl of Derby came upon him by surprise, with only a thousand cavalry, threw the French into disorder, pushed his advantages, and obtained a complete victory. Lisle himself, with many considerable nobles, was taken prisoner, After this important success, Derby made a rapid progress in subduing the French provinces. He took Mousegur, Monsepat, Villefranche, Miremont, and Tonins, with the fortress of Damassen. Aiguillon, a fortress deemed impregnable, fell into his hands from the cowardice of the governor. Angouleme was surrendered after a short siege. The only place where he met with considerable resistance was Reole, which, however, was at last reduced, after a siege of above nine weeks. He made an attempt on Blaye, but thought it more prudent to raise the siege, than waste his time before a place of small importance.

1346. The reason why Derby was permitted to make, without opposition, such progress on the side of Guienne, was the difficulties under which the French finances then laboured, and which had obliged Philip to lay on new impositions, particularly the duty on salt, to the great discontent, and almost mutiny of his subjects. But after the court of France was supplied with money, great preparations were made; and the duke of Normandy, attended by the duke of Burgundy and other great nobility, led towards Guienne a powerful army, which the English could not think of resisting in the open field. The earl of Derby stood on the defensive, and allowed the French to carry on at leisure the siege of Angouleme, which was their first enterprise. John lord Norwich, the governor, after a brave and vigorous defence, found himself reduced to such extremities, as obliged him to employ a stratagem, in order to save his garrison, and to prevent his being reduced to surrender at discretion. He appeared on the walls, and desired a parley with the duke of Normandy. The prince there told Norwich, that he supposed he intended to capitulate. "Not at all," replied the governor: "but as to-morrow is the feast of the Virgin, to whom I know that you, sir, as well as myself, bear a great devotion, I desire a cessation of arms for that day." The proposal was agreed to; and Norwich, having ordered his forces to prepare all their baggage, marched out next day, and advanced towards the French camp. The besiegers imagining they were to be attacked, ran to their arms; but Norwich sent a messenger to the duke, reminding him of his engagement. The duke, who piqued himself on faithfully keeping his word, exclaimed, "I see the governor has outwitted me; but let us be content with gaining the place:" and the English were allowed to pass through the camp unmolested. After some other successes, the duke of Normandy laid siege to Aiguillon; and as the natural strength of the fortress, together with a brave garrison, under the command of the earl of Pembroke and Sir Walter Manny, rendered it impossible to take the place by assault, he purposed, after making several fruitless attacks, to reduce it by famine; but, before he could finish this enterprise, he was called to another quarter of the kingdom, by one of the greatest disasters that ever befel the French monarchy.

Edward, informed by the earl of Derby of the great danger to which Guienne was exposed, had prepared a force with which he intended in person to bring it relief. He embarked at Southampton, on board a fleet of near a thousand sail of all dimensions, and carried with him, besides all the chief nobility of Eng

* It is reported of this prince, that having once, before the attack of a town, promised the soldiers the plunder, one private man happened to fall upon a great chest full of money, which he immediately brought to the earl, as thinking it too great for himself to keep possession of it. But Derby told him that his promise did not depend on the greatness or smallness of the sum; and ordered him to keep it all for his own use.

land, his eldest son, the prince of Wales, now fifteen years of age. The winds proved long contrary; and the king, in despair of arriving in time at Guienne, was at last persuaded by Geoffrey d'Harcourt, to change the destination of his enterprise. This nobleman was a Norman by birth, had long made a considerable figure in the court of France, and was generally esteemed for his personal merit and his valour; but being disobliged and persecuted by Philip, he had fled into England; had recommended himself to Edward, who was an excellent judge of men; and had succeeded to Robert of Artois in the invidious office of exciting and assisting the king in every enterprise against his native country. He had long insisted that an expedition to Normandy promised, in the present circumstances, more favourable success than one to Guienne; that Edward would find the northern provinces almost destitute of military force, which had been drawn to the south; that they were full of flourishing cities, whose plunder would enrich the English; that their cultivated fields, as yet unspoiled by war, would supply them with plenty of provisions; and that the neighbourhood of the capital rendered every event of importance in those quarters. These reasons, which had not before been duly weighed by Edward, began to make more impression, after the disappointments which he met with in his voyage to Guienne: he ordered his fleet to sail to Normandy, and safely disembarked his army at La Hogue. (12th July.)

INVASION OF FRANCE.

This army, which, during the ensuing campaign, was crowned with the most splendid success, consisted of four thousand men-at-arms, ten thousand archers, ten thousand Welsh infantry, and six thousand Irish. The Welsh and the Irish were light disorderly troops, fitter for doing execution in a pursuit, or scouring the country, than for any stable action. The bow was always esteemed a frivolous weapon, where true military discipline was known, and regular bodies of well-armed foot maintained. The only solid force in this army were the men-at-arms; and even these, being cavalry, were on that account much inferior, in the shock of battle, to good infantry: and as the whole were newlevied troops, we are led to entertain a very mean idea of the military force of those ages, which, being ignorant of every other art, had not properly cultivated the art of war itself, the sole object of general attention.

The king created the earl of Arundel constable of his army, and the earls of Warwick and Harcourt mareschals: he bestowed the honour of knighthood on the prince of Wales and several of the young nobility immediately upon his landing. After destroying all the ships in La Hogue, Barfleur, and Cherbourgh, he spread his army over the whole country, and gave them an unbounded licence of burning, spoiling, and plundering every place of which they became masters. The loose discipline then prevalent could not be much hurt by these disorderly practices; and Edward took care to prevent any surprise, by giving orders to his troops, however they might disperse themselves in the daytime, always to quarter themselves at night near the main body. In this manner Montebourg, Carentan, St. Lo, Valognes, and other places in the Cotentin, were pillaged without resistance; and an universal consternation was spread over the province.

The intelligence of this unexpected invasion soon reached Paris; and threw Philip into great perplexity. He issued orders, however, for levying forces in all quarters, and dispatched the count of Eu, constable of France, and the count of Tancarville, with a body of troops, to the defence of Caen, a populous and commercial, but open city, which lay in the neighbourhood of the English army. The temptation of so rich a prize soon allured Edward to approach it; and the inhabitants, encouraged by their numbers, and by the re-enforcements which they daily received from the country, ventured to meet him in the field. But their courage failed them on the first shock: they fled with precipitation: the counts of Eu and Tancarville were taken prisoners: the victors entered the city along with the vanquished, and a furious massacre commenced, without distinction of age, sex, or condition. The citizens, in despair, barricadoed their houses, and assaulted the English with stones, bricks, and every missile weapon; the English made way by fire to the destruction of the citizens, till Edward, anxious to save both his spoil and his soldiers, stopped the massacre; and having obliged the inhabitants to lay down their arms, gave his troops licence to begin a more regular and less hazardous plunder of the city. The pillage continued for three days: the king reserved for his own share the jewels, plate, silks, fine cloth, and fine linen; and he bestowed all the remainder of the spoils on his army. The whole was embarked on board the ships, and sent over to England; together with three hundred of the richest citizens of Caen, whose ransom was an additional profit, which he expected afterwards to levy. This dismal scene passed in the presence of two cardinal legates, who had come to negociate a peace between the kingdoms.

The king moved next to Roüen, in hopes of treating that city in the same manner; but found that the bridge over the Seine was already broken down, and that the king of France himself was arrived there with his army. He marched along the banks of that river towards Paris, destroying the whole country, and every town and village which he met with on his road. Some of his light troops carried their ravages even to the gates of Paris; and the royal palace of St. Germains, together with Nanterre, Ruelle, and other villages was reduced to ashes within sight of the capital. The English intended to pass the river at Poissy, but found the French army encamped on the opposite banks, and the bridge at that place, as well as all others over the Seine, broken down by orders from Philip. Edward now saw that the French meant to inclose him in their country, in hopes of attacking him with advantage on all sides: but he saved himself by a stratagem from this perilous situation. He gave his army orders to dislodge, and to advance further up the Seine; but immediately returning by the same road, he arrived at Poissy, which the enemy had already quitted in order to attend his motions. He repaired the bridge with incredible celerity, passed over his army, and having thus disengaged himself from the enemy, advanced by quick marches towards Flanders. His vanguard, commanded by Harcourt, met with the townsmen of Amiens, who were hastening to re-enforce their king, and defeated them with great slaughter: he passed by Beauvais, and burned the suburbs of that city: but as he approached the Somme, he found himself in the same difficulty as before: all the bridges on that river were either broken down or strongly guarded: an army, under the command of Godemar de Faye, was stationed on the opposite banks: Philip was advancing on him from the other quarter, with an army of an hundred thousand men: and he was thus exposed to the danger of being inclosed, and of starving in an enemy's country. In this extremity he published a reward to any one that should bring him intelligence of a passage over the Somme. A peasant, called Gobin Agace, whose name has been preserved by the share which he had in these important transactions, was tempted on this occasion to betray the interests of his country; and he informed Edward of a ford below Abbeville which had a sound bottom, and might be passed without difficulty at low water. The king hastened thither, but found Godemar de Faye on the opposite banks. Being urged by necessity, he deliberated not a moment; but threw himself into the river, sword in hand, at the head of his troops; drove the enemy from their station; and

pursued them to a distance on the plain. The French army under Philip arrived at the ford when the rear-guard of the English were passing. So narrow was the escape which Edward, by his prudence and celerity, made from this danger! The rising of the tide prevented the French king from following him over the ford, and obliged that prince to take his route over the bridge at Abbeville; by which some time was lost.

BATTLE OF CRECY. *August* 26.

It is natural to think that Philip, at the head of so vast an army, was impatient to take revenge on the English, and to prevent the disgrace to which he must be exposed, if an inferior enemy should be allowed, after ravaging so great a part of his kingdom, to escape with impunity. Edward also was sensible that such must be the object of the French monarch; and as he had advanced but a little way before his enemy, he saw the danger of precipitating his march over the plains of Picardy, and of exposing his rear to the insults of the numerous cavalry, in which the French camp abounded. He took, therefore, a prudent resolution: he chose his ground with advantage, near the village of Crecy; he disposed his army in excellent order; he determined to await in tranquillity the arrival of the enemy; and he hoped that their eagerness to engage and to prevent his retreat after all their past disappointments, would hurry them on to some rash and ill-concerted action. He drew up his army on a gentle ascent, and divided them into three lines: the first was commanded by the prince of Wales, and under him, by the earls of Warwick and Oxford, by Harcourt, and by the lords Chandos, Holland, and other noblemen: the earls of Arundel and Northampton, with the lords Willoughby, Basset, Roos, and sir Lewis Tufton, were at the head of the second line: he took to himself the command of the third division, by which he purposed either to bring succour to the two first lines, or to secure a retreat in case of any misfortune, or to push his advantages against the enemy. He had likewise the precaution to throw up trenches on his flanks, in order to secure himself from the numerous bodies of the French, who might assail him from that quarter; and he placed all his baggage behind him in a wood, which he also secured by an intrenchment.

The skill and order of this disposition, with the tranquillity in which it was made, served extremely to compose the minds of the soldiers; and the king, that he might further inspirit them, rode through the ranks with such an air of cheerfulness and alacrity, as conveyed the highest confidence into every beholder. He pointed out to them the necessity to which they were reduced, and the certain and inevitable destruction which awaited them, if in their present situation, inclosed on all hands in an enemy's country, they trusted to anything but their own valour, or gave that enemy an opportunity of taking revenge for the many insults and indignities which they had of late put upon him. He reminded them of the visible ascendant which they had hitherto maintained over all the bodies of French troops that had fallen in their way; and assured them, that the superior numbers of the army which at present hovered over them, gave them not greater force, but was an advantage easily compensated by the order in which he had placed his own army, and the resolution which he expected from them. He demanded nothing, he said, but that they would imitate his own example, and that of the prince of Wales; and as the honour, the lives, the liberties of all were now exposed to the same danger, he was confident that they would make one common effort to extricate themselves from the present difficulties, and that their united courage would give them the victory over all their enemies.

It is related by some historians, that Edward, besides the resources which he found in his own genius and presence of mind, employed also a new invention against the enemy, and placed in his front some pieces of artillery, the first that had yet been made use of on any remarkable occasion in Europe. This is the epoch of one of the most singular discoveries that has been made among men; a discovery which changed by degrees the whole art of war, and by consequence many circumstances in the political government of Europe. But the ignorance of that age in the mechanical arts rendered the progress of this new invention very slow. The artillery first framed were so clumsy, and of such difficult management, that men were not immediately sensible of their use and efficacy: and even to the present times, improvements have been continually making on this furious engine, which, though it seemed contrived for the destruction of mankind, and the overthrow of empires, has in the issue rendered battles less bloody, and has given greater stability to civil societies. Nations by its means have been brought more to a level: conquests have become less frequent and rapid: success in war has been reduced, nearly to be a matter of calculation: and any nation overmatched by its enemies, either yields to their demands, or secures itself by alliances against their violence and invasion.

The invention of artillery was at this time known in France as well as in England; but Philip, in his hurry to overtake the enemy, had probably left his cannon behind him, which he regarded as a useless incumbrance. All his other movements discovered the same imprudence and precipitation. Impelled by anger, a dangerous counsellor, and trusting to the great superiority of his numbers, he thought that all depended on forcing an engagement with the English; and that, if he could once reach the enemy in their retreat, the victory on his side was certain and inevitable. He made a hasty march, in some confusion, from Abbeville; but after he had advanced above two leagues, some gentlemen, whom he had sent before to take a view of the enemy, returned to him, and brought him intelligence that they had seen the English drawn up in great order, and awaiting his arrival. They therefore advised him to defer the combat till the ensuing day, when his army would have recovered from their fatigue, and might be disposed into better order than their present hurry had permitted them to observe. Philip assented to his counsel; but the former precipitation of his march, and the impatience of the French nobility, made it impracticable for him to put it in execution. One division pressed upon another: orders to stop were not seasonably conveyed to all of them: this immense body was not governed by sufficient discipline to be manageable: and the French army, imperfectly formed into three lines, arrived, already fatigued and disordered, in presence of the enemy. The first line, consisting of 15,000 Genoese cross-bow men, was commanded by Anthony Doria and Charles Grimaldi: the second was led by the count of Alençon, brother to the king: the king himself was at the head of the third. Besides the French monarch, there were no less than three crowned heads in this engagement: the king of Bohemia, the king of the Romans, his son, and the king of Majorca; with all the nobility and great vassals of the crown of France. The army now consisted of above 120,000 men, more than three times the number of the enemy. But the prudence of one man was superior to the advantage of all this force and splendour.

The English, on the approach of the enemy, kept their ranks firm and immoveable; and the Genoese first began the attack. There had happened, a little before the engagement, a thunder-shower, which had moistened and relaxed the strings of the Genoese cross-bows; their arrows, for this reason, fell short of the enemy. The English archers, taking their bows out of their cases, poured in a shower of arrows upon this multitude who were opposed to them, and soon threw them into disorder. The Genoese fell back upon the heavy-armed cavalry of the count of Alençon; who, enraged at their cowardice, ordered his troops to put them to the sword. The artillery fired amidst the

crowd: the English archers continued to send in their arrows among them; and nothing was to be seen in that vast body but hurry and confusion, terror and dismay. The young prince of Wales had the presence of mind to take advantage of this situation, and to lead on his line to the charge. The French cavalry, however, recovering somewhat their order, and encouraged by the example of their leader, made a stout resistance; and having at last cleared themselves of the Genoese runaways, advanced upon their enemies, and by their superior numbers began to hem them round. The earls of Arundel and Northampton now advanced their line to sustain the prince, who, ardent in his first feats of arms, set an example of valour which was imitated by all his followers. The battle became, for some time, hot and dangerous; and the earl of Warwick, apprehensive of the event from the superior numbers of the French, dispatched a messenger to the king, and entreated him to send succours to the relief of the prince. Edward had chosen his station on the top of the hill; and he surveyed in tranquillity the scene of action. When the messenger accosted him, his first question was, whether the prince was slain or wounded? On receiving an answer in the negative, "Return," said he, "to my son, and tell him that I reserve the honour of the day to him: I am confident that he will show himself worthy of the honour of knighthood which I so lately conferred upon him: he will be able, without my assistance, to repel the enemy." This speech being reported to the prince and his attendants, inspired them with fresh courage: they made an attack with redoubled vigour on the French, in which the count of Alençon was slain: the whole line of cavalry was thrown into disorder: the riders were killed or dismounted: the Welsh infantry rushed into the throng, and with their long knives cut the throats of all who had fallen; nor was any quarter given that day by the victors.

The king of France advanced in vain with the rear to sustain the line commanded by his brother: he found them already discomfited; and the example of their rout increased the confusion which was before but too prevalent in his own body. He had himself a horse killed under him: he was remounted; and though left almost alone, he seemed still determined to maintain the combat; when John of Hainault seized the reins of his bridle, turned about his horse, and carried him off the field of battle. The whole French army took to flight, and was followed and put to the sword, without mercy, by the enemy; till the darkness of the night put an end to the pursuit. The king on his return to the camp, flew into the arms of the prince of Wales, and exclaimed, "My brave son! Persevere in your honourable course: you are my son: for valiantly have you acquitted yourself to-day: you have shown yourself worthy of empire."

This battle, which is known by the name of the battle of Crecy, began after three o'clock in the afternoon, and continued till evening. The next morning was foggy: and as the English observed that many of the enemy had lost their way in the night and in the mist, they employed a stratagem to bring them into their power: they erected on the eminences some French standards which they had taken in the battle; and all who were allured by this false signal were put to the sword, and no quarter given them. In excuse for this inhumanity, it was alleged that the French king had given like orders to his troops; but the real reason probably was, that the English in their present situation, did not choose to be encumbered with prisoners. On the day of battle and on the ensuing, there fell by a moderate computation, 1200 French knights, 1400 gentlemen, 4000 men-at-arms, besides about 30,000 of inferior rank: many of the principal nobility of France, the dukes of Lorraine and Bourbon, the earls of Flanders, Blois, Vaudemont, Aumale, were left on the field of battle. The kings also of Bohemia and Majorca were slain: the fate of the former was remarkable: he was blind from age; but being resolved to hazard his person, and set an example to others, he ordered the reins of his bridle to be tied on each side to the horses of two gentlemen of his train; and his dead body and those of his attendants, were afterwards found among the slain, with their horses standing by them in that situation. His crest was three ostrich feathers; and his motto these German words, *Ich dien*, (I serve): which the prince of Wales and his successors adopted in memorial of this great victory. The action may seem no less remarkable for the small loss sustained by the English, than for the great slaughter of the French: there were killed in it only one esquire and three knights, and very few of inferior rank; a demonstration that the prudent disposition planned by Edward, and the disorderly attack made by the French, had rendered the whole rather a route than a battle; which was indeed the common case with engagements in those times.

The great prudence of Edward appeared not only in obtaining this memorable victory, but in the measures which he pursued after it. Not elated by his present prosperity, so far as to expect the total conquest of France, or even that of any considerable provinces; he purposed only to secure such an easy entrance into that kingdom as might afterwards open the way to more moderate advantages. He knew the extreme distance of Guienne: he had experienced the difficulty and uncertainty of penetrating on the side of the Low Countries, and had already lost much of his authority over Flanders by the death of d'Arteville, who had been murdered by the populace themselves, his former partisans, on his attempting to transfer the sovereignty of that province to the prince of Wales. The king, therefore, limited his ambition to the conquest of Calais: and after the interval of a few days, which he employed in interring the slain, he marched with his victorious army, and presented himself before the place.

John of Vienne, a valiant knight of Burgundy, was governor of Calais, and being supplied with everything necessary for defence, he encouraged the townsmen to perform to the utmost their duty to their king and country. Edward, therefore, sensible from the beginning that it was in vain to attempt the place by force, purposed only to reduce it by famine: he chose a secure station for his camp; drew intrenchments around the whole city; raised huts for his soldiers, which he covered with straw or broom; and provided his army with all the conveniences necessary to make them endure the winter season, which was approaching. As the governor soon perceived his intention, he expelled all the useless mouths; and the king had the generosity to allow these unhappy people to pass through his camp, and he even supplied them with money for their journey.

While Edward was engaged in this siege, which employed him near a twelvemonth, there passed in different places many other events; and all to the honour of the English arms.

The retreat of the duke of Normandy from Guienne left the earl of Derby master of the field; and he was not negligent in making his advantage of the superiority. He took Mirabeau by assault: he made himself master of Lusignan in the same manner: Tallebourg and St. Jean d'Angeli fell into his hands; Poictiers opened its gates to him; and Derby having thus broken into the frontiers on that quarter, carried his incursions to the banks of the Loire, and filled all the southern provinces of France with horror and devastation.

The flames of war were at the same time kindled in Britanny. Charles of Blois invaded that province with a considerable army, and invested the fortress of Roche de Rien; but the countess of Mountfort, reenforced by some English troops under sir Thomas Dagworth, attacked him during the night in his intrenchments, dispersed his army, and took Charles himself prisoner. His wife, by whom he enjoyed his

pretensions to Britanny, compelled by the present necessity, took on her the government of the party, and proved herself a rival in every shape, and an antagonist to the countess of Mountfort, both in the field and in the cabinet. And while these heroic dames presented this extraordinary scene to the world, another princess in England, of still higher rank, showed herself no less capable of exerting every manly virtue.

WAR WITH SCOTLAND.

The Scottish nation, after long defending, with incredible perseverance, their liberties against the superior force of the English, recalled their king, David Bruce, in 1342. Though that prince, neither by his age nor capacity, could bring them great assistance, he gave them the countenance of sovereign authority; and as Edward's wars on the continent proved a great diversion to the force of England, they rendered the balance more equal between the kingdoms. In every truce which Edward concluded with Philip, the king of Scotland was comprehended; and when Edward made his last invasion upon France, David was strongly solicited by his ally to begin also hostilities, and to invade the northern counties of England. The nobility of his nation being always forward in such incursions, David soon mustered a great army, entered Northumberland at the head of above 50,000 men, and carried his ravages and devastations to the gates of Durham. But queen Philippa, assembling a body of little more than 12,000 men, which she entrusted to the command of lord Piercy, ventured to approach him at Neville's Cross, near that city; and riding through that ranks of her army, exhorted every man to do his duty, and to take revenge on these barbarous ravagers. Nor could she be persuaded to leave the field till the armies were on the point of engaging. The Scots have often been unfortunate in the great pitched battles which they fought with the English; even though they commonly declined such engagements where the superiority of numbers was not on their side: but never did they receive a more fatal blow than the present. They were broken and chased off the field; (17th October;) fifteen thousand of them, some historians say twenty thousand, were slain; among whom were Edward Keith, earl mareschal, and sir Thomas Charteris, chancellor; and the king himself was taken prisoner, with the earls of Sutherland, Fife, Monteith, Carric, lord Douglas, and many other noblemen.

Philippa, having secured her royal prisoner in the Tower, crossed the sea at Dover; and was received in the English camp before Calais with all the triumph due to her rank, her merit, and her success. This age was the reign of chivalry and gallantry: Edward's court excelled in these accomplishments as much as in policy and arms: and if anything could justify the obsequious devotion then professed to the fair sex, it must be the appearance of such extraordinary women as shone forth during that period.

CALAIS TAKEN. 1347.

The town of Calais had been defended with remarkable vigilance, constancy, and bravery by the townsmen, during a siege of unusual length; but Philip, informed of their distressed condition, determined at last to attempt their relief; and he approached the English with an immense army, which the writers of that age make amount to 200,000 men. But he found Edward so surrounded with morasses, and secured by intrenchments, that, without running on inevitable destruction, he concluded it impossible to make an attempt on the English camp. He had no other resource than to send his rival a vain challenge to meet him in the open field, which being refused, he was obliged to decamp with his army, and disperse them into their several provinces.

John of Vienne, governor of Calais, now saw the necessity of surrendering his fortress, which was reduced to the last extremity by famine and the fatigue of the inhabitants. He appeared on the walls, and made a signal to the English sentinels that he desired a parley. Sir Walter Manny was sent to him by Edward. "Brave knight," cried the governor, "I have been entrusted by my sovereign with the command of this town: it is almost a year since you besieged me; and I have endeavoured, as well as those under me, to do our duty. But you are acquainted with our present condition: we have no hopes of relief; we are perishing with hunger; I am willing to surrender, and desire as the sole condition, to insure the lives and liberties of these brave men, who have so long shared with me every danger and fatigue."

Manny replied, that he was well acquainted with the intentions of the king of England; that that prince was incensed against the townsmen of Calais for their pertinacious resistance, and for the evils which they had made him and his subjects suffer; that he was determined to take exemplary vengeance on them; and would not receive the town on any condition which should confine him in the punishment of these offenders. "Consider," replied Vienne, "that this is not the treatment to which brave men are entitled: if any English knight had been in my situation, your king would have expected the same conduct from him. The inhabitants of Calais have done for their sovereign what merits the esteem of every prince; much more of so gallant a prince as Edward. But I inform you, that if we must perish, we shall not perish unrevenged; and that we are not yet so reduced, but we can sell our lives at a high price to the victors. It is the interest of both sides to prevent these desperate extremities; and I expect that you yourself, brave knight, will interpose your good offices with your prince in our behalf."

Manny was struck with the justness of the sentiments, and represented to the king the danger of reprisals, if he should give such treatment to the inhabitants of Calais. Edward was at last persuaded to mitigate the rigour of the conditions demanded: he only insisted that six of the most considerable citizens should be sent to him, to be disposed of as he thought proper; that they should come to his camp carrying the keys of the city in their hands, bareheaded and barefooted, with ropes about their necks; and on these conditions, he promised to spare the lives of all the remainder.

When this intelligence was conveyed to Calais, it struck the inhabitants with new consternation. To sacrifice six of their fellow-citizens to certain destruction for signalizing their valour in a common cause, appeared to them even more severe than that general punishment with which they were before threatened; and they found themselves incapable of coming to any resolution in so cruel and distressful a situation. At last one of the principal inhabitants, called Eustace de St. Pierre, whose name deserves to be recorded, stepped forth, and declared himself willing to encounter death for the safety of his friends and companions: another animated by his example, made a like generous offer; a third and a fourth presented themselves to the same fate; and the whole number was soon completed. These six heroic burgesses appeared before Edward in the guise of malefactors, laid at his feet the keys of their city, and were ordered to be led to execution. It is surprising that so generous a prince should ever have entertained such a barbarous purpose against such men; and still more that he should seriously persist in the resolution of executing it. [*See note Z, at the end of this Vol.*] But the entreaties of his queen saved his memory from that infamy: she threw herself on her knees before him, and, with tears in her eyes, begged the lives of these citizens. Having obtained her request, she carried them into her tent, ordered a repast to be set before them, and, after making them a present of money and clothes, dismissed them in safety.

The king took possession of Calais, (4th August,) and immediately executed an act of rigour, more justifiable, because more necessary, than that which he had before resolved on. He knew that, notwithstanding his pretended title to the crown of France, every Frenchman regarded him as a mortal enemy: he therefore ordered all the inhabitants of Calais to evacuate the town, and he peopled it anew with English; a policy which probably preserved so long to his successors the dominion of that important fortress. He made it the staple of wool, leather, tin, and lead; the four chief, if not the sole commodities of the kingdom, for which there was any considerable demand in foreign markets. All the English were obliged to bring thither these goods: foreign merchants came to the same place, in order to purchase them, and at a period when posts were not established, and when the communication between states was so imperfect, this institution, though it hurt the navigation of England, was probably of advantage to the kingdom.

1348. Through the mediation of the pope's legates, Edward concluded a truce with France; but, even during the cessation of arms, he had very nearly lost Calais, the sole fruit of all his boasted victories. The king had entrusted that place to Aimery de Pavie, an Italian, who had discovered bravery and conduct in the wars, but was utterly destitute of every principle of honour and fidelity. This man agreed to deliver up Calais for the sum of twenty thousand crowns; and Geoffry de Charni, who commanded the French forces in those quarters, and who knew that, if he succeeded in this service, he should not be disavowed, ventured, without consulting his master, to conclude the bargain with him. Edward, informed of this treachery by means of Aimery's secretary, summoned the governor to London on other pretences; and having charged him with the guilt, promised him his life, but on condition that he would turn the contrivance to the destruction of the enemy. The Italian easily agreed to this double treachery. A day was appointed for the admission of the French; and Edward, having prepared a force of about a thousand men, under sir Walter Manny, secretly departed from London, carrying with him the prince of Wales; and, without being suspected, arrived the evening before at Calais. He made a proper disposition for the reception of the enemy, and kept all his forces and the garrison under arms. On the appearance of Charni, a chosen band of French soldiers was admitted at the postern; and Aimery, receiving the stipulated sum, promised that, with their assistance, he would immediately open the great gate to the troops, who were waiting with impatience for the fulfilling of his engagement. All the French who entered were immediately slain, or taken prisoners: [1st January, 1349:] the great gate opened: Edward rushed forth with cries of battle and of victory: the French, though astonished at the event, behaved with valour: a fierce and bloody engagement ensued. As the morning broke, the king, who was not distinguished by his arms, and who fought as a private man under the standard of sir Walter Manny, remarked a French gentleman, called Eustace de Ribaumont, who exerted himself with singular vigour and bravery; and he was seized with a desire of trying a single-combat with him. He stepped forth from his troop, and challenging Ribaumont by name, (for he was known to him,) began a sharp and dangerous encounter. He was twice beaten to the ground by the valour of the Frenchman: he twice recovered himself; blows were redoubled with equal force on both sides; the victory was long undecided, till Ribaumont, perceiving himself to be left almost alone, called out to his antagonist, "Sir knight, I yield myself your prisoner;" and at the same time delivered his sword to the king. Most of the French being overpowered by numbers, and intercepted in their retreat, lost either their lives or their liberty.

The French officers who had fallen into the hands of the English were conducted into Calais: where Edward discovered to them the antagonist with whom they had the honour to be engaged, and treated them with great regard and courtesy. They were admitted to sup with the prince of Wales and the English nobility: and, after supper, the king himself came into the apartment, and went about, conversing familiarly with one or other of his prisoners. He even addressed himself to Charni, and avoided reproaching him, in too severe terms, with the treacherous attempt which he had made upon Calais during the truce: but he openly bestowed the highest encomiums on Ribaumont; called him the most valorous knight that he had ever been acquainted with; and confessed that he himself had at no time been in so great danger as when engaged in combat with him. He then took a string of pearls, which he wore about his own head, and throwing it over the head of Ribaumont, he said to him, "Sir Eustace, I bestow this present upon you as a testimony of my esteem for your bravery: and I desire you to wear it a year for my sake: I know you to be gay and amorous, and to take delight in the company of ladies and damsels: let them all know from what hand you had the present: you are no longer a prisoner; I acquit you of your ransom; and you are at liberty to-morrow to dispose of yourself as you think proper."

Nothing proves more evidently the vast superiority assumed by the nobility and gentry above all the other orders of men during those ages, than the extreme difference which Edward made in his treatment of these French knights, and that of the six citizens of Calais, who had exerted more signal bravery in a cause more justifiable and more honourable.

CHAPTER XVI.

EDWARD III.

Institution of the Garter — State of France — Battle of Poictiers — Captivity of the King of France — State of that Kingdom — Invasion of France — Peace of Bretigni — State of France — Expedition into Castile — Rupture with France — Ill Success of the English — Death of the Prince of Wales — Death and Character of the King — Miscellaneous Transactions in this Reign.

INSTITUTION OF THE GARTER. 1349.

THE prudent conduct and great success of Edward in his foreign wars had excited a strong emulation and a military genius among the English nobility; and these turbulent barons, overawed by the crown, gave now a more useful direction to their ambition, and attached themselves to a prince who led them to the acquisition of riches and of glory. That he might further promote the spirit of emulation and obedience, the king instituted the order of the Garter, in imitation of some orders of a like nature, religious as well as military, which had been established in different parts of Europe. The number received into this order consisted of twenty-five persons, besides the sovereign; and as it has never been enlarged, this badge of distinction continues as honourable as at its first institution, and is still a valuable, though a cheap, present, which the prince can confer on his greatest subjects. A vulgar story prevails, but is not supported by any ancient authority, that, at a court-ball, Edward's mistress, commonly supposed to be the countess of Salisbury, dropped her garter; and the king taking it up, observed some of the courtiers to smile, as if they thought that he had not obtained this favour merely by accident: upon which he called out, *Honi soit qui mal y pense*, "Evil to him that evil thinks;" and as every incident of gallantry among those ancient warriors was magnified into a matter of great importance, [*See note* 2 A, *at the end of this Vol.*] he instituted the order of the Garter in memorial of this event, and





gave these words as the motto of the order. This origin, though frivolous, is not unsuitable to the manners of the times; and it is indeed difficult by any other means to account, either for the seemingly unmeaning terms of the motto, or for the peculiar badge of the garter, which seems to have no reference to any purpose either of military use or ornament.

But a sudden damp was thrown over this festivity and triumph of the court of England, by a destructive pestilence which invaded that kingdom, as well as the rest of Europe; and is computed to have swept away near a third of the inhabitants in every country which it attacked. It was probably more fatal in great cities than in the country; and above fifty thousand souls are said to have perished by it in London alone.* This malady first discovered itself in the north of Asia, was spread over all that country, made its progress from one end of Europe to the other, and sensibly depopulated every state through which it passed. So grievous a calamity, more than the pacific disposition of the princes, served to maintain and prolong the truce between France and England.

1350. During this truce Philip de Valois died, without being able to re-establish the affairs of France, which his bad success against England had thrown into extreme disorder. This monarch, during the first years of his reign, had obtained the appellation of *Fortunate*, and acquired the character of prudent; but he ill maintained either the one or the other: less from his own fault, than because he was overmatched by the superior fortune and superior genius of Edward. But the incidents in the reign of his son John gave the French nation cause to regret even the calamitous times of his predecessor. John was distinguished by many virtues, particularly a scrupulous honour and fidelity: he was not deficient in personal courage; but as he wanted that masterly prudence and foresight which his difficult situation required, his kingdom was at the same time disturbed by intestine commotions, and oppressed with foreign wars.....1354. The chief source of its calamities was Charles, king of Navarre, who received the epithet of the *Bad* or *Wicked*, and whose conduct fully entitled him to that appellation. This prince was descended from males of the blood royal of France; his mother was daughter of Louis Hutin; he had himself espoused a daughter of king John: but all these ties, which ought to have connected him with the throne, gave him only greater power to shake and overthrow it. With regard to his personal qualities, he was courteous, affable, engaging, eloquent; full of insinuation and address; inexhaustible in his resources; active and enterprising. But these splendid accomplishments were attended with such defects as rendered them pernicious to his country, and even ruinous to himself: he was volatile, inconstant, faithless, revengeful, malicious: restrained by no principle or duty: insatiable in his pretensions: and whether successful or unfortunate in one enterprise, he immediately undertook another, in which he was never deterred from employing the most criminal and most dishonourable expedients.

The constable of Eu, who had been taken prisoner by Edward at Caen, recovered his liberty, on the promise of delivering as his ransom the town of Guisnes, near Calais, of which he was superior lord: but as John was offended at this stipulation, which, if fulfilled, opened still further that frontier to the enemy; and as he suspected the constable of more dangerous connexions with the king of England, he ordered him to be seized, and, without any legal or formal trial, put him to death in prison. Charles de la Cerda was appointed constable in his place; and had a like fatal end: the king of Navarre ordered him to be assassinated; and such was the weakness of the crown, that this prince, instead of dreading punishment, would not even agree to ask pardon for his offence, but on condition that he should receive an accession of territory: and he had also John's second son put into his hands as a security for his person when he came to court, and performed this act of mock penitence and humiliation before his sovereign.

1355. The two French princes seemed entirely reconciled; but this dissimulation, to which John submitted from necessity, and Charles from habit, did not long continue; and the king of Navarre knew that he had reason to apprehend the most severe vengeance for the many crimes and treasons which he had already committed, and the still greater which he was meditating. To ensure himself of protection, he entered into a secret correspondence with England, by means of Henry, earl of Derby, now earl of Lancaster, who at that time was employed in fruitless negociations for peace at Avignon, under the mediation of the pope. John detected this correspondence; and to prevent the dangerous effects of it, he sent forces into Normandy, the chief seat of the king of Navarre's power, and attacked his castles and fortresses. But hearing that Edward had prepared an army to support his ally, he had the weakness to propose an accommodation with Charles, and even to give this traitorous subject the sum of a hundred thousand crowns, as the purchase of a feigned reconcilement, which rendered him still more dangerous. The king of Navarre, insolent from past impunity, and desperate from the dangers he apprehended, continued his intrigues; and associating himself with Geoffrey d'Harcourt, who had received his pardon from Philip de Valois, but persevered still in his factious disposition, he increased the number of his partisans in every part of the kingdom. He even seduced by his address Charles, the king of France's eldest son, a youth of seventeen years of age, who was the first that bore the appellation of Dauphin, by the reunion of the province of Dauphiny to the crown. But this prince, being made sensible of the danger and folly of these connexions, promised to make atonement for the offence by the sacrifice of his associates; and, in concert with his father, he invited the king of Navarre, and other noblemen of the party, to a feast at Roüen, where they were betrayed into the hands of John. Some of the most obnoxious were immediately led to execution; the king of Navarre was thrown into prison: but this stroke of severity in the king, and of treachery in the dauphin, was far from proving decisive in maintaining the royal authority. Philip of Navarre, brother to Charles, and Geoffrey d'Harcourt, put all the towns and castles belonging to that prince in a posture of defence; and had immediate recourse to the protection of England in this desperate extremity.

The truce between the two kingdoms, which had always been ill observed on both sides, was now expired; and Edward was entirely free to support the French malcontents. Well pleased that the factions in France had at length gained him some partizans in that kingdom, which his pretensions to the crown had never ben able to accomplish, he purposed to attack his enemy both on the side of Guienne, under the command of the prince of Wales, and on that of Calais, in his own person.

Young Edward arrived in the Garronne with his army, on board a fleet of three hundred sail, attended by the earls of Warwick, Salisbury, Oxford, Suffolk, and other English noblemen. Being joined by the vassals of Gascony, he took the field; and as the present disorders in France prevented every proper plan of defence, he carried on with impunity his ravages and devastations, according to the mode of war in that age. He reduced all the villages and several towns of Languedoc to ashes: he presented himself before Thoulouse; passed the Garronne, and burned the suburbs of Carcassonne; advanced even to Narbonne, laying every place waste around him; and after an incursion

* Stowe's Survey, p. 473. There were buried 58,000 bodies in one churchyard which Sir Walter Manny had bought for the use of the city. The same author says, that there died above 50,000 persons of the plague in Norwich, which is quite incredible.

of six weeks, returned with a vast booty and many prisoners to Guienne, where he took up his winter-quarters. The constable of Bourbon, who commanded in these provinces, received orders, though at the head of a superior army, on no account to run the hazard of a battle.

The king of England's incursion from Calais was of the same nature, and attended with the same issue. He broke into France at the head of a numerous army: to which he gave a full licence of plundering and ravaging the open country. He advanced to St. Omer, where the king of France was posted; and on the retreat of that prince followed him to Hesdin. John still kept at a distance, and declined an engagement: but in order to save his reputation, he sent Edward a challenge to fight a pitched battle with him; a usual bravado in that age, derived from the practice of single combat, and ridiculous in the art of war. The king, finding no sincerity in this defiance, retired to Calais, and thence went over to England, in order to defend that kingdom against a threatened invasion of the Scots.

The Scots, taking advantage of the king's absence, and that of the military power of England, had surprised Berwick; and had collected an army with a view of committing ravages upon the northern provinces: but on the approach of Edward they abandoned that place, which was not tenable while the castle was in the hands of the English; and retiring to their mountains, gave the enemy full liberty of burning and destroying the whole country from Berwick to Edinburgh. Baliol attended Edward on this expedition; but finding that his constant adherence to the English had given his countrymen an unconquerable aversion to his title, and that he himself was declining through age and infirmities, he finally resigned into the king's hands his pretensions to the crown of Scotland, and received in lieu of them an annual pension of 2000 pounds, with which he passed the remainder of his life in privacy and retirement.

During these military operations, Edward received information of the increasing disorders in France, arising from the imprisonment of the king of Navarre; and he sent Lancaster, at the head of a small army, to support the partisans of that prince in Normandy. The war was conducted with various success; but chiefly to the disadvantage of the French malcontents; till an important event happened in the other quarter of the kingdom, which had well nigh proved fatal to the monarchy of France, and threw everything into the utmost confusion.

BATTLE OF POICTIERS. 1356.

The prince of Wales, encouraged by the success of the preceding campaign, took the field with an army, which no historian makes amount to above 12,000 men, and of which not a third were English; and with this small body he ventured to penetrate into the heart of France. After ravaging the Agenois, Quercy, and the Limousin, he entered the province of Berry; and made some attacks, though without success, on the towns of Bourges and Issoudun. It appeared that his intentions were to march into Normandy, and to join his forces with those of the earl of Lancaster, and the partisans of the king of Navarre; but finding all the bridges on the Loire broken down, and every pass carefully guarded, he was obliged to think of making his retreat into Guienne. He found this resolution the more necessary, from the intelligence which he received of the king of France's motions. That monarch, provoked at the insult offered him by this incursion, and entertaining hopes of success from the young prince's temerity, collected a great army of above 60,000 men, and advanced, by hasty marches, to intercept his enemy. The prince, not aware of John's near approach, lost some days on his retreat before the castle of Remorantin; and thereby gave the French an opportunity of overtaking him. They came within sight at Maupertuis near Poictiers; and Edward, sensible that his retreat was now become impracticable, prepared for battle with all the courage of a young hero, and with all the prudence of the eldest and most experienced commander.

But the utmost prudence and courage would have proved insufficient to save him in this extremity, had the king of France known how to make use of his present advantages. His great superiority in numbers enabled him to surround the enemy; and, by intercepting all provisions, which were already become scarce in the English camp, to reduce this small army, without a blow, to the necessity of surrendering at discretion. But such was the impatient ardour of the French nobility, and so much had their thoughts been bent on overtaking the English as their sole object, that this idea never struck any of the commanders; and they immediately took measures for the assault, as for a certain victory. While the French army was drawn up in order of battle, they were stopped by the appearance of the cardinal of Perigord; who, having learned the approach of the two armies to each other, had hastened, by interposing his good offices, to prevent any further effusion of Christian blood. By John's permission, he carried proposals to the prince of Wales; and found him so sensible of the bad posture of his affairs, that an accommodation seemed not impracticable. Edward told him, that he would agree to any terms consistent with his own honour and that of England; and he offered to purchase his retreat, by ceding all the conquests which he had made during this and the former campaign, and by stipulating not to serve against France during the course of seven years. But John, imagining that he had now got into his hands a sufficient pledge for the restitution of Calais, required that Edward should surrender himself prisoner with a hundred of his attendants; and offered, on these terms, a safe retreat to the English army. The prince rejected the proposal with disdain; and declared that whatever fortune might attend him, England should never be obliged to pay the price of his ransom. This resolute answer cut off all hopes of accommodation; but as the day was already spent in negociating, the battle was delayed till the next morning.

The cardinal of Perigord, as did all the prelates of the court of Rome, bore a great attachment to the French interest; but the most determined enemy could not, by any expedient, have done a greater prejudice to John's affairs than he did them by this delay. The prince of Wales had leisure, during the night (19th September) to strengthen, by new entrenchments, the post which he had before so judiciously chosen; and he contrived an ambush of 300 men-at-arms, and as many archers, whom he put under the command of the Captal de Buche, and ordered to make a circuit, that they might fall on the flank or rear of the French army during the engagement. The van of his army was commanded by the earl of Warwick, the rear by the earls of Salisbury and Suffolk, the main body by the prince himself. The lords Chandos, Audeley, and many other brave and experienced commanders were at the head of different corps of his army.

John also arranged his forces in three divisions, nearly equal: the first was commanded by the duke of Orleans, the king's brother: the second by the dauphin, attended by his two younger brothers; the third by the king himself, who had by his side Philip, his fourth son and favourite, then about fourteen years of age. There was no reaching the English army but through a narrow lane, covered on each side by hedges; and in order to open this passage, the mareschals Andrehen and Clermont were ordered to advance with a separate detachment of men-at-arms. While they marched along the lane, a body of English archers, who lined the hedges, plied them on each side with their arrows; and being very near them, yet placed in

perfect safety, they coolly took their aim against the enemy, and slaughtered them with impunity. The French detachment, much discouraged by the unequal combat, and diminished in their number, arrived at the end of the lane, where they met on the open ground the prince of Wales himself, at the head of a chosen body, ready for their reception. They were discomfited and overthrown; one of the mareschals was slain: the other taken prisoner: and the remainder of the detachment, who were still in the lane, and exposed to the shot of the enemy, without being able to make resistance, recoiled upon their own army, and put everything into disorder. In that critical moment the Captal de Buche unexpectedly appeared, and attacked in flank the dauphin's line, which fell into some confusion. Landas, Bodenai, and St. Venant, to whom the care of that young prince and his brothers had been committed, too anxious for their charge or for their own safety, carried them off the field, and set the example of flight, which was followed by that whole division. The duke of Orleans, seized with a like panic, and imagining all was lost, thought no longer of fighting, but carried off his division by a retreat, which soon turned into a flight. Lord Chandos called out to the prince, that the day was won; and encouraged him to attack the division under king John, which, though more numerous than the whole English army, were somewhat dismayed with the precipitate flight of their companions. John here made the utmost efforts to retrieve by his valour what his imprudence had betrayed; and the only resistance made that day was by his line of battle. The prince of Wales fell with impetuosity on some German cavalry placed in the front, and commanded by the counts of Sallebruche, Nydo, and Nosto: a fierce battle ensued: one side were encouraged by the near prospect of so great a victory: the other were stimulated by the shame of quitting the field to an enemy so much inferior: but the three German generals, together with the duke of Athens, constable of France, falling in battle, that body of cavalry gave way, and left the king himself exposed to the whole fury of the enemy. The ranks were every moment thinned around him: the nobles fell by his side one after another; his son, scarce fourteen years of age, received a wound, while he was fighting valiantly in defence of his father: the king himself, spent with fatigue, and overwhelmed by numbers, might easily have been slain; but every English gentleman, ambitious of taking alive the royal prisoner, spared him in the action, exhorted him to surrender, and offered him quarter: several who attempted to seize him suffered for their temerity. He still cried out, "*Where is my cousin, the prince of Wales?*" and seemed unwilling to become prisoner to any person of inferior rank. But being told that the prince was at a distance on the field, he threw down his gauntlet, and yielded himself to Dennis de Morbec, a knight of Arras, who had been obliged to fly his country for murder. His son was taken with him.

The prince of Wales, who had been carried away in pursuit of the flying enemy, finding the field entirely clear, had ordered a tent to be pitched, and was reposing himself after the toils of battle; inquiring still, with great anxiety, concerning the fate of the French monarch. He dispatched the earl of Warwick to bring him intelligence; and that nobleman came happily in time to save the life of the captive prince, which was exposed to greater danger than it had been during the heat of the action. The English had taken him by violence from Morbec; the Gascons claimed the honour of detaining the royal prisoner; and some brutal soldiers, rather than yield the prize to their rivals, had threatened to put him to death. Warwick overawed both parties, and approaching the king with great demonstrations of respect, offered to conduct him to the prince's tent.

Here commences the real and truly admirable heroism of Edward: for victories are vulgar things in comparison of that moderation and humanity displayed by a young prince of twenty-seven years of age, not yet cooled from the fury of battle, and elated by as extraordinary and as unexpected success as had ever crowned the arms of any commander. He came forth to meet the captive king with all the marks of regard and sympathy; administered comfort to him amidst his misfortunes; paid him the tribute of praise due to his valour; and ascribed his own victory merely to the blind chance of war, or to a superior providence, which controls all the efforts of human force and prudence. The behaviour of John showed him not unworthy of this courteous treatment: his present abject fortune never made him forget a moment that he was a king: more touched by Edward's generosity than by his own calamities, he confessed, that notwithstanding his defeat and captivity, his honour was still unimpaired; and that if he yielded the victory, it was at least gained by a prince of such consummate valour and humanity.

Edward ordered a repast to be prepared in his tent for the prisoner; and he himself served at the royal captive's table, as if he had been one of his retinue: he stood at the king's back during the meal; constantly refused to take a place at table; and declared, that, being a subject, he was too well acquainted with the distance between his own rank and that of royal majesty, to assume such freedom. All his father's pretensions to the crown of France were now buried in oblivion. John, in captivity, received the honours of a king, which were refused him when seated on the throne: his misfortunes, not his title, were respected; and the French prisoners, conquered by this elevation of mind, more than by their late discomfiture, burst into tears of admiration; which were only checked by the reflection, that such genuine and unaltered heroism in an enemy, must certainly in the issue prove but the more dangerous to their native country.

All the English and Gascon knights imitated the generous example set them by their prince. The captives were everywhere treated with humanity, and were soon after dismissed, on paying moderate ransoms to the persons into whose hands they had fallen. The extent of their fortunes was considered; and an attention was given, that they should still have sufficient means left to perform their military service in a manner suitable to their rank and quality. Yet so numerous were the noble prisoners, that these ransoms, added to the spoils gained in the field, were sufficient to enrich the prince's army; and as they had suffered very little in the action, their joy and exultation were complete.

1357. The prince of Wales conducted his prisoner to Bourdeaux; and not being provided with forces so numerous as might enable him to push his present advantages, he concluded a two years' truce with France, which was also become requisite, that he might conduct the captive king with safety into England. He landed at Southwark, (24th May,) and was met by a great concourse of people of all ranks and stations. The prisoner was clad in royal apparel, and mounted on a white steed, distinguished by its size and beauty, and by the richness of its furniture. The conqueror rode by his side in a mean attire, and carried by a black palfrey. In this situation, more glorious than all the insolent parade of a Roman triumph, he passed through the streets of London, and presented the king of France to his father, who advanced to meet him, and received him with the same courtesy as if he had been a neighbouring potentate that had voluntarily come to pay him a friendly visit. It is impossible, in reflecting on this noble conduct, not to perceive the advantages which resulted from the otherwise whimsical principles of chivalry, and which gave men, in those rude times, some superiority even over people of a more cultivated age and nation.

The king of France, besides the generous treatment

which he met with in England, had the melancholy consolation of the wretched—to see companions in affliction. The king of Scots had been eleven years a captive in Edward's hands; and the good fortune of this latter monarch had reduced at once the two neighbouring potentates, with whom he was engaged in war, to be prisoners in his capital. But Edward, finding that the conquest of Scotland was nowise advanced by the captivity of its sovereign, and that the government, conducted by Robert Stuart, his nephew and heir, was still able to defend itself, consented to restore David Bruce to his liberty, for the ransom of 100,000 marks sterling; and that prince delivered the sons of all his principal nobility as hostages for the payment.

STATE OF FRANCE. 1358.

Meanwhile, the captivity of John, joined to the preceding disorders of the French government, had produced in that country a dissolution, almost total, of civil authority, and had occasioned confusions, the most horrible and destructive that had ever been experienced in any age or in any nation. The dauphin, now about eighteen years of age, naturally assumed the royal power during his father's captivity; but though endowed with an excellent capacity, even in such early years, he possessed neither experience nor authority sufficient to defend a state, assailed at once by foreign power and shaken by intestine faction. In order to obtain a supply, he assembled the states of the kingdom: that assembly, instead of supporting his administration, were themselves seized with the spirit of confusion; and laid hold of the present opportunity to demand limitations of the prince's power, the punishment of past malversations, and the liberty of the king of Navarre. Marcel, provost of the merchants, and first magistrate of Paris, put himself at the head of the unruly populace; and from the violence and temerity of his character, pushed them to commit the most criminal outrages against the royal authority. They detained the dauphin in a sort of captivity; they murdered in his presence Robert de Clermont and John de Conflans, mareschals, the one of Normandy, the other of Burgundy; they threatened all the other ministers with a like fate; and when Charles, who was obliged to temporise and dissemble, made his escape from their hands, they levied war against him, and openly erected the standard of rebellion. The other cities of the kingdom, in imitation of the capital, shook off the dauphin's authority; took the government into their own hands; and spread the disorder into every province. The nobles, whose inclinations led them to adhere to the crown, and were naturally disposed to check these tumults, had lost all their influence; and being reproached with cowardice, on account of the base desertion of their sovereign in the battle of Poictiers, were treated with universal contempt by the inferior orders. The troops, who, from the deficiency of pay, were no longer retained in discipline, threw off all regard to their officers, sought the means of subsistence by plunder and robbery, and associating to them all the disorderly people, with whom that age abounded, formed numerous bands, which infested all parts of the kingdom. They desolated the open country, burned and plundered the villages, and by cutting off all means of communication or subsistence, reduced even the inhabitants of the walled towns to the most extreme necessity. The peasants, formerly oppressed and now left unprotected by their masters, became desperate from their present misery; and rising everywhere in arms, carried to the last extremity those disorders which were derived from the sedition of the citizens and disbanded soldiers. The gentry, hated for their tyranny, were everywhere exposed to the violence of popular rage; and instead of meeting with the regard due to their past dignity, became only, on that account, the object of more wanton insult to the mutinous peasants. They were hunted like wild beasts, and put to the sword without mercy: their castles were consumed with fire and levelled to the ground: their wives and daughters were first ravished, then murdered: the savages proceeded so far as to impale some gentlemen, and roast them alive before a slow fire: a body of nine thousand of them broke into Meux, where the wife of the dauphin, with above 300 ladies, had taken shelter; the most brutal treatment and most atrocious cruelty were justly dreaded by this helpless company; but the Captal de Buche, though in the service of Edward, yet moved by generosity and by the gallantry of a true knight, flew to their rescue and beat off the peasants with great slaughter. In other civil wars, the opposite factions, falling under the government of their several leaders, commonly preserve still the vestige of some rule and order; but here the wild state of nature seemed to be renewed: every man was thrown loose and independent of his fellows: and the populousness of the country, derived from the preceding police of civil society, served only to increase the horror and confusion of the scene.

Amidst these disorders, the king of Navarre made his escape from prison, and presented a dangerous leader to the furious malcontents. But the splendid talents of this prince qualified him only to do mischief, and to increase the public distractions: he wanted the steadiness and prudence requisite for making his intrigues subservient to his ambition, and forming his numerous partisans into a regular faction. He revived his pretensions, somewhat obsolete, to the crown of France; but while he advanced this claim, he relied entirely on his alliance with the English, who were concerned in interest to disappoint his pretensions; and who, being public and inveterate enemies to the state, served only, by the friendship which they seemingly bore him, to render his cause the more odious. And in all his operations he acted more like a leader of banditti, than one who aspired to be the head of a regular government, and who was engaged by his station to endeavour the re-establishment of order in the community.

The eyes, therefore, of all the French, who wished to restore peace to their miserable and desolated country, were turned towards the dauphin; and that young prince, though not remarkable for his military talents, possessed so much prudence and spirit, that he daily gained the ascendant over all his enemies. Marcel, the seditious provost of Paris, was slain while he was attempting to deliver the city to the king of Navarre and the English; and the capital immediately returned to its duty. The most considerable bodies of the mutinous peasants were dispersed and put to the sword: some bands of military robbers underwent the same fate: and though many grievous disorders still remained, France began gradually to assume the face of a regular civil government, and to form some plan for its defence and security.

During the confusion in the Dauphin's affairs, Edward seemed to have a favourable opportunity for pushing his conquests: but besides that his hands were tied by the truce, and he could only assist underhand the faction of Navarre, the state of the English finances and military power during those ages, rendered the kingdom incapable of making any regular or steady effort, and obliged it to exert its force at very distant intervals, by which all the projected ends were commonly disappointed. Edward employed himself during a conjuncture so inviting, chiefly in negociations with his prisoner; and John had the weakness to sign terms of peace, which, had they taken effect, must have totally ruined and dismembered his kingdom. He agreed to restore all the provinces which had been possessed by Henry II. and his two sons, and to annex them for ever to England, without any obligation of homage or fealty on the part of the English monarch. But the dauphin and the states of France rejected this treaty, so dishonourable and pernicious to the kingdom; and Edward, on the expiration of the truce, having now by

subsidies and frugality collected some treasure, prepared himself for a new invasion of France.

The great authority and renown of the king and the prince of Wales, the splendid success of their former enterprises, and the certain prospect of plunder from the defenceless provinces of France, soon brought together the whole military power of England; and the same motives invited to Edward's standard all the hardy adventurers of the different countries of Europe. He passed over to Calais, where he assembled an army of near a hundred thousand men; a force which the dauphin could not pretend to withstand in the open field: that prince, therefore, prepared himself to elude a blow which it was impossible for him to resist. He put all the considerable towns in a posture of defence, ordered them to be supplied with magazines and provisions; distributed proper garrisons in all places; secured everything valuable in the fortified cities; and chose his own station at Paris, with a view of allowing the enemy to vent their fury on the open country.

INVASION OF FRANCE. *November* 4, 1359.

The king, aware of this plan of defence, was obliged to carry along with him six thousand waggons loaded with provisions necessary for the subsistence of his army. After ravaging the province of Picardy, he advanced into Champagne; and having a strong desire of being crowned king of France at Rheims, the usual place in which this ceremony is performed, he laid siege to that city and carried on his attacks, though without success, for the space of seven weeks. The place was bravely defended by the inhabitants, encouraged by the exhortations of the archbishop, John de Craon; till the advanced season (for this expedition was entered upon in the beginning of winter) obliged the king to raise the siege. [1360.] The province of Champagne meanwhile was desolated by his incursions; and he thence conducted his army with a like intent into Burgundy. He took and pillaged Tonnerre, Gaillon, Avalon, and other small places; but the duke of Burgundy, that he might preserve his country from further ravages, consented to pay him the sum of 100,000 nobles. Edward then bent his march towards the Nivernois, which saved itself by a like composition: he laid waste Brie and the Gatinois; and after a long march, very destructive to France, and somewhat ruinous to his own troops, he appeared before the gates of Paris, and taking up his quarters at Bourg-la-Reine, extended his army to Longjumeau, Mont-rouge, and Vaugirard. He tried to provoke the dauphin to hazard a battle, by sending him a defiance; but could not make that prudent prince change his plan of operations. Paris was safe from the danger of an assault by its numerous garrison; from that of a blockade by its well-supplied magazines; and as Edward himself could not subsist his army in a country wasted by foreign and domestic enemies, and left also empty by the precaution of the dauphin, he was obliged to remove his quarters; and he spread his troops into the provinces of Maine, Beausse, and the Chartraine, which were abandoned to the fury of their devastations. The only repose which France experienced, was during the festival of Easter, when the king stopped the course of his ravages. For superstition can sometimes restrain the rage of men, which neither justice nor humanity is able to control.

While the war was carried on in this ruinous manner, the negociations for peace were never interrupted; but as the king still insisted on the full execution of the treaty, which he had made with his prisoner at London, and which was strenuously rejected by the dauphin, there appeared no likelihood of an accommodation. The earl, now duke, of Lancaster (for this title was introduced into England during the present reign) endeavoured to soften the rigour of these terms, and to finish the war on more equal and reasonable conditions. He insisted with Edward, that, notwithstanding his great and surprising successes, the object of the war, if such were to be esteemed the acquisition of the crown of France, was not become any nearer than at the commencement of it; or rather was set at a greater distance by those very victories and advantages which seemed to lead to it. That his claim of succession had not from the first procured him one partisan in the kingdom; and the continuance of these destructive hostilities had united every Frenchman in the most implacable animosity against him. That though intestine faction had crept into the government of France, it was abating every moment; and no party, even during the greatest heat of the contest, when subjection under a foreign enemy usually appears preferable to the dominion of fellow-citizens, had ever adopted the pretensions of the king of England. That the king of Navarre himself, who alone was allied with the English, instead of being a cordial friend, was Edward's most dangerous rival, and, in the opinion of his partisans, possessed a much preferable title to the crown of France. That the prolongation of the war, however it might enrich the English soldiers, was ruinous to the king himself, who bore all the charges of the armament, without reaping any solid or durable advantage from it. That if the present disorders of France continued, that kingdom would soon be reduced to such a state of desolation, that it would afford no spoils to its ravagers; if it could establish a more steady government, it might turn the chance of war in its favour, and by its superior force and advantages be able to repel the present victors. That the dauphin, even during his greatest distresses, had yet conducted himself with so much prudence, as to prevent the English from acquiring one foot of land in the kingdom; and it were better for the king to accept by a peace what he had in vain attempted to acquire by hostilities, which, however hitherto successful, had been extremely expensive, and might prove very dangerous; and that Edward having acquired so much glory by his arms, the praise of moderation was the only honour to which he could now aspire; an honour so much the greater, as it was durable, was united with that of prudence, and might be attended with the most real advantages.

PEACE OF BRETIGNI. *May* 8.

These reasons induced Edward to accept of more moderate terms of peace; and it is probable that, in order to palliate this change of resolution, he ascribed it to a vow made during a dreadful tempest, which attacked his army on their march, and which ancient historians represent as the cause of this sudden accommodation. The conferences between the English and French commissioners were carried on during a few days at Bretigni, in the Chartraine, and the peace was at last concluded on the following conditions. It was stipulated that king John should be restored to his liberty, and should pay as his ransom three millions of crowns of gold, about 1,500,000 pounds of our present money, [*See note* 2 B, *at the end of this Vol.*,] which was to be discharged at different payments: that Edward should for ever renounce all claim to the crown of France, and to the provinces of Normandy, Maine, Touraine, and Anjou, possessed by his ancestors; and should receive in exchange the provinces of Poictou, Xaintonge, l'Agenois, Perigort, the Limousin, Quercy, Rovergue, l'Angoumois, and other districts in that quarter, together with Calais, Guisnes, Montreuil, and the county of Ponthieu, on the other side of France: that the full sovereignty of all these provinces, as well as that of Guienne, should be vested in the crown of England, and that France should renounce all title to feudal jurisdiction, homage, or appeal from them: that the king of Navarre should be restored to all his possessions: that Edward should renounce his confederacy with the Flemings, John his connexions with the Scots: that the disputes concerning the succession of Bri-

tanny, between the families of Blois and Mountfort should be decided by arbiters appointed by the two kings; and if the competitors refused to submit to the award, the dispute should no longer be a ground of war between the kingdoms; and that forty hostages, such as should be agreed on, should be sent to England as a security for the execution of all these conditions.*

In consequence of this treaty, the king of France was brought over to Calais; whither Edward also soon after repaired: and there both princes solemnly ratified the treaty. (8th July.) John was sent to Boulogne; the king accompanied him a mile on his journey; and the two monarchs parted, with many professions, probably cordial and sincere, of mutual amity. The good disposition of John made him fully sensible of the generous treatment which he had received in England, and obliterated all memory of the ascendant gained over him by his rival. There seldom has been a treaty of so great importance so faithfully executed by both parties. Edward had scarcely from the beginning entertained any hopes of acquiring the crown of France: by restoring John to his liberty, and making peace at a juncture so favourable to his arms, he had now plainly renounced all pretensions of this nature: he had sold at a very high price that chimerical claim: and had at present no other interest than to retain those acquisitions which he had made with such singular prudence and good fortune. John, on the other hand, though the terms were severe, possessed such fidelity and honour, that he was determined at all hazards to execute them, and to use every expedient for satisfying a monarch who had indeed been his greatest political enemy, but had treated him personally with singular humanity and regard. But notwithstanding his endeavours, there occurred many difficulties in fulfilling his purpose; chiefly from the extreme reluctance which many towns and vassals in the neighbourhood of Guienne expressed against submitting to the English dominion; and John, in order to adjust these differences, took a resolution of coming over himself to England. [1363.] His council endeavoured to dissuade him from this rash design; and probably would have been pleased to see him employ more chicanes for eluding the execution of so disadvantageous a treaty: but John replied to them, that though good faith were banished from the rest of the earth, she ought still to retain her habitation in the breasts of princes. Some historians would detract from the merit of this honourable conduct, by representing John as enamoured of an English lady, to whom he was glad on this pretence to pay a visit: but besides that this surmise is not founded on any good authority, it appears somewhat unlikely, on account of the advanced age of that prince, who was now in his fifty-sixth year. He was lodged in the Savoy; [1364;] the palace where he had resided during his captivity, and where he soon after sickened and died. (8th April.) Nothing can be a stronger proof of the great dominion of fortune over men, than the calamities which pursued a monarch of such eminent valour, goodness, and honour, and which he incurred merely by reason of some slight imprudences, which in other situations would have been of no importance. But though both his reign and that of his father proved extremely unfortunate to their kingdom, the French crown acquired, during their time, very considerable accessions, those of Dauphiny and Burgundy. This latter province, however, John had the imprudence again to dismember, by bestowing it on Philip, his fourth son, the object of his most tender affections; a deed which was afterwards the source of many calamities to the kingdom.

John was succeeded in the throne by Charles the Dauphin, a prince educated in the school of adversity, and well qualified by his consummate prudence and experience to repair all the losses which the kingdom had sustained from the errors of his two predecessors. Contrary to the practice of all the great princes of of those times, which held nothing in estimation but military courage, he seems to have fixed it as a maxim never to appear at the head of his armies; and he was the first king in Europe that showed the advantage of policy, foresight, and judgment, above a rash and precipitate valour. The events of his reign, compared with those of the preceding, are a proof how little reason kingdoms have to value themselves on their victories, or to be humbled by their defeats; which in reality ought to be ascribed chiefly to the good or bad conduct of their rulers, and are of little moment towards determining national characters and manners.

STATE OF FRANCE.

Before Charles could think of counterbalancing so great a power as England, it was necessary for him to remedy the many disorders to which his own kingdom was exposed. He turned his arms against the king of Navarre, the great disturber of France during that age; he defeated this prince by the conduct of Bertrand du Guesclin, a gentleman of Britanny, one of the most accomplished characters of the age, whom he had the discernment to choose as the instrument of all his victories, and he obliged his enemy to accept of moderate terms of peace. Du Guesclin was less fortunate in the wars of Britanny, which still continued, notwithstanding the mediation of France and England: he was defeated and taken prisoner at Auray by Chandos: Charles of Blois was there slain, and the young count of Mountfort soon after got entire possession of that dutchy. But the prudence of Charles broke the force of this blow: he submitted to the decision of fortune: he acknowledged the title of Mountfort, though a zealous partisan of England; and received the proffered homage for his dominions. But the chief obstacle which the French king met with in the settlement of the state proceeded from obscure enemies, whom their crimes alone rendered eminent, and their number dangerous.

On the conclusion of the treaty of Bretigni, the many military adventurers who had followed the standard of Edward, being dispersed into the several provinces, and possessed of strongholds, refused to lay down their arms, or relinquish a course of life to which they were now accustomed, and by which alone they could gain a subsistence. They associated themselves with the banditti, who were already inured to the habits of rapine and violence; and under the name of the *Companies* and *Companions*, became a terror to all the peaceable inhabitants. Some English and Gascon gentlemen of character, particularly sir Mathew Gournay, sir Hugh Calverley, the chevalier Verte, and others, were not ashamed to take the command of these ruffians, whose numbers amounted on the whole to near 40,000, and who bore the appearance of regular armies, rather than bands of robbers. These leaders fought pitched battles with the troops of France, and gained victories; in one of which Jaques de Bourbon, a prince of the blood, was slain: and they proceeded to such a height, that they wanted little but regular establishments to become princes, and thereby sanctify, by the maxims of the world, their infamous profession. The greater spoil they committed on the country, the more easy they found it to recruit their number: all those who were reduced to misery and despair flocked to their standard: the evil was every day increasing: and though the pope declared them excommunicated, these military plunderers, however deeply affected with the sentence, to which they paid a much greater regard than to any principles of morality, could not be induced by it to betake themselves to peaceable or lawful professions.

* The hostages were the two sons of the French king, John and Louis, his brother Philip, duke of Orleans, the duke of Bourbon, counts de Bourbon, count de Ponthieu, the count d'Eu, de Longueville, de St. Pol, d'Harcourt, de Valoine, de Conci, de Craon, de Montmorency, and many of the chief nobility of France. The princes were mostly released, on the fulfilling of certain articles: others of the hostages, and the duke of Berry among the rest, were permitted to return upon their parole, which they did not keep. Rymer, vol. vi. pp. 278, 285, 297

1366. As Charles was not able by power to redress so enormous a grievance, he was led by necessity, and by the turn of his character, to correct it by policy, and to contrive some method of discharging into foreign countries this dangerous and intestine evil.

Peter, king of Castile, stigmatised by his contemporaries and by posterity with the epithet of *Cruel*, had filled with blood and murder his kingdom and his own family; and having incurred the universal hatred of his subjects, he kept, from present terror alone, an anxious and precarious possession of the throne. His nobles fell every day the victims of his severity: he put to death several of his natural brothers from groundless jealousy: each murder, by multiplying his enemies, became the occasion of fresh barbarities: and as he was not destitute of talents, his neighbours, no less than his own subjects, were alarmed at the progress of his violence and injustice. The ferocity of his temper, instead of being softened by his strong propensity to love, was rather inflamed by that passion, and took thence new occasion to exert itself. Instigated by Mary de Padilla, who had acquired the ascendant over him, he threw into prison Blanche de Bourbon, his wife, sister to the queen of France; and soon after made way by poison for the espousing of his mistress.

Henry, count of Transtamare, his natural brother, seeing the fate of every one who had become obnoxious to this tyrant, took arms against him; but being foiled in the attempt, he sought for refuge in France, where he found the minds of men extremely inflamed against Peter, on account of his murder of the French princess. He asked permission of Charles to enlist the companies in his service, and to lead them into Castile; where, from the concurrence of his own friends, and the enemies of his brother, he had the prospect of certain and immediate success. The French king, charmed with the project, employed du Guesclin in negociating with the leaders of these banditti. The treaty was soon concluded. The high character of honour which that general possessed made every one trust to his promises: though the intended expedition was kept a secret, the Companies implicitly enlisted under his standard: and they required no other condition before their engagement, than an assurance that they were not to be led against the prince of Wales in Guienne. But that prince was so little averse to the enterprise, that he allowed some gentlemen of his retinue to enter into the service under du Guesclin.

Du Guesclin, having completed his levies, led the army first to Avignon, where the pope then resided, and demanded, sword in hand, an absolution for his soldiers, and the sum of 200,000 livres. The first was readily promised him; some more difficulty was made with regard to the second. "I believe that my fellows," replied du Guesclin, "may make a shift to do without your absolution; but the money is absolutely necessary." The pope then extorted from the inhabitants in the city and neighbourhood the sum of a hundred thousand livres, and offered it to du Guesclin. "It is not my purpose," cried that generous warrior, "to oppress the innocent people. The pope and his cardinals themselves can well spare me that sum from their own coffers. This money, I insist, must be restored to the owners. And should they be defrauded of it, I shall myself return from the other side of the Pyrennees, and oblige you to make them restitution." The pope found the necessity of submitting, and paid him from his treasury the sum demanded. The army, hallowed by the blessings, and enriched by the spoils of the church, proceeded on their expedition.

EXPEDITION INTO CASTILE. 1367.

These experienced and hardy soldiers, conducted by so able a general, easily prevailed over the king of Castile, whose subjects, instead of supporting their oppressor, were ready to join the enemy against him. Peter fled from his dominions, took shelter in Guienne, and craved the protection of the prince of Wales, whom his father had invested with the sovereignty of these conquered provinces, by the title of the principality of Aquitaine. The prince seemed now to have entirely changed his sentiments with regard to the Spanish transactions: whether that he was moved by the generosity of supporting a distressed prince, and thought, as is but too usual among sovereigns, that the rights of the people were a matter of much less consideration; or dreaded the acquisition of so powerful a confederate to France as the new king of Castile; or, what is most probable, was impatient of rest and ease, and sought only an opportunity for exerting his military talents, by which he had already acquired so much renown. He promised his assistance to the dethroned monarch, and having obtained the consent of his father, he levied a great army, and set out upon his enterprise. He was accompanied by his younger brother, John of Gaunt, created duke of Lancaster, in the room of the good prince of that name, who had died without any male issue, and whose daughter he had espoused. Chandos also, who bore among the English the same character which du Guesclin had acquired among the French, commanded under him in this expedition.

The first blow which the prince of Wales gave to Henry of Transtamare, was the recalling of all the *Companies* from his service; and so much reverence did they bear to the name of Edward, that great numbers of them immediately withdrew from Spain, and enlisted under his banners. Henry, however, beloved by his new subjects, and supported by the king of Arragon and others of his neighbours, was able to meet the enemy with an army of 100,000 men; forces three times more numerous than those which were commanded by Edward. Du Guesclin, and all his experienced officers, advised him to delay any decisive action, to cut off the prince of Wales's provisions, and to avoid every engagement with a general whose enterprises had hitherto been always conducted with prudence and crowned with success. Henry trusted too much to his numbers; and ventured to encounter the English prince at Najara. (3d April.) Historians of that age are commonly very copious in describing the shock of armies in battle, the valour of the combatants, the slaughter and various successes of the day: but though small rencounters in those times were often well disputed, military discipline was always too imperfect to preserve order in great armies; and such actions deserve more the name of routs than of battles. Henry was chased off the field, with the loss of above 20,000 men: there perished only four knights and forty private men on the side of the English.

Peter, who so well merited the infamous epithet which he bore, proposed to murder all his prisoners in cold blood; but was restrained from this barbarity by the remonstrances of the prince of Wales. All Castile now submitted to the victor: Peter was restored to the throne, and Edward finished this perilous enterprise with his usual glory. But he had soon reason to repent his connexions with a man like Peter, abandoned to all sense of virtue and honour. The ungrateful tyrant refused the stipulated pay to the English forces; and Edward, finding his soldiers daily perish by sickness, and even his own health impaired by the climate, was obliged, without receiving any satisfaction on this head, to return into Guienne.

The barbarities exercised by Peter over his helpless subjects, whom he now regarded as vanquished rebels, revived all the animosity of the Castilians against him; and, on the return of Henry of Transtamare, together with du Guesclin, and some forces levied anew in France, the tyrant was again dethroned, and was taken prisoner. His brother, in resentment of his cruelties, murdered him with his own hand; and was placed on the throne of Castile, which he transmitted to his posterity. The duke of Lancaster, who espoused in se-

cond marriage the eldest daughter of Peter, inherited only the empty title of that sovereignty, and by claiming the succession, increased the animosity of the new king of Castile against England.

RUPTURE WITH FRANCE. 1368.

But the prejudice which the affairs of prince Edward received from this splendid, though imprudent expedition, ended not with it. He had involved himself in so much debt, by his preparations and the pay of his troops, that he found it necessary, on his return, to impose on his principality a new tax, to which some of the nobility consented with extreme reluctance, and to which others absolutely refused to submit.* This incident revived the animosity which the inhabitants bore to the English, and which all the amiable qualities of the prince of Wales were not able to mitigate or assuage. They complained that they were considered as a conquered people, that their privileges were disregarded, that all trust was given to the English alone, that every office of honour and profit was conferred on these foreigners, and that the extreme reluctance which most of them had expressed to receive the new yoke, was likely to be long remembered against them. They cast, therefore, their eyes towards their ancient sovereign, whose prudence they found had now brought the affairs of his kingdom into excellent order; and the counts of Armagnac, Comminge, and Perigord, the lord d'Albret, with other nobles, went to Paris, and were encouraged to carry their complaints to Charles, as to their lord paramount, against these oppressions of the English government.

In the treaty of Bretigni it had been stipulated that the two kings should make renunciations, Edward of his claim to the crown of France, and to the provinces of Normandy, Maine, and Anjou; John of the homage and fealty due for Guienne, and the other provinces ceded to the English. But when that treaty was confirmed and renewed at Calais, it was found necessary, as Edward was not yet in possession of all the territories, that the mutual renunciations should for some time be deferred; and it was agreed that the parties meanwhile should make no use of their respective claims against each other. Though the failure in exchanging these renunciations had still proceeded from France, Edward appears to have taken no umbrage at it; both because this clause seemed to give him entire security, and because some reasonable apology had probably been made to him for each delay. It was, however, on this pretence, though directly contrary to treaty, that Charles resolved to ground his claim, of still considering himself as superior lord of those provinces, and of receiving the appeals of his subvassals.

1369. But as views of policy, more than those of justice, enter into the deliberations of princes; and as the mortal injuries received from the English, the pride of their triumphs, the severe terms imposed by the treaty of peace, seemed to render every prudent means of revenge honourable against them, Charles was determined to take this measure, less by the reasonings of his civilians and lawyers than by the present situation of the two monarchies. He considered the declining years of Edward, the languishing state of the prince of Wales's health, the affection which the inhabitants of all these provinces bore to their ancient master, their distance from England, their vicinity to France, the extreme animosity expressed by his own subjects against these invaders, and their ardent thirst of vengeance; and having silently made all the necessary preparations, he sent to the prince of Wales a summons to appear in his court at Paris, and there to justify his conduct towards his vassals. The prince replied, that he would come to Paris; but it should be at the head of sixty thousand men. The unwarlike character of Charles kept prince Edward, even yet, from thinking that that monarch was in earnest in this bold and hazardous attempt.

ILL SUCCESS OF THE ENGLISH. 1370.

It soon appeared whata poor return the king had received by his distant conquests, for all the blood and treasure expended in the quarrel, and how impossible it was to retain acquisitions, in an age when no regular force could be maintained sufficient to defend them against the revolt of the inhabitants, especially if that danger was joined with the invasion of a foreign enemy. Charles fell first upon Ponthieu, which gave the English an inlet into the heart of France: the citizens of Abbeville opened their gates to him: those of St. Valori, Rue, and Crotoy, imitated the example, and the whole country was in a little time reduced to submission. The dukes of Berri and Anjou, brothers to Charles, being assisted by du Guesclin, who was recalled from Spain, invaded the southern provinces; and by means of their good conduct, the favourable dispositions of the people, and the ardour of the French nobility, they made every day considerable progress against the English. The state of the prince of Wales's health did not permit him to mount on horseback, or exert his usual activity: Chandos, the constable of Guienne, was slain in one action: the Captal de Buche, who succeeded him in that office, was taken prisoner in another; and when young Edward himself was obliged by his increasing infirmities to throw up the command, and return to his native country, the affairs of the English in the south of France seemed to be menaced with total ruin.

The king, incensed at these injuries, threatened to put to death all the French hostages who remained in his hands; but on reflection abstained from that ungenerous revenge. After resuming, by advice of parliament, the vain title of king of France, he endeavoured to send succours into Gascony; but all his attempts both by sea and land proved unsuccessful. The earl of Pembroke was intercepted at sea, and taken prisoner, with his whole army, near Rochelle, by a fleet which the king of Castile had fitted out for that purpose: Edward himself embarked for Bourdeaux with another army; but was so long detained by contrary winds, that he was obliged to lay aside the enterprise. Sir Robert Knolles, at the head of 30,000 men, marched out of Calais, and continued his ravages to the gates of Paris, without being able to provoke the enemy to an engagement; he proceeded in his march to the provinces of Maine and Anjou, which he laid waste; but part of his army being there defeated by the conduct of du Guesclin, who was now created constable of France, and who seems to have been the first consummate general that had yet appeared in Europe, the rest were scattered and dispersed, and the small remains of the English forces, instead of reaching Guienne, took shelter in Britanny, whose sovereign had embraced the alliance of England. The duke of Lancaster, some time after, made a like attempt with an army of 25,000 men; and marched the whole length of France from Calais to Bourdeaux; but was so much harassed by the flying parties which attended him, that he brought not the half of his army to the place of their destination. Edward, from the necessity of his affairs, was at last obliged to conclude a truce with the enemy, after almost all his ancient possessions in France had been ravished from him, except Bourdeaux and Bayonne, and all his conquests, except Calais.

The decline of the king's life was exposed to many mortifications and corresponded not to the splendid

* This tax was a livre upon every hearth: and it was imagined that the imposition would have yielded 1,200,000 livres a year, which supposes so many hearths in the provinces possessed by the English. But such loose conjectures have commonly no manner of authority, much less in such ignorant times. There is a strong instance of it in the present reign. The house of commons granted the king a tax of twenty two shillings on each parish, supposing that the amount of the whole would be 50,000 pounds. But they were found to be in a mistake of near five to one. Cotton. p. 3. And the council assumed the power of augmenting the tax upon each parish.

and noisy scenes which had filled the beginning and the middle of it. Besides seeing the loss of his foreign dominions, and being baffled in every attempt to defend them, he felt the decay of his authority at home, and experienced, from the sharpness of some parliamentary remonstrances, the great inconstancy of the people, and the influence of present fortune over all their judgments. This prince, who, during the vigour of his age, had been chiefly occupied in the pursuits of war and ambition, began, at an unseasonable period, to indulge himself in pleasure; and being now a widower, he attached himself to a lady of sense and spirit, one Alice Pierce, who acquired a great ascendant over him, and by her influence gave such general disgust, that, in order to satisfy the parliament, he was obliged to remove her from court. The indolence also, naturally attending old age and infirmities, had made him, in a great measure, resign the administration into the hands of his son, the duke of Lancaster, who, as he was far from being popular, weakened extremely the affection which the English bore to the person and government of the king. Men carried their jealousies very far against the duke; and as they saw, with much regret, the death of the prince of Wales every day approaching, they apprehended, lest the succession of his son Richard, now a minor, should be defeated by the intrigues of Lancaster, and by the weak indulgence of the old king. But Edward, in order to satisfy both the people and the prince on this head, declared in parliament his grandson heir and successor to the crown; and thereby cut off all the hopes of the duke of Lancaster, if he ever had the temerity to entertain any.

DEATH OF THE PRINCE OF WALES. 1376.

The prince of Wales, after a lingering illness, died (8th June) in the forty-sixth year of his age; and left a character illustrious for every eminent virtue, and from his earliest youth till the hour he expired, unstained by any blemish. His valour and military talents formed the smallest part of his merit, his generosity, humanity, affability, moderation, gained him the affections of all men; and he was qualified to throw a lustre, not only on that rude age in which he lived, and which nowise infected him with its vices, but on the most shining period of ancient or modern history

DEATH AND CHARACTER OF THE KING. 1377.

The king survived about a year this melancholy incident: England was deprived at once of both these princes, its chief ornament and support; he expired (21st June) in the sixty-fifth year of his age, and the fifty-first of his reign; and the people were then sensible, though too late, of the irreparable loss which they had sustained.

The English are apt to consider with peculiar fondness the history of Edward III., and to esteem his reign, as it was one of the longest, the most glorious also, that occurs in the annals of their nation. The ascendant which they then began to acquire over France, their rival and supposed national enemy, makes them cast their eyes on this period with great complacency, and sanctifies every measure which Edward embraced for that end. But the domestic government of this prince is really more admirable than his foreign victories; and England enjoyed, by the prudence and vigour of his administration, a longer interval of domestic peace and tranquillity than she had been blest with in any former period, or than she experienced for many ages after. He gained the affections of the great, yet curbed their licentiousness: he made them feel his power, without their daring, or even being inclined, to murmur at it; his affable and obliging behaviour, his munificence and generosity, made them submit with pleasure to his dominion; his valour and conduct made them successful in most of their enterprises; and their unquiet spirits, directed against a public enemy, had no leisure to breed those disturbances to which they were naturally so much inclined, and which the frame of the government seemed so much to authorise. This was the chief benefit which resulted from Edward's victories and conquests. His foreign wars were, in other respects, neither founded in justice, nor directed to any salutary purpose. His attempt against the king of Scotland, a minor and a brother-in-law, and the revival of his grandfather's claim of superiority over that kingdom, were both unreasonable and ungenerous; and he allowed himself to be too easily seduced, by the glaring prospect of French conquests, from the acquisition of a point which was practicable, and which, if attained, might really have been of lasting utility to his country and his successors. The success which he met with in France, though chiefly owing to his eminent talents, was unexpected; and yet, from the very nature of things, not from any unforeseen accidents, was found, even during his lifetime, to have procured him no solid advantages. But the glory of a conqueror is so dazzling to the vulgar, the animosity of nations is so violent, that the fruitless desolation of so fine a part of Europe as France is totally disregarded by us, and is never considered as a blemish in the character or conduct of this prince. And indeed, from the unfortunate state of human nature, it will commonly happen, that a sovereign of genius, such as Edward, who usually finds everything easy in his domestic government, will turn himself towards military enterprises, where alone he meets with opposition, and where he has full exercise for his industry and capacity.

Edward had a numerous posterity by his queen, Philippa of Hainault. His eldest son was the heroic Edward, usually denominated the Black Prince, from the colour of his armour. The prince espoused his cousin Joan, commonly called the *Fair Maid of Kent*, daughter and heir of his uncle, the earl of Kent, who was beheaded in the beginning of this reign. She was first married to sir Thomas Holland, by whom she had children. By the prince of Wales she had a son, Richard, who alone survived his father.

The second son of king Edward (for we pass over such as died in their childhood) was Lionel, duke of Clarence, who was first married to Elizabeth de Burgh, daughter and heir of the earl of Ulster, by whom he left only one daughter, married to Edmund Mortimer, earl of Marche. Lionel espoused in second marriage Violante, the daughter of the duke of Milan, and died in Italy soon after the consummation of his nuptials, without leaving any posterity by that princess. Of all the family, he resembled most his father and elder brother in his noble qualities.

Edward's third son was John of Gaunt, so called from the place of his birth: he was created duke of Lancaster; and from him sprang that branch which afterwards possessed the crown. The fourth son of this royal family was Edmund, created earl of Cambridge by his father, and duke of York by his nephew. The fifth son was Thomas, who received the title of earl of Buckingham from his father, and that of duke of Gloucester from his nephew. In order to prevent confusion, we shall always distinguish these two princes by the titles of York and Gloucester, even before they were advanced to them.

There were also several princesses born to Edward by Philippa; to wit, Isabella, Joan, Mary, and Margaret, who espoused, in the order of their names, Ingelram de Courcy, earl of Bedford, Alphonso, king of Castile, John of Mountford, duke of Britanny, and John Hastings, earl of Pembroke. The princess Joan died at Bourdeaux before the consummation of her marriage.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN.

It is remarked by an elegant historian that conquer-

ors, though usually the bane of human kind, proved often, in those feudal times, the most indulgent of sovereigns. They stood most in need of supplies from their people; and, not being able to compel them by force to submit to the necessary impositions, they were obliged to make them some compensation by equitable laws and popular concessions. This remark is, in some measure, though imperfectly, justified by the conduct of Edward III. He took no steps of moment without consulting his parliament and obtaining their approbation, which he afterwards pleaded as a reason for their supporting his measures. The parliament, therefore, rose into greater consideration during his reign, and acquired more regular authority, than in any former time; and even the house of commons, which, during turbulent and factious periods, was naturally depressed by the greater power of the crown and barons, began to appear of some weight in the constitution. In the latter years of Edward, the king's ministers were impeached in parliament, particularly lord Latimer, who fell a sacrifice to the authority of the commons; and they even obliged the king to banish his mistress by their remonstrances. Some attention was also paid to the election of their members; and lawyers, in particular, who were at that time men of character somewhat inferior, were totally excluded the house during several parliaments.

One of the most popular laws enacted by any prince, was the statute which passed in the twenty-fifth of this reign, and which limited the cases of high-treason, before vague and uncertain, to three principal heads—conspiring the death of the king, levying war against him, and adhering to his enemies; and the judges were prohibited, if any other cases should occur, from inflicting the penalty of treason without an application to parliament. The bounds of treason were indeed so much limited by this statute, which still remains in force without any alteration, that the lawyers were obliged to enlarge them, and to explain a conspiracy for levying war against the king, to be equivalent to a conspiracy against his life; and this interpretation, seemingly forced, has, from the necessity of the case, been tacitly acquiesced in. It was also ordained, that a parliament should be held once a year, or oftener, if need be; a law, which, like many others, was never observed, and lost its authority by disuse.

Edward granted above twenty parliamentary confirmations of the Great Charter; and these concessions are commonly appealed to as proofs of his great indulgence to the people, and his tender regard for their liberties. But the contrary presumption is more natural. If the maxims of Edward's reign had not been in general somewhat arbitrary, and if the Great Charter had not been frequently violated, the parliament would never have applied for these frequent confirmations, which could add no force to a deed regularly observed, and which could serve to no other purpose than to prevent the contrary precedents from turning into a rule, and acquiring authority. It was, indeed, the effect of the irregular government during those ages, that a statute which had been enacted some years, instead of acquiring, was imagined to lose force by time, and needed to be often renewed by recent statutes of the same sense and tenor. Hence, likewise, that general clause so frequent in old acts of parliament, that the statutes enacted by the king's progenitors should be observed, a precaution which, if we do not consider the circumstances of the times, might appear absurd and ridiculous. The frequent confirmations, in general terms, of the privileges of the church, proceeded from the same cause.

It is a clause in one of Edward's statutes, "That no man, of what state or condition soever, shall be put out of land or tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought in answer by due process of the law." This privilege was sufficiently secured by a clause of the Great Charter, which had received a general confirmation in the first chapter of the same statute. Why, then, is the clause so anxiously, and, as we may think, so superfluously repeated? Plainly, because there had been some late infringement of it, which gave umbrage to the commons.*

But there is no article in which the laws are more frequently repeated during this reign, almost in the same terms, than that of purveyance, which the parliament always calls an *outrageous* and *intolerable* grievance, and the source of *infinite* damage to the people. The parliament tried to abolish this prerogative altogether, by prohibiting any one from taking goods without the consent of the owners, and by changing the *heinous name* of *purveyors*, as they term it, into that of *buyers*; but the arbitrary conduct of Edward still brought back the grievance upon them; though contrary both to the Great Charter and to many statutes. This disorder was in a great measure derived from the state of the public finances and of the kingdom; and could therefore the less admit of remedy. The prince frequently wanted ready money; yet his family must be subsisted; he was therefore obliged to employ force and violence for that purpose, and to give tallies, at what rate he pleased, to the owners of the goods which he laid hold of. The kingdom also abounded so little in commodities, and the interior communication was so imperfect, that, had the owners been strictly protected by law, they could easily have exacted any price from the king; especially in his frequent progresses when he came to distant and poor places, where the court did not usually reside, and where a regular plan for supplying it could not be easily established. Not only the king, but several great lords, insisted upon this right of purveyance.

The magnificent castle of Windsor was built by Edward III.; and his method of conducting the work may serve as a specimen of the condition of the people in that age. Instead of engaging workmen by contracts and wages, he assessed every county in England to send him a certain number of masons, tilers, and carpenters, as if he had been levying an army.

They mistake, indeed, very much the genius of this reign, who imagine that it was not extremely arbitrary. All the high prerogatives of the crown were to the full exerted in it; but, what gave some consolation, and promised in time some relief to the people, they were always complained of by the commons: such as the dispensing power; the extension of the forests; erecting monopolies; exacting loans; stopping justice by particular warrants; the renewal of the commission of *trailbaton*; pressing men and ships into the public service; levying arbitrary and exorbitant fines; extending the authority of the privy-council or star-chamber to the decision of private causes; enlarging the power of the mareschals and other arbitrary courts; imprisoning members for freedom of speech in parliament; obliging people, without any rule, to send recruits of men-at-arms, archers, and hoblers to the army.

But there was no act of arbitrary power more frequently repeated in this reign than that of imposing taxes without consent of parliament. Though that assembly granted the king greater supplies than had ever been obtained by any of his predecessors, his great undertakings, and the necessity of his affairs, obliged him to levy still more; and after his splendid success against France had added weight to his authority, these arbitrary impositions became almost annual and perpetual. Cotton's Abridgement of the Records affords numerous instances of this kind in the first year of his reign, in the thirteenth year, in the fourteenth, in the twentieth, in the twenty-first, in the twenty-second, in the twenty-fifth, in the thirty-eighth, in the fiftieth, and in the fifty-first.

The king openly avowed and maintained this power of levying taxes at pleasure. At one time, he replied

* They assert in the 15th of this reign, that there had been such instances Cotton's Abridg. p. 31. They repeat the same in the 21st year. See p. 56

to the remonstrance made by the commons against it, that the impositions had been exacted from great necessity, and had been assented to by the prelates, earls, barons, and *some* of the commons;* at another, that he would advise with his council. When the parliament desired that a law might be enacted for the punishment of such as levied these arbitrary impositions, he refused compliance. In the subsequent year they desired that the king might renounce this pretended prerogative; but his answer was, that he would levy no taxes without necessity, for the defence of the realm, and where he reasonably might use that authority. This incident passed a few days before his death; and these were, in a manner, his last words to his people. It would seem that the famous charter or statute of Edward I., *de tallagio non concedendo*, though never repealed, was supposed to have already lost by age all its authority.

These facts can only show the *practice* of the times; for as to the *right*, the continual remonstrances of the commons may be seen to prove that it rather lay on their side: at least these remonstrances served to prevent the arbitrary practices of the court from becoming an established part of the constitution. In so much a better condition were the privileges of the people, even during the arbitrary reign of Edward III., than during some subsequent ones, particularly those of the Tudors, where no tyranny or abuse of power ever met with any check or opposition, or so much as a remonstrance, from parliament.

In this reign we find, according to the sentiments of an ingenious and learned author, the first strongly marked, and probably contested, distinction between a proclamation by the king and his privy-council, and a law which had received the assent of the lords and commons.

It is easy to imagine that a prince of so much sense and spirit as Edward, would be no slave to the court of Rome. Though the old tribute was paid during some years of his minority, he afterwards withheld it; and when the pope, in 1367, threatened to cite him to the court of Rome for default of payment, he laid the matter before his parliament. That assembly unanimously declared, that king John could not, without a national consent, subject his kingdom to a foreign power: and that they were therefore determined to support their sovereign against this unjust pretension.

During this reign the statute of provisors was enacted, rendering it penal to procure any presentations to benefices from the court of Rome, and securing the rights of all patrons and electors, which had been extremely encroached on by the pope. By a subsequent statute, every person was outlawed who carried any cause by appeal to the court of Rome.

The laity at this time seem to have been extremely prejudiced against the papal power, and even somewhat against their own clergy, because of their connexions with the Roman pontiff. The parliament pretended that the usurpations of the pope were the cause of all the plagues, injuries, famine, and poverty of the realm; were more destructive to it than all the wars; and were the reason why it contained not a third of the inhabitants and commodities which it formerly possessed: that the taxes levied by him exceeded five times those which were paid to the king; that everything was venal in that sinful city of Rome; and that even the patrons in England had thence learned to practise simony without shame or remorse. At another time they petition the king to employ no churchman in any office of state; and they even speak in plain terms of expelling by force the papal authority, and thereby providing a remedy against oppressions, which they neither could nor would any longer endure. Men who talked in this strain were not far from the reformation; but Edward did not think proper to second all this zeal: though he passed the statute of provisors, he took little care of its execution; and the parliament made frequent complaints of his negligence on this head. He was content with having reduced such of the Romish ecclesiastics as possessed revenues in England, to depend entirely upon him by means of that statute.

As to the police of the kingdom during this period, it was certainly better than during times of faction, civil war, and disorder, to which England was so often exposed: yet were there several vices in the constitution, the bad consequences of which all the power and vigilance of the king could not prevent. The barons, by their confederacies with those of their own order, and by supporting and defending their retainers in every iniquity, were the chief abettors of robbers, murderers, and ruffians of all kinds; and no law could be executed against those criminals. The nobility were brought to give their promise in parliament, that they would not avow, retain, or support, any felon or breaker of the law; yet this engagement, which we may wonder to see exacted from men of their rank, was never regarded by them. The commons made continual complaints of the multitude of robberies, murders rapes, and other disorders, which, they say, were become numberless in every part of the kingdom, and which they always ascribe to the protection that the criminals receive from the great. The king of Cyprus, who paid a visit to England in this reign, was robbed and stripped on the highway, with his whole retinue. Edward himself contributed to this dissolution of law, by his facility in granting pardons to felons from the solicitation of the courtiers. Laws were made to retrench his prerogative, and remonstrances of the commons were presented against the abuse of it: but to no purpose. The gratifying of a powerful nobleman continued still to be of more importance than the protection of the people. The king also granted many franchises, which interrupted the course of justice and the execution of the laws.

Commerce and industry were certainly at a very low ebb during this period. The bad police of the country alone affords a sufficient reason. The only exports were wool, skins, hides, leather, butter, tin, lead, and such unmanufactured goods, of which wool was by far the most considerable. Knyghton has asserted, that 100,000 sacks of wool were annually exported, and sold at twenty pounds a sack, money of that age. But he is widely mistaken, both in the quantity exported and in the value. In 1349, the parliament remonstrate that the king, by an illegal imposition of forty shillings on each sack exported, had levied 60,000 pounds a year; which reduces the annual exports to 30,000 sacks. A sack contained twenty-six stone, and each stone fourteen pounds; and at a medium was not valued at above five pounds a sack, that is, fourteen or fifteen pounds of our present money. Knyghton's computation raises it to sixty pounds, which is near four times the present price of wool in England. According to this reduced computation, the export of wool brought into the kingdom about 450,000 pounds of our present money, instead of six millions, which is an extravagant sum. Even the former sum is so high as to afford a suspicion of some mistake in the computation of the parliament with regard to the number of sacks exported. Such mistakes were very usual in those ages.

Edward endeavoured to introduce and promote the woollen manufacture, by giving protection and encouragement to foreign weavers, and by enacting a law which prohibited every one from wearing any cloth but of English fabric. The parliament prohibited the exportation of woollen goods, which was not so well judged, especially while the exportation of unwrought wool was so much allowed and encouraged. A like injudicious law was made against the exportation of manufactured iron.

It appears from a record in the exchequer, that in

* Cotton, p. 53. He repeats the same answer in p. 60. *Some of the commons* were such as he should be pleased to consult with.

1354 the exports of England amounted to 294,184 pounds seventeen shillings and twopence: the imports to 38,970 pounds three shillings and sixpence, money of that time. This is a great balance, considering that it arose wholly from the exportation of raw wool and other rough materials. The import was chiefly linen and fine cloth, and some wine. England seems to have been extremely drained at this time by Edward's foreign expeditions and foreign subsidies, which probably was the reason why the exports so much exceeded the imports.

The first toll we read of in England for mending the highways was imposed in this reign: it was that for repairing the road between St. Giles's and Temple-bar.

In the first of Richard II. the parliament complain extremely of the decay of shipping during the preceding reign, and assert, that one seaport formerly contained more vessels than there were then to be found in the whole kingdom. This calamity they ascribe to the arbitrary seizure of ships by Edward for the service of his frequent expeditions. The parliament in the fifth of Richard renew the same complaint; and we likewise find it made in the forty-sixth of Edward III. So false is the common opinion, that this reign was favourable to commerce!

There is an order of this king, directed to the mayor and sheriffs of London, to take up all ships of forty tons and upwards, to be converted into ships of war.

The parliament attempted the impracticable scheme of reducing the price of labour after the pestilence, and also that of poultry. A reaper, in the first week of August, was not allowed above twopence per day, or near sixpence of our present money; in the second week a third more. A master carpenter was limited through the whole year to threepence a day, a common carpenter to twopence, money of that age. It is remarkable that, in the same reign, the pay of a common soldier, an archer, was sixpence a day; which by the change both in the denomination and value, would be equivalent to near five shillings of our present money.* Soldiers were then enlisted only for a short time: they lived idle all the rest of the year, and commonly all the rest of their lives: one successful campaign, by pay and plunder, and the ransom of prisoners, was supposed to be a small fortune to a man; which was a great allurement to enter into the service.†

The staple of wool, wool fells, leather, and lead, was fixed by act of parliament in particular towns of England. Afterwards it was removed by law to Calais; but Edward, who commonly deemed his prerogative above law, paid little regard to these statutes; and when the parliament remonstrated with him on account of those acts of power, he plainly told them that he would proceed in that matter as he thought proper It is not easy to assign the reason of this great anxiety for fixing a staple; unless, perhaps, it invited foreigners to a market, when they knew beforehand that they should there meet with great choice of any particular species of commodity. This policy of inviting foreigners to Calais was carried so far, that all English merchants were prohibited by law from exporting any English goods from the staple; which was in a manner the total abandoning of all foreign navigation, except that to Calais: a contrivance seemingly extraordinary.

It was not till the middle of this century that the English began to extend their navigation even to the Baltic; nor till the middle of the subsequent, that they sailed to the Mediterranean.

Luxury was complained of in that age, as well as in others of more refinement; and attempts were made by parliament to restrain it, particularly on the head of apparel, where surely it is the most obviously innocent and inoffensive. No man under a hundred a year was allowed to wear gold, silver, or silk in his clothes: servants also were prohibited from eating flesh meat or fish above once a day. By another law it was ordained, that no one should be allowed either for dinner or supper, above three dishes in each course, and not above two courses: and it is likewise expressly declared that *soused* meat is to count as one of these dishes. It was easy to foresee that such ridiculous laws must prove ineffectual, and could never be executed.

The use of the French language in pleadings and public deeds was abolished. It may appear strange that the nation should so long have worn this badge of conquest: but the king and nobility seem never to have become thoroughly English, or to have forgotten their French extraction, till Edward's wars with France gave them an antipathy to that nation. Yet still it was long before the use of the English tongue came into fashion. The first English paper which we meet with in Rymer is in the year 1386, during the reign of Richard II.* There are Spanish papers in that collection of more ancient date: and the use of the Latin and French still continued.

We may judge of the ignorance of this age in geography, from a story told by Robert of Avesbury. Pope Clement VI. having, in 1344, created Louis of Spain prince of *the Fortunate Islands*, meaning the Canaries, then newly discovered; the English ambassador at Rome and his retinue were seized with an alarm that Louis had been created king of England; and they immediately hurried home, in order to convey this important intelligence. Yet such was the ardour for study at this time, that Speed, in his Chronicle, informs us there were then 30,000 students in the university of Oxford alone. What was the occupation of all these young men? To learn very bad Latin, and still worse logic.

In 1364 the commons petitioned, that in consideration of the preceding pestilence, such persons as possessed manors, holding of the king in chief, and had let different leases without obtaining licences, might continue to exercise the same power, till the country were become more populous. The commons were sensible that this security of possession was a good means for rendering the kingdom prosperous and flourishing; yet durst not apply all at once for a greater relaxation of their chains.

There is not a reign among those of the ancient English monarchs which deserves more to be studied than that of Edward III., nor one where the domestic transactions will better discover the true genius of that kind of mixed government which was then established in England. The struggles with regard to the validity and authority of the Great Charter were now over; the king was acknowledged to lie under some limitations; Edward himself was a prince of great capacity, not governed by favourites, not led astray by any unruly passion, sensible that nothing could be more essential to his interests than to keep on good terms with his people; yet, on the whole, it appears that the government at best was only a barbarous monarchy, not regulated by any fixed maxims, or bounded by any certain undisputed rights, which in practice were regularly observed. The king conducted himself by one set of principles; the barons by another; the commons by a third; the clergy by a fourth. All these systems of government were opposite and incompatible; each of them prevailed in its turn, as incidents were favourable to it; a great prince rendered the monarchical power

* Brady's Hist. vol. ii. App. No. 92. The pay of a man-at-arms was quadruple. We may therefore conclude that the numerous armies mentioned by historians in those times, consisted chiefly of ragamuffins, who followed the camp and lived by plunder. Edward's army before Calais consisted of 51,094 men; yet its pay for sixteen months was only 127,501 pounds. Brady, ibid.

† Commodities seem to have risen since the Conquest. Instead of being ten times cheaper than at present, they were, in the age of Edward III., only three or four times. This change seems to have taken place in a great measure since Edward I. The allowance granted by Edward III. to the earl of Murray, then a prisoner in Nottingham castle, is one pound a week; whereas the bishop of St. Andrew's, the primate of Scotland, had only sixpence a day allowed him by Edward I.

* Rymer, vol. viii. p. 526. This paper, by the style, seems to have been drawn by the Scots, and was sealed by the wardens of the marches only.

predominant; the weakness of a king gave reins to the aristocracy; a superstitious age saw the clergy triumphant; the people, for whom chiefly government was instituted, and who chiefly deserve consideration, were the weakest of the whole. But the commons, little obnoxious to any other order, though they sunk under the violence of tempests, silently reared their head in more peaceable times; and while the storm was brewing, were courted by all sides, and thus received still some accession to their privileges, or at worst some confirmation of them.

It has been an established opinion, that gold coin was not struck till this reign; but there has lately been found proof that it is as ancient as Henry III.

CHAPTER XVII.

RICHARD II.

Government during the Minority——Insurrection of the common People——Discontents of the Barons——Civil Commotions——Expulsion or Execution of the King's Ministers——Cabals of the Duke of Gloucester——Murder of the Duke of Gloucester——Banishment of Henry, Duke of Hereford——Return of Henry——General Insurrection——Deposition of the King——His Murder——His Character——Miscellaneous Transactions during this Reign.

GOVERNMENT DURING THE MINORITY. 1377.

THE parliament which was summoned soon after the king's accession, was both elected and assembled in tranquillity; and the great change, from a sovereign of consummate wisdom and experience to a boy of eleven years of age, was not immediately felt by the people. The habits of order and obedience which the barons had been taught during the long reign of Edward, still influenced them; and the authority of the king's three uncles, the dukes of Lancaster, York, and Gloucester, sufficed to repress, for a time, the turbulent spirit to which that order, in a weak reign, was so often subject. The dangerous ambition too of these princes themselves was checked by the plain and undeniable title of Richard, by the declaration of it made in parliament, and by the affectionate regard which the people bore to the memory of his father, and which was naturally transferred to the young sovereign upon the throne. The different characters also of these three princes rendered them a counterpoise to each other; and it was natural to expect, that any dangerous designs which might be formed by one brother, would meet with opposition from the others. Lancaster, whose age and experience, and authority under the late king, gave him the ascendant among them, though his integrity seemed not proof against great temptations, was neither of an enterprising spirit, nor of a popular and engaging temper. York was indolent, inactive, and of slender capacity. Gloucester was turbulent, bold, and popular,; but being the youngest of the family, was restrained by the power and authority of his elder brothers. There appeared, therefore, no circumstance in the domestic situation of England which might endanger the public peace, or give any immediate apprehensions to the lovers of their country.

But as Edward, though he had fixed the succession to the crown, had taken no care to establish a plan of government during the minority of his grandson, it behoved the parliament to supply this defect; and the house of commons distinguished themselves by taking the lead on the occasion. This house, which had been rising to consideration during the whole course of the late reign, naturally received an accession of power during the minority; and as it was now becoming a scene of business, the members chose, for the first time, a speaker, who might preserve order in their debates, and maintain those forms which are requisite in all numerous assemblies. Peter de la Mare was the man pitched on; the same person that had been imprisoned and detained in custody by the late king, for his freedom of speech in attacking the mistress and the ministers of that prince. But though this election discovered a spirit of liberty in the commons, and was followed by further attacks both on these ministers and on Alice Pierce, they were still too sensible of their great inferiority, to assume at first any immediate share in the administration of government, or the care of the king's person. They were content to apply by petition to the lords for that purpose, and desire them, both to appoint a council of nine, who might direct the public business, and to choose men of virtuous life and conversation, who might inspect the conduct and education of the young prince. The lords complied with the first part of this request, and elected the bishops of London, Carlisle, and Salisbury, the earls of Marche, and Stafford, sir Richard de Stafford, sir Henry le Scrope, sir John Devereux, and sir Hugh Segrave, to whom they gave authority, for a year, to conduct the ordinary course of business. But as to the regulation of the king's household, they declined interposing in an office which, they said, both was invidious in itself, and might prove disagreeable to his majesty.

The commons, as they acquired more courage, ventured to proceed a step further in their applications. They presented a petition, in which they prayed the king to check the prevailing custom among the barons, of forming illegal confederacies, and supporting each other, as well as men of inferior rank, in the violations of law and justice. They received from the throne a general and an obliging answer to this petition; but another part of their application, that all the great officers should, during the king's minority, be appointed by parliament, which seemed to require the concurrence of the commons, as well as that of the upper house, in the nomination, was not complied with: the lords alone assumed the power of appointing these officers; the commons tacitly acquiesced in the choice; and thought that, for the present, they themselves had proceeded a sufficient length, if they but advanced their pretensions, though rejected, of interposing in those more important matters of state.

On this foot then the government stood. The administration was conducted entirely in the king's name; no regency was expressly appointed: the nine councillors and the great officers, named by the peers, did their duty, each in his respective department; and the whole system was for some years kept together by the secret authority of the king's uncles, especially of the duke of Lancaster, who was in reality the regent.

The parliament was dissolved, after the commons had represented the necessity of their being re-assembled once every year, as appointed by law; and after having elected two citizens as their treasurers, to receive and disburse the produce of two fifteenths and tenths, which they had voted to the crown. In the other parliaments called during the minority, the commons still discover a strong spirit of freedom, and a sense of their own authority, which, without breeding any disturbance, tended to secure their independence, and that of the people. [*See note* 2C, *at the end of this Vol.*]

Edward had left his grandson involved in many dangerous wars. The pretensions of the duke of Lancaster to the crown of Castile made that kingdom still persevere in hostilities against England. Scotland, whose throne was now filled by Robert Stuart, nephew to David Bruce, and the first prince of that family, maintained such close connexions with France, that war with one crown almost inevitably produced hostilities with the other. The French monarch, whose prudent conduct had acquired him the surname of *Wise*, as he had already baffled all the experience and valour of the two Edwards, was likely to prove a

dangerous enemy to a minor king: but his genius, which was not naturally enterprising, led him not at present to give any disturbance to his neighbours; and he laboured, besides, under many difficulties at home, which it was necessary for him to surmount before he could think of making conquests in a foreign country. England was master of Calais, Bourdeaux, and Bayonne; had lately acquired possession of Cherbourg from the cession of the king of Navarre, and of Brest from that of the duke of Britanny; and having thus an easy entrance into France from every quarter, was able, even in its present situation, to give disturbance to his government. Before Charles could remove the English from these important posts, he died in the flower of his age, and left his kingdom to a minor son, who bore the name of Charles VI.

1378. Meanwhile the war with France was carried on in a manner somewhat languid, and produced no enterprise of great lustre or renown. Sir Hugh Calverly, governor of Calais, making an inroad into Picardy with a detachment of the garrison, set fire to Boulogne. The duke of Lancaster conducted an army into Britanny, but returned without being able to perform anything memorable.....1380. In a subsequent year, the duke of Gloucester marched out of Calais with a body of 2000 cavalry and 8000 infantry; and scrupled not, with his small army, to enter into the heart of France, and to continue his ravages through Picardy, Champaigne, the Brie, the Beausse, the Gatinois, the Orleanois, till he reached his allies in the province of Britanny. The duke of Burgundy, at the head of a more considerable army, came within sight of him; but the French were so overawed by the former successes of the English, that no superiority of numbers could tempt them to venture a pitched battle with the troops of that nation. As the duke of Britanny, soon after the arrival of these succours, formed an accommodation with the court of France, this enterprise also proved in the issue unsuccessful, and made no durable impression upon the enemy.

The expenses of these armaments, and the usual want of economy attending a minority, much exhausted the English treasury, and obliged the parliament, besides making some alterations in the council, to impose a new and unusual tax, of three groats on every person male and female, above fifteen years of age; and they ordained that, in levying that tax, the opulent should relieve the poor by an equitable compensation. This imposition produced a mutiny, which was singular in its circumstances. All history abounds with examples where the great tyrannise over the meaner sort; but here the lowest populace rose against their rulers, committed the most cruel ravages upon them, and took vengeance for all former oppressions.

1581. The faint dawn of the arts and good government in that age had excited the minds of the populace in different states of Europe, to wish for a better condition, and to murmur against those chains which the laws, enacted by the haughty nobility and gentry, had so long imposed upon them. The commotions of the people in Flanders, the mutiny of the peasants in France, were the natural effects of this growing spirit of independence; and the report of these events being brought into England, where personal slavery, as we learn from Froissard, was more general than in any other country in Europe, had prepared the minds of the multitude for an insurrection. One John Ball also, a seditious preacher, who affected low popularity, went about the country, and inculcated on his audience the principles of the first origin of mankind from one common stock, their equal right to liberty and to all the goods of nature, the tyranny of artificial distinctions, and the abuses which had arisen from the degradation of the more considerable part of the species, and the aggrandisement of a few insolent rulers. These doctrines, so agreeable to the populace, and so conformable to the ideas of primitive equality which are engraven in the hearts of all men, were greedily received by the multitude; and scattered the seeds of that sedition, which the present tax raised into a conflagration.*

INSURRECTIONS OF THE COMMON PEOPLE.

The imposition of three groats a-head had been farmed out to tax-gatherers in each county, who levied the money on the people with rigour; and the clause of making the rich ease their poorer neighbours of some share of the burden, being so vague and undeterminate, had, doubtless, occasioned many partialities, and made the people more sensible of the unequal lot which fortune had assigned them in the distribution of her favours. The first disorder was raised by a blacksmith, in a village of Essex. The tax-gatherers came to this man's shop while he was at work; and they demanded payment for his daughter, whom he asserted to be below the age assigned by the statute. One of these fellows offered to produce a very indecent proof to the contrary, and at the same time laid hold of the maid, which the father resenting, immediately knocked out the ruffian's brains with his hammer. The by-standers applauded the action, and exclaimed, that it was full time for the people to take vengeance on their tyrants, and to vindicate their native liberty. They immediately flew to arms; the whole neighbourhood joined in the sedition; the flame spread in an instant over the county; it soon propagated itself into that of Kent, of Hertford, Surrey, Sussex, Suffolk, Norfolk, Cambridge, and Lincoln. Before the government had the least warning of the danger, the disorder had grown beyond control or opposition; the populace had shaken off all regard to their former masters; and being headed by the most audacious and criminal of their associates, who assumed the feigned names of Wat Tyler, Jack Straw, Hob Carter, and Tom Miller, by which they were fond of denoting their mean origin, they committed everywhere the most outrageous violence on such of the gentry and nobility as had the misfortune to fall into their hands.

The mutinous populace, amounting to one hundred thousand men, assembled on Blackheath, (12th June,) under their leaders, Tyler and Straw; and as the princess of Wales, the king's mother, returning from a pilgrimage to Canterbury, passed through the midst of them, they insulted her attendants; and some of the most insolent among them, to show their purpose of levelling all mankind, forced kisses from her; but they allowed her to continue her journey, without attempting any further injury. They sent a message to the king, who had taken shelter in the Tower; and they desired a conference with him. Richard sailed down the river in a barge for that purpose; but on his approaching the shore, he saw such symptoms of tumult and insolence, that he put back and returned to that fortress. The seditious peasants, meanwhile, favoured by the populace of London, had broken into the city; had burned the duke of Lancaster's palace of the Savoy; cut off the heads of all the gentlemen whom they laid hold of; expressed a particular animosity against the lawyers and attorneys; and pillaged the warehouses of the rich merchants. A great body of them quartered themselves at Mile-end; and the king, finding no defence in the Tower, which was weakly garrisoned, and ill supplied with provisions, was obliged to go out to them, and ask their demands. They required a general pardon, the abolition of slavery, freedom of commerce in market-towns, without toll or impost, and a fixed rent on lands, instead of the services due by villenage. These requests, which, though extremely reasonable in themselves, the nation was not sufficiently prepared to receive, and which it

* There were two verses at that time in the mouths of all the common people, which, in spite of prejudice, one cannot but regard with some degree of approbation:—

"When Adam delv'd and Eve span,
Where was then the gentleman?

was dangerous to have extorted by violence, were nowever, complied with; charters to that purpose were granted them; and this body immediately dispersed, and returned to their several homes.

During this transaction, another body of the rebels had broken into the Tower; had murdered Simon Sudbury, the primate and Chancellor, with sir Robert Hales, the treasurer, and some other persons of distinction; and continued their ravages in the city. The king, passing along Smithfield, very slenderly guarded, met with Wat Tyler, at the head of these rioters, and entered into a conference with him. Tyler, having ordered his companions to retire till he should give them a signal, after which they were to murder all the company, except the king himself, whom they were to detain prisoner, feared not to come in the midst of the royal retinue. He there behaved himself in such a manner, that Walworth, the mayor of London, not able to bear his insolence, drew his sword, and struck him so violent a blow as brought him to the ground, where he was instantly dispatched by others of the king's attendants. The mutineers, seeing their leader fall, prepared themselves for revenge; and this whole company, with the king himself, had undoubtedly perished on the spot, had it not been for an extraordinary presence of mind which Richard discovered on the occasion. He ordered his company to stop; he advanced alone towards the enraged multitude; and accosting them with an affable and intrepid countenance, he asked them, "What is the meaning of this disorder, my good people? are ye angry that ye have lost your leader? I am your king: I will be your leader!" The populace, overawed by his presence, implicitly followed him: he led them into the fields, to prevent any disorder which might have arisen by their continuing in the city: being there joined by Sir Robert Knolles, and a body of well-armed veteran soldiers, who had been secretly drawn together, he strictly prohibited that officer from falling on the rioters, and committing an undistinguished slaughter upon them; and he peaceably dismissed them with the same charters which had been granted to their fellows. Soon after, the nobility and gentry, hearing of the king's danger, in which they were all involved, flocked to London with their adherents and retainers; and Richard took the field at the head of an army 40,000 strong. It then behoved all the rebels to submit: the charters of enfranchisement and pardon were revoked by parliament: the low people were reduced to the same slavish condition as before; and several of the ringleaders were severely punished for the late disorders. Some were even executed without process or form of law.* It was pretended that the intentions of the mutineers had been to seize the king's person, to carry him through England at their head, to murder all the nobility, gentry, and lawyers, and even all the bishops and priests, except the mendicant friars; to dispatch afterwards the king himself; and having thus reduced all to a level, to order the kingdom at their pleasure. It is not impossible but many of them, in the delirium of their first success, might have formed such projects: but of all the evils incident to human society, the insurrection of the populace, when not raised and supported by persons of higher quality, are the least to be dreaded: the mischiefs consequent to an abolition of all rank and distinction become so great, that they are immediately felt, and soon bring affairs back to their former order and arrangement.

A youth of sixteen, (which was at this time the king's age,) who had discovered so much courage, presence of mind, and address, and had so dexterously eluded the violence of this tumult, raised great expectations in the nation; and it was natural to hope, that he would, in the course of his life, equal the glories which had so uniformly attended his father and his grandfather in all their undertakings. But in proportion as Richard advanced in years, these hopes vanished; and his want of capacity, at least of solid judgment, appeared in every enterprise which he attempted ..... 1385. The Scots, sensible of their own deficiency in cavalry, had applied to the regency of Charles VI.; and John de Vienne, admiral of France, had been sent over with a body of 1500 men-at-arms, to support them in their incursions against the English. The danger was now deemed by the king's uncles somewhat serious; and a numerous army of 60,000 men was levied; and they marched into Scotland, with Richard himself at their head. The Scots did not pretend to make resistance against so great a force: they abandoned without scruple their country to be pillaged and destroyed by the enemy: and when de Vienne expressed his surprise at this plan of operations, they told him, that all their cattle was driven into the forests and fastnesses; that their houses and other goods were of small value; and that they well knew how to compensate any losses which they might sustain in that respect, by making an incursion into England. Accordingly, when Richard entered Scotland by Berwick and the east coast, the Scots, to the number of 30,000 men, attended by the French, entered the borders of England by the west, and carrying their ravages through Cumberland, Westmoreland, and Lancashire, collected a rich booty, and then returned in tranquillity to their own country. Richard meanwhile advanced towards Edinburgh, and destroyed in his way all the towns and villages on each side of him: he reduced that city to ashes: he treated in the same manner, Perth, Dundee, and other places in the low countries; but when he was advised to march towards the west coast, to await there the return of the enemy, and to take revenge on them for their devastations, his impatience to return to England, and enjoy his usual pleasures and amusements, outweighed every consideration; and he led back his army, without effecting anything by all these mighty preparations. The Scots, soon after, finding the heavy bodies of French cavalry very useless in that desultory kind of war to which they confined themselves, treated their allies so ill, that the French returned home, much disgusted with the country, and with the manners of its inhabitants. And the English, though they regretted the indolence and levity of their king, saw themselves for the future secured against any dangerous invasion from that quarter.

1386. But it was so material an interest of the French court to wrest the seaport towns from the hands of their enemy, that they resolved to attempt it by some other expedient, and found no means so likely as an invasion of England itself. They collected a great fleet and army at Sluise; for the Flemings were now in alliance with them: all the nobility of France were engaged in this enterprise: the English were kept in alarm: great preparations were made for the reception of the invaders: and though the dispersion of the French ships by a storm, and the taking of many of them by the English, before the embarkation of the troops, freed the kingdom from the present danger, the king and council were fully sensible that this perilous situation might every moment return upon them.

There were two circumstances, chiefly, which engaged the French at this time to think of such attempts. The one was the absence of the duke of Lancaster, who had carried into Spain the flower of the English military force, in prosecution of his vain claim to the crown of Castile; an enterprise in which, after some promising success, he was finally disappointed: the other was, the violent dissensions and disorders which had taken place in the English government.

The subjection in which Richard was held by his uncles, particularly by the duke of Gloucester, a prince of ambition and genius, though it was not unsuitable to his years and slender capacity, was extremely disagreeable to his violent temper; and he soon attempted

* 5 Rich. II. cap. ult. as quoted in the Observations on ancient Statutes, p. 262.

to shake off the yoke imposed upon him. Robert de Vere, earl of Oxford, a young man of a noble family, of an agreeable figure, but of dissolute manners, had acquired an entire ascendant over him, and governed him with an absolute authority. The king set so little bounds to his affection, that he first created his favourite marquis of Dublin, a title before unknown in England, then duke of Ireland; and transferred to him by patent, which was confirmed in parliament, the entire sovereignty for life of that island. He gave him in marriage his cousin-german, the daughter of Ingelram de Couci, earl of Bedford; but, soon after he permitted him to repudiate that lady, though of an unexceptionable character, and to marry a foreigner, a Bohemian, with whom he had become enamoured. These public declarations of attachment turned the attention of the whole court towards the minion: all favours passed through his hands: access to the king could only be obtained by his mediation: and Richard seemed to take no pleasure in royal authority, but so far as it enabled him to load with favours and titles and dignities this object of his affections.

DISCONTENT OF THE BARONS.

The jealousy of power immediately produced an animosity between the minion and his creatures on the one hand, and the princes of the blood and chief nobility on the other; and the usual complaints against the insolence of favourites were loudly echoed, and greedily received, in every part of the kingdom. Moubray, earl of Nottingham, the mareschal, Fitz-Alan, earl of Arundel, Piercy, earl of Northumberland, Montacute, earl of Salisbury, Beauchamp, earl of Warwick, were all connected with each other, and with the princes, by friendship or alliance, and still more by their common antipathy to those who had eclipsed them in the king's favour and confidence. No longer kept in awe by the personal character of the prince, they scorned to submit to his ministers; and the method which they took to redress the grievances complained of, well suited the violence of the age, and proves the desperate extremities to which every opposition was sure to be instantly carried.

Michael de la Pole, the present chancellor, and lately created earl of Suffolk, was the son of an eminent merchant; but had risen by his abilities and valour during the wars of Edward III., had acquired the friendship of that monarch, and was esteemed the person of greatest experience and capacity among those who were attached to the duke of Ireland and the king's secret council. The duke of Gloucester, who had the house of commons at his devotion, impelled them to exercise that power, which they seem first to have assumed against lord Latimer during the declining years of the late king; and an impeachment against the chancellor was carried up by them to the house of peers, which was no less at his devotion. The king foresaw the tempest preparing against him and his ministers. After attempting in vain to rouse the Londoners to his defence, he withdrew from parliament, and retired with his court to Eltham. The parliament sent a deputation, inviting him to return, and threatening, that, if he persisted in absenting himself, they would immediately dissolve, and leave the nation, though at that time in imminent danger of a French invasion, without any support or supply for its defence. At the same time a member was encouraged to call for the record containing the parliamentary deposition of Edward II.; a plain intimation of the fate which Richard, if he continued refractory, had reason to expect from them. The king, finding himself unable to resist, was content to stipulate, that, except finishing the present impeachment against Suffolk, no attack should be made upon any other of his ministers; and on that condition he returned to parliament. [*See note* 2 D, *at the end of this Vol.*]

Nothing can prove more fully the innocence of Suffolk, than the frivolousness of the crimes which his enemies, in the present plenitude of their power, thought proper to object against him. It was alleged, that being chancellor, and obliged by his oath to consult the king's profit, he had purchased lands of the crown below their true value; that he had exchanged with the king a perpetual annuity of 400 marks a year, which he inherited from his father, and which was assigned upon the customs of the port of Hull, for lands of an equal income; that having obtained for his son the priory of St. Anthony, which was formerly possessed by a Frenchman, an enemy, and a schismatic, and a new prior being at the same time named by the pope, he had refused to admit this person, whose title was not legal, till he made a composition with his son, and agreed to pay him a hundred pounds a year from the income of the benefice; that he had purchased, from one Tydeman of Limborch, an old and forfeited annuity of fifty pounds a year upon the crown, and had engaged the king to admit that bad debt; and that, when created Earl of Suffolk, he had obtained a grant of 500 pounds a year, to support the dignity of that title.* Even the proof of these articles, frivolous as they are, was found very deficient upon the trial: it appeared that Suffolk had made no purchase from the crown while he was chancellor, and that all his bargains of that kind were made before he was advanced to that dignity. It is almost needless to add, that he was condemned, notwithstanding his defence; and that he was deprived of his office.

Gloucester and his associates observed their stipulation with the king, and attacked no more of his ministers: but they immediately attacked himself and his royal dignity, and framed a commission after the model of those which had been attempted almost in every reign since that of Richard I., and which had always been attended with extreme confusion. By this commission, which was ratified by parliament, a council of fourteen persons was appointed, all of Gloucester's faction, except Nevil, archbishop of York: the sovereign power was transferred to these men for a twelvemonth; the king, who had now reached the twenty-first year of his age, was in reality dethroned: the aristocracy was rendered supreme: and though the term of the commission was limited, it was easy to foresee that the intentions of the party were to render it perpetual, and that power would with great difficulty be wrested from those grasping hands to which it was once committed. Richard, however, was obliged to submit: he signed the commission, which violence had extorted from him; he took an oath never to infringe it; and though at the end of the session he *publicly* entered a protest, that the prerogatives of the crown, notwithstanding his late concession, should still be deemed entire and unimpaired, the new commissioners, without regarding this declaration, proceeded to the exercise of their authority.

CIVIL COMMOTIONS. 1387.

The king, thus dispossessed of royal power, was soon sensible of the contempt into which he was fallen. His favourites and ministers, who were as yet allowed to remain about his person, failed not to aggravate the injury, which, without any demerit on his part, had been offered to him. And his eager temper was of itself sufficiently inclined to seek the means, both of recovering his authority, and of revenging himself on those who had invaded it. As the house of commons appeared now of weight in the constitution, he secretly tried some expedients for procuring a favourable election: he sounded some of the sheriffs, who being at that time both the returning officers and magis-

* It is probable that the earl of Suffolk was not rich, nor able to support the dignity without the bounty of the crown; for his father, Michael de la Pole, though a great merchant, had been ruined by lending money to the late king. See Cotton, p. 194. We may remark that the dukes of Gloucester and York, though vastly rich, received at the same time each of them a thousand pounds a year, to support their dignity. Rymer, vol. vii. p. 484. Cotton, p. 310.



trates of great power in the counties, had naturally considerable influence in elections.* But as most of them had been appointed by his uncles, either during his minority, or during the course of the present commission, he found them, in general, averse to his enterprise. The sentiments and inclinations of the judges were more favourable to him. He met, at Nottingham, sir Robert Tresilian, chief-justice of the King's Bench, sir Robert Belknappe, chief-justice of the Common Pleas, sir John Cary, chief-baron of the Exchequer, Holt, Fulthorpe, and Bourg, inferior justices, and Lockton, serjeant-at-law; and he proposed to them some queries; which these lawyers, either from the influence of his authority or of reason, made no scruple of answering in the way he desired. They declared that the late commission was derogatory to the royalty and prerogative of the king; that those who procured it, or advised the king to consent to it, were punishable with death; that those who necessitated and compelled him were guilty of treason; that those were equally criminal who should persevere in maintaining it; that the king has the right of dissolving parliaments at pleasure; that the parliament, while it sits, must first proceed upon the king's business; and that this assembly cannot, without his consent, impeach any of his ministers and judges. Even according to our present strict maxims with regard to law and the royal prerogative, all these determinations, except the two last, appear justifiable; and as the great privileges of the commons, particularly that of impeachment, were hitherto new, and supported by few precedents, there want not plausible reasons to justify these opinions of the judges.† They signed therefore their answer to the king's queries before the archbishops of York and Dublin, the bishops of Durham, Chichester, and Bangor, the duke of Ireland, the earl of Suffolk, and two other counsellors of inferior quality.

The duke of Gloucester and his adherents soon got intelligence of this secret consultation, and were naturally very much alarmed at it. They saw the king's intentions; and they determined to prevent the execution of them. As soon as he came to London, which they knew was well disposed to their party, they secretly assembled their forces, and appeared in arms at Haringay-park, near Highgate, with a power which Richard and his ministers were not able to resist. They sent him a message by the archbishop of Canterbury, and the lords Lovel, Cobham, and Devereux, and demanded that the persons who had seduced him by their pernicious counsel, and were traitors both to him and to the kingdom, should be delivered up to them. A few days after they appeared in his presence, armed and attended with armed followers; and they accused, by name, the archbishop of York, the duke of Ireland, the earl of Suffolk, sir Robert Tresilian, and sir Nicholas Brembre, as public and dangerous enemies to the state. They threw down their gauntlets before the king, and fiercely offered to maintain the truth of their charge by duel. The persons accused, and all the other obnoxious ministers, had withdrawn or had concealed themselves.

The duke of Ireland fled to Cheshire, and levied some forces, with which he advanced to relieve the king from the violence of the nobles. Gloucester encountered him in Oxfordshire with much superior forces; routed him, dispersed his followers, and obliged him to fly into the Low Countries, where he died in exile a few years after. The lords then appeared at London (3rd February, 1388) with an army of forty thousand men; and having obliged the king to summon a parliament, which was entirely at their devotion, they had full power, by observing a few legal forms, to take vengeance on all their enemies. Five great peers, men whose combined power was able at any time to shake the throne—the duke of Gloucester, the king's uncle; the earl of Derby, son of the duke of Lancaster; the earl of Arundel; the earl of Warwick; and the earl of Nottingham, mareschal of England—entered before the parliament an accusation or appeal, as it was called, against the five counsellors whom they had already accused before the king. The parliament, who ought to have been judges, were not ashamed to impose an oath on all their members, by which they bound themselves to live and die with the lords appellants, and to defend them against all opposition with their lives and fortunes.

The other proceedings were well suited to the violence and iniquity of the times. A charge, consisting of thirty-nine articles, was delivered in by the appellants; and as none of the accused counsellors except sir Nicholas Brembre was in custody, the rest were cited to appear; and, upon their absenting themselves, the house of peers, after a very short interval, without hearing a witness, without examining a fact, or deliberating on one point of law, declared them guilty of high-treason. Sir Nicholas Brembre, who was produced in court, had the appearance, and but the appearance, of a trial: the peers, though they were not by law his proper judges, pronounced in a very summary manner sentence of death upon him; and he was executed, together with sir Robert Tresilian, who had been discovered and taken in the interval.

It would be tedious to recite the whole charge delivered in against the five counsellors; which is to be met with in several collections. It is sufficient to observe, in general, that if we reason upon the supposition, which is the true one, that the royal prerogative was invaded by the commission extorted by the duke of Gloucester and his associates, and that the king's person was afterwards detained in custody by rebels, many of the articles will appear, not only to imply no crime in the duke of Ireland and the ministers, but to ascribe to them actions which were laudable, and which they were bound by their allegiance to perform. The few articles impeaching the conduct of these ministers before that commission, which subverted the constitution, and annihilated all justice and legal authority, are vague and general; such as their engrossing the king's favour, keeping his barons at a distance from him, obtaining unreasonable grants for themselves or their creatures, and dissipating the public treasure by useless expenses. No violence is objected to them; no particular illegal act; [*See note* 2 F, *at the end of this Vol.*;] no breach of any statute; and their administration may therefore be concluded to have been so far innocent and inoffensive. All the disorders indeed seem to have proceeded, not from any violation of the laws, or any ministerial tyranny, but merely from a rivalship of power, which the duke of Gloucester and the great nobility, agreeably to the genius of the times, carried to the utmost extremity against their opponents, without any regard to reason, justice, or humanity.

But these were not the only deeds of violence committed during the triumph of the party. All the other judges, who had signed the extra-judicial opinions at Nottingham, were condemned to death, and were, as a grace or favour, banished to Ireland; though they pleaded the fear of their lives, and the menaces of the king's ministers as their excuse. Lord Beauchamp of Holt, sir James Berners, and John Salisbury were also tried and condemned for high-treason, merely because they had attempted to defeat the late commission: but the life of the latter was spared. The

* In the preamble to 5 Henry IV. c. viii., it is implied, that the sheriffs in a manner appointed the members of the house of commons not only in this parliament, but in many others.

† The parliament, in 1341, enacted of Edward III. that on the third day of every session, the king should resume all the great offices; and that the ministers should then answer to any accusation that should be brought against them; which plainly implies that while ministers, they could not be accused or impeached in parliament. Henry IV. told the commons, that the usage of parliament required them first to go through the king's business in granting supplies; which order the king intended not to alter. Parl. Hist. vol. ii. p. 65. Upon the whole it must be allowed that, according to ancient practice and principles, there are, at least, plausible grounds for all these opinions of the judges. It must be remarked, that this affirmation of Henry IV. was given deliberately, after consulting the house of peers, who were much better acquainted with the usage of parliament than the ignorant commons. And it has the greater authority, because Henry IV. had made this very principle a considerable article of charge against his predecessor: And that a very few years before, how ill grounded were most of the imputations thrown on the unhappy Richard!

fate of sir Simon Burley was more severe. This gentleman was much beloved for his personal merit, had distinguished himself by many honourable actions,* was created knight of the garter, and had been appointed governor to Richard, by the choice of the late king and of the Black Prince; he had attended his master from the earliest infancy of that prince, and had ever remained extremely attached to him: yet all these considerations could not save him from falling a victim to Gloucester's vengeance. This execution, more than all the others, made a deep impression on the mind of Richard: his queen too (for he was already married to the sister of the emperor Winceslaus, king of Bohemia) interested herself in behalf of Burley: she remained three hours on her knees before the duke of Gloucester, pleading for that gentleman's life; but though she was become extremely popular by her amiable qualities, which had acquired her the appellation of *the good queen Ann*, her petition was sternly rejected by the inexorable tyrant.

The parliament concluded this violent scene, by a declaration that none of the articles decided on these trials to be treason, should ever afterwards be drawn into precedent by the judges, who were still to consider the statute of the twenty-fifth of Edward as the rule of their decisions. The house of lords seem not, at that time, to have known or acknowledged the principle, that they themselves were bound, in their judicial capacity, to follow the rules which they, in conjunction with the king and commons, had established in their legislative. [*See note* 2 F, *at the end of this Vol.*] It was also enacted, that every one should swear to the perpetual maintenance and support of the forfeitures and attainders, and of all the other acts passed during this parliament. The archbishop of Canterbury added the penalty of excommunication, as a further security to these violent transactions.

1389. It might naturally be expected, that the king, being reduced to such slavery by the combination of the princes and chief nobility, and having appeared so unable to defend his servants from the cruel effects of their resentment, would long remain in subjection to them; and never would recover the royal power, without the most violent struggles and convulsions: but the event proved contrary. In less than a twelvemonth, Richard, who was in his twenty-third year, declared in council, that, as he had now attained the full age which entitled him to govern by his own authority his kingdom and household, he resolved to exercise his right of sovereignty; and when no one ventured to contradict so reasonable an intention, he deprived Fitz-Alan, archbishop of Canterbury, of the dignity of chancellor, and bestowed that high office on William of Wickham, bishop of Winchester; the bishop of Hereford was displaced from the office of treasurer, the earl of Arundel from that of Admiral; even the duke of Gloucester and the earl of Warwick were removed for a time from the council: and no opposition was made to these great changes. The history of this reign is imperfect, and little to be depended on; except where it is supported by public records: and it is not easy for us to assign the reason of this unexpected event. Perhaps some secret animosities, naturally to be expected in that situation, had creeped in among the great men, and had enabled the king to recover his authority. Perhaps the violence of their former proceedings had lost them the affections of the people, who soon repent of any cruel extremities to which they are carried by their leaders. However this may be, Richard exercised with moderation the authority which he had resumed. He seemed to be entirely reconciled to his uncles and the other great men, of whom he had so much reason to complain: he never attempted to recal from banishment the duke of Ireland, whom he found so obnoxious to them; he confirmed, by proclamation, the general pardon which the parliament had passed for all offences: and he courted the affections of the people, by voluntarily remitting some subsidies which had been granted him; a remarkable and almost singular instance of such generosity.

After this composure of domestic differences, and this restoration of the government to its natural state, there passes an interval of eight years, which affords not many remarkable events. The duke of Lancaster returned from Spain; having resigned to his rival all pretensions to the crown of Castile upon payment of a large sum of money, and having married his daughter Philippa, to the king of Portugal. The authority of this prince served to counterbalance that of the duke of Gloucester, and secured the power of Richard, who paid great court to his eldest uncle, by whom he had never been offended, and whom he found more moderate in his temper than the younger. He made a cession to him for life of the dutchy of Guienne, which the inclinations and changeable humour of the Gascons had restored to the English government; but as they remonstrated loudly against this deed, it was finally, with the duke's consent, revoked by Richard. There happened an incident, which produced a dissention between Lancaster and his two brothers. After the death of the Spanish princess, he espoused Catharine Swineford, daughter of a private knight of Hainault, by whose alliance York and Gloucester thought the dignity of their family much injured: but the king gratified his uncle, by passing in parliament a charter of legitimation to the children whom that lady had borne him before marriage, and by creating the eldest earl of Somerset.

The wars, meanwhile, which Richard had inherited with his crown, still continued; though interrupted by frequent truces, according to the practice of that age, and conducted with little vigour, by reason of the weakness of all parties. The French war was scarcely heard of; the tranquillity of the northern borders was only interrupted by one inroad of the Scots, which proceeded more from a rivalship between the two martial families of Piercy and Douglas, than from any national quarrel: a fierce battle or skirmish was fought at Otterborne, in which young Piercy, sirnamed *Hotspur*, from his impetuous valour, was taken prisoner, and Douglas slain; and the victory remained undecided. Some insurrections of the Irish obliged the king to make an expedition into that country, which he reduced to obedience; and he recovered, in some degree, by this enterprise, his character, of courage, which had suffered a little by the inactivity of his reign. At last [1396] the English and French courts began to think in earnest of a lasting peace; but found it so difficult to adjust their opposite pretensions, that they were content to establish a truce of twenty-five years: Brest and Cherbourg were restored, the former to the duke of Britanny, the latter to the king of Navarre; both parties were left in possession of all the other places which they held at the time of concluding the truce; and to render the amity between the two crowns more durable, Richard, who was now a widower, was affianced to Isabella, the daughter of Charles. This princess was only seven years of age; but the king agreed to so unequal a match, chiefly that he might fortify himself by this alliance against the enterprises of his uncles, and the incurable turbulence as well as inconstancy of his barons.

The administration of the king, though it was not, in this interval, sullied by any unpopular act, except the seizing of the charter of London, which was soon after restored, tended not much to corroborate his authority; and his personal character brought him into contempt, even while his public government appeared, in a good measure, unexceptionable. Indolent, profuse, addicted to low pleasures, he spent his whole time in feasting and jollity, and dissipated, in idle show, or in bounties to favourites of no reputation that revenue which the

* At least this is the character [illegible] of him. He was, however, a warlike prince, and had gained many victories. William of Wickham, bishop of Winchester, was also a great favourite of Edward III. and the Black Prince; for the encouragement of learning, by Edward III. and the Black Prince, for the encouragement of learning, makes the character given [illegible]

people expected to see him employ in enterprises directed to public honour and advantage. He forgot his rank by admitting all men to his familiarity; and he was not sensible, that their acquaintance with the qualities of his mind was not able to impress them with the respect which he neglected to preserve from his birth and station. The earls of Kent and Huntingdon, his half-brothers, were his chief confidants and favourites; and though he never devoted himself to them with so profuse an affection as that with which he had formerly been attached to the duke of Ireland; it was easy for men to see, that every grace passed through their hands, and that the king had rendered himself a mere cipher in the government. The small regard which the public bore to his person, disposed them to murmur against his administration, and to receive, with greedy ears, every complaint which the discontented or ambitious grandees suggested to them.

CABALS OF THE DUKE OF GLOUCESTER. 1397.

Gloucester soon perceived the advantages which this dissolute conduct gave him; and finding, that both resentment and jealousy on the part of his nephew still prevented him from acquiring any ascendant over that prince, he determined to cultivate his popularity with the nation, and to revenge himself on those who eclipsed him in favour and authority. He seldom appeared at court or in council: he never declared his opinion but in order to disapprove of the measures embraced by the king and his favourites; and he courted the friendship of every man, whom disappointment or private resentment had rendered an enemy to the administration. The long truce with France was unpopular with the English, who breathed nothing but war against that hostile nation; and Gloucester took care to encourage all the vulgar prejudices which prevailed on this subject. Forgetting the misfortunes which attended the English arms during the later years of Edward, he made an invidious comparison between the glories of that reign and the inactivity of the present, and he lamented that Richard should have degenerated so much from the heroic virtues by which his father and his grandfather were distinguished. The military men were inflamed with a desire of war, when they heard him talk of the signal victories formerly obtained, and of the easy prey which might be made of French riches by the superior valour of the English: the populace readily embraced the same sentiments: and all men exclaimed that this prince, whose counsels were so much neglected, was the true support of English honour, and alone able to raise the nation to its former power and splendour. His great abilities, his popular manners, his princely extraction, his immense riches, his high office of constable, all these advantages, not a little assisted by his want of court favour, gave him a mighty authority in the kingdom, and rendered him formidable to Richard and his ministers.

Froissard, a contemporary writer, and very impartial, but whose credit is somewhat impaired by his want of exactness in material facts, ascribes to the duke of Gloucester more desperate views, and such as were totally incompatible with the government and domestic tranquillity of the nation. According to that historian, he proposed to his nephew, Roger Mortimer, earl of Marche, whom Richard had declared his successor, to give him immediate possession of the throne, by the deposition of a prince so unworthy of power and authority: and when Mortimer declined the project, he resolved to make a partition of the kingdom between himself, his two brothers, and the earl of Arundel; and entirely to dispossess Richard of the crown. The king, it is said, being informed of these designs, saw that either his own ruin or that of Gloucester was inevitable; and he resolved, by a hasty blow, to prevent the execution of such destructive projects. This is certain, that Gloucester, by his own confession, had often affected to speak contemptuously of the king's person and government; had deliberated concerning the lawfulness of throwing off allegiance to him; and had even borne part in a secret conference, where his deposition was proposed, and talked of, and determined:* but it is reasonable to think, that his schemes were not so far advanced as to make him resolve on putting them immediately in execution. The danger, probably, was still too distant to render a desperate remedy entirely necessary for the security of government.

But whatever opinion we may form of the danger arising from Gloucester's conspiracies, his aversion to the French truce and alliance was public and avowed; and that court, which had now a great influence over the king, pushed him to provide for his safety, by punishing the traitorous designs of his uncle. The resentment against his former acts of violence revived: the sense of his refractory and uncompliant behaviour was still recent; and a man, whose ambition had once usurped royal authority, and who had murdered all the faithful servants of the king, was thought capable, on a favourable opportunity, of renewing the same criminal enterprises. The king's precipitate temper admitted of no deliberation: he ordered Gloucester to be unexpectedly arrested; to be hurried on board a ship which was lying in the river; and to be carried over to Calais, where alone, by reason of his numerous partisans, he could safely be detained in custody. The earls of Arundel and Warwick were seized at the same time; the malcontents, so suddenly deprived of their leaders, were astonished and overawed: and the concurrence of the dukes of Lancaster and York in those measures, together with the earls of Derby and Rutland, the eldest sons of these princes, bereaved them of all possibility of resistance.

A parliament was immediately summoned at Westminster; (17th September;) and the king doubted not to find the peers, and still more the commons, very compliant with his will. This house had in a former parliament given him very sensible proofs of their attachment; [*See note* 2 G, *at the end of this Vol.*;] and the present suppression of Gloucester's party made him still more assured of a favourable election. As a further expedient for that purpose, he is also said to have employed the influence of the sheriffs; a practice which, though not unusual, gave umbrage, but which the established authority of that assembly rendered afterwards still more familiar to the nation. Accordingly the parliament passed whatever acts the king was pleased to dictate to them:† they annulled for ever the commission which usurped upon the royal authority, and they declared it treasonable to attempt, in any future period, the revival of any similar commission; they abrogated all the acts which attainted the king's ministers, and which that parliament who passed them, and the whole nation, had sworn inviolably to maintain; and they declared the general pardon then granted to be invalid, as extorted by force, and never ratified by the free consent of the king. Though Richard, after he resumed the government, and lay no longer under constraint, had voluntarily, by proclamation, confirmed that general indemnity, this circumstance seemed not, in their eyes, to merit any consideration. Even a particular pardon, granted six years after to the earl of Arundel, was annulled by parliament, on pretence that it had been procured by surprise, and that the king was not then fully apprized of the degree of guilt incurred by that nobleman.

The commons then preferred an impeachment against Fitz-Alan, archbishop of Canterbury, and brother to

* [illegible] p. 163.

† The [illegible] as we are told by Walsingham, p. 354. The [illegible]

Arundel, and accused him for his concurrence in procuring the illegal commission, and in attainting the king's ministers. The primate pleaded guilty; but as he was protected by the ecclesiastical privileges, the king was satisfied with a sentence which banished him the kingdom, and sequestered his temporalities. An appeal or accusation was presented against the duke of Gloucester, and the earls of Arundel and Warwick, by the earls of Rutland, Kent, Huntingdon, Somerset, Salisbury, and Nottingham, together with the lords Spenser and Scrope, and they were accused of the same crimes which had been imputed to the archbishop, as well as of their appearance against the king in a hostile manner at Haringay-park. The earl of Arundel, who was brought to the bar, wisely confined all his defence to the pleading of both the general and particular pardon of the king; but his plea being overruled, he was condemned and executed. The earl of Warwick, who was also convicted of high-treason, was, on account of his submissive behaviour, pardoned as to his life, but doomed to perpetual banishment in the Isle of Man. No new acts of treason were imputed to either of these noblemen. The only crimes, for which they were condemned, were the old attempts against the crown, which seemed to be obliterated, both by the distance of time and by repeated pardons. The reasons of this method of proceeding it is difficult to conjecture. The recent conspiracies of Gloucester seem certain from his own confessions: but, perhaps the king and ministry had not at that time in their hands any satisfactory proof of their reality; perhaps it was difficult to convict Arundel and Warwick of any participation in them; perhaps an inquiry into those conspiracies would have involved in the guilt some of those great noblemen who now concurred with the crown, and whom it was necessary to cover from all imputation; or perhaps the king, according to the genius of the age, was indifferent about maintaining even the appearance of law and equity, and was only solicitous by any means to ensure success in those prosecutions. These points, like many others in ancient history, we are obliged to leave altogether undetermined.

MURDER OF THE DUKE OF GLOUCESTER.

A warrant was issued to the earl-mareschal, governor of Calais, to bring over the duke of Gloucester, in order to his trial; but the governor returned for answer, that the duke had died suddenly of an apoplexy in that fortress. Nothing could be more suspicious, from the time, than the circumstances of that prince's death: it became immediately the general opinion that he was murdered by orders from his nephew; in the subsequent reign undoubted proofs were produced in parliament, that he had been suffocated with pillows by his keepers. And it appeared that the king, apprehensive lest the public trial and execution of so popular a prince, and so near a relation, might prove both dangerous and invidious, had taken this base method of gratifying, and, as he fancied, concealing his revenge upon him. Both parties, in their successive triumphs, seem to have had no further concern than that of retaliating upon their adversaries; and neither of them were aware, that by imitating, they indirectly justified, as far as it lay in their power, all the illegal violence of the opposite party.

This session concluded with the creation or advancement of several peers: the earl of Derby was made duke of Hereford; the earl of Rutland, duke of Albemarle; the earl of Kent, duke of Surrey; the earl of Huntingdon, duke of Exeter; the earl of Nottingham, duke of Norfolk; the earl of Somerset, marquis of Dorset; lord Spenser, earl of Gloucester; Ralph Nevil, earl of Westmoreland; Thomas Piercy, earl of Worcester; William Scrope, earl of Wiltshire. The parliament, after a session of twelve days, was adjourned to Shrewsbury. The king, before the departure of the members, exacted from them an oath for the perpetual maintenance and establishment of all their acts; an oath similar to that which had formerly been required by the duke of Gloucester and his party, and which had already proved so vain and fruitless.

1398. Both the king and parliament met in the same dispositions at Shrewsbury. (28th January.) So anxious was Richard for the security of these acts, that he obliged the lords and commons to swear anew to them on the cross of Canterbury; and he soon after procured a bull from the pope, by which they were, as he imagined, perpetually secured and established. The parliament, on the other hand, conferred on him *for life* the duties on wool, wool-fells, and leather, and granted him besides, a subsidy of one-tenth and a half, and one-fifteenth and a half. They also reversed the attainder of Tresilian and the other judges, and with the approbation of the present judges declared the answers, for which these magistrates had been impeached, to be just and legal; and they carried so far their retrospect, as to reverse, on the petition of lord Spenser, earl of Gloucester, the attainder pronounced against the two Spensers in the reign of Edward II. The ancient history of England is nothing but a catalogue of reversals: everything is in fluctuation and movement; one faction is continually undoing what was established by another; and the multiplied oaths, which each party exacted for the security of present acts, betray a perpetual consciousness of their instability.

The parliament, before they were dissolved, elected a committee of twelve lords and six commoners,* whom they invested with the whole power both of lords and commons, and endowed with full authority to finish all business which had been laid before the houses, and which they had not leisure to bring to a conclusion. This was an unusual concession; and though it was limited in the object, might, either immediately or as a precedent, have proved dangerous to the constitution; but the cause of that extraordinary measure was an event singular and unexpected, which engaged the attention of the parliament.

After the destruction of the duke of Gloucester and the heads of that party, a misunderstanding broke out among those noblemen who had joined in the prosecution; and the king wanted either authority sufficient to appease it, or foresight to prevent it. The duke of Hereford appeared in parliament, and accused the duke of Norfolk of having spoken to him, in private, many slanderous words of the king, and of having imputed to that prince an intention of subverting and destroying many of his principal nobility. Norfolk denied the charge, gave Hereford the lie, and offered to prove his own innocence by duel. The challenge was accepted; the time and place of combat were appointed; and as the event of this important trial by arms might require the interposition of legislative authority, the parliament thought it more suitable to delegate their power to a committee, than to prolong the session beyond the usual time which custom and general convenience had prescribed to it.†

The duke of Hereford was certainly very little delicate in the point of honour, when he revealed a private conversation to the ruin of the person who had entrusted him; and we may thence be more inclined to believe the duke of Norfolk's denial, than the other's asseveration. But Norfolk had in these transactions betrayed an equal neglect of honour, which brings him entirely on a level with his antagonist. Though he had publicly joined with the duke of Gloucester and his party in all the former acts of violence against the

* The names of the commissioners were, the dukes of Lancaster, York, Albemarle, Surrey, and Exeter, the marquis of Dorset; the earls of March, Salisbury, Northumberland, Gloucester, Winchester, and Wiltshire; John Bussey, Henry Green, John Russel, Robert Teyne, Henry Chelmeswicke, and John Golofre. It is to be remarked, that the duke of Lancaster always concurred with the rest in all their proceedings, even in the banishment of his son, which was afterwards so much complained of.

† In the first year of Henry VI., when the authority of parliament was great, and when that assembly could least be suspected of lying under violence, a like concession was made to the privy-council, from like motives of convenience. See Cotton, p. 564.

king, and his name stands among the appellants who accused the duke of Ireland and the other ministers, yet was he not ashamed publicly to impeach his former associates for the very crimes which he had concurred with them in committing; and his name increases the list of those appellants who brought them to a trial. Such were the principles and practices of those ancient knights and barons during the prevalence of the aristocratical government, and the reign of chivalry.

The lists for this decision of truth and right were appointed at Coventry before the king: all the nobility of England banded into parties, and adhered either to the one duke or the other: the whole nation was held in suspense with regard to the event: but when the two champions appeared in the field, accoutred for the combat, the king interposed, to prevent both the present effusion of such noble blood, and the future consequences of the quarrel. By the advice and authority of the parliamentary commissioners he stopped the duel; and to show his impartiality, he ordered, by the same authority, both the combatants to leave the kingdom; assigning one country for the place of Norfolk's exile, which he declared perpetual; another for that of Hereford, which he limited to ten years.

Hereford was a man of great prudence and command of temper; and he behaved himself with so much submission in these delicate circumstances, that the king, before his departure, promised to shorten the term of his exile four years; and he also granted him letters patent, by which he was empowered, in case any inheritance should in the interval accrue to him, to enter immediately in possession, and to postpone the doing of homage till his return.

BANISHMENT OF HENRY, DUKE OF HEREFORD.

The weakness and fluctuation of Richard's counsels appear nowhere more evident than in the conduct of this affair. No sooner had Hereford left the kingdom, than the king's jealousy of the power and riches of that prince's family revived; and he was sensible, that by Gloucester's death, he had only removed a counterpoise to the Lancastrian interest, which was now become formidable to his crown and kingdom. Being informed that Hereford had entered into a treaty of marriage with the daughter of the duke of Berry, uncle to the French king, he determined to prevent the finishing of an alliance which would so much extend the interest of his cousin in foreign countries; and he sent over the earl of Salisbury to Paris with a commission for that purpose. The death of the duke of Lancaster, which happened soon after, (3rd February, 1399,) called upon him to take new resolutions with regard to that opulent succession. The present duke, in consequence of the king's patent, desired to be put in possession of the estate and jurisdictions of his father; but Richard, afraid of strengthening the hands of a man whom he had already so much offended, applied to the parliamentary commissioners, and persuaded them that this affair was but an appendage to that business which the parliament had delegated to them. By their authority he revoked his letters patent, and retained possession of the estate of Lancaster; and by the same authority he seized and tried the duke's attorney, who had procured and insisted on the letters, and he had him condemned as a traitor, for faithfully executing that trust to his master. An extravagant act of power, even though the king changed, in favour of the attorney, the penalty of death into that of banishment.

Henry, the new duke of Lancaster, had acquired, by his conduct and abilities, the esteem of the public; and having served with distinction against the infidels in Lithuania, he had joined to his other praises those of piety and valour, virtues which have at all times a great influence over mankind, and were, during those ages, the qualities chiefly held in estimation. He was connected with most of the principal nobility by blood, alliance, or friendship; and as the injury done him by the king might in its consequences affect all of them, he easily brought them, by a sense of common interest, to take part in his resentment. The people, who must have an object of affection, who found nothing in the king's person which they could love or revere, and who were even disgusted with many parts of his conduct,* easily transferred to Henry that attachment which the death of the duke of Gloucester had left without any fixed direction. His misfortunes were lamented; the injustice which he had suffered was complained of; and all men turned their eyes towards him, as the only person who could retrieve the lost honour of the nation, or redress the supposed abuses in the government.

RETURN OF HENRY.

While such were the dispositions of the people, Richard had the imprudence to embark for Ireland, in order to revenge the death of his cousin, Roger, earl of Marche, the presumptive heir of the crown, who had lately been slain in a skirmish by the natives; and he thereby left the kingdom of England open to the attempts of his provoked and ambitious enemy. Henry, embarking at Nantz with a retinue of sixty persons, among whom were the archbishop of Canterbury and the young earl of Arundel, nephew to that prelate, landed at Ravenspur, in Yorkshire; (4th July;) and was immediately joined by the earls of Northumberland and Westmoreland, two of the most potent barons in England. Here he took a solemn oath, that he had no other purpose in this invasion than to recover the dutchy of Lancaster, unjustly detained from him; and he invited all his friends in England, and all lovers of their country, to second him in this reasonable and moderate pretension. Every place was in commotion; the malcontents in all quarters flew to arms; London discovered the strongest symptoms of its disposition to mutiny and rebellion: and Henry's army, increasing on every day's march, soon amounted to the number of 60,000 combatants.

GENERAL INSURRECTION.

The duke of York was left guardian of the realm; a place to which his birth entitled him, but which both his slender abilities, and his natural connexions with the duke of Lancaster, rendered him utterly incapable of filling in such a dangerous emergency. Such of the the chief nobility as were attached to the crown, and could either have seconded the guardian's good intentions, or have overawed his infidelity, had attended the king into Ireland; and the efforts of Richard's friends were everywhere more feeble than those of his enemies. The duke of York, however, appointed the rendezvous of his forces at St. Albans, and soon assembled an army of 40,000 men; but found them entirely destitute of zeal and attachment to the royal cause, and more inclined to join the party of the rebels. He hearkened therefore very readily to a message from Henry, who entreated him not to oppose a loyal and humble supplicant in the recovery of his legal patrimony; and the guardian even declared publicly that he would second his nephew in so reasonable a request. His army embraced with acclamations the same measures; and the duke of Lancaster, re-enforced by them, was now entirely master of the kingdom. He hastened to Bristol, into which some of the king's ministers had thrown themselves; and soon obliging that place to surrender, he yielded to the popular wishes, and without giving them a trial, ordered the earl of Wiltshire, sir John

* He levied fines upon those who had ten years before joined the duke of Gloucester and his party: they were obliged to pay him money, before he would allow them to enjoy the benefit of the indemnity, and in the articles of charge against him, it is asserted that the payment of one fine did not suffice. It is, indeed, likely that his ministers would abuse the power put into their hands; and this grievance extended to very many people. Historians agree in representing this practice as a great oppression. See Otterbourne, p. 190.

Bussy, and sir Henry Green, whom he there took prisoners, to be led to immediate execution.

The king, receiving intelligence of this invasion and insurrection, hastened over from Ireland, and landed in Milford Haven with a body of 20,000 men: but even this army, so much inferior to the enemy, was either overawed by the general combination of the kingdom, or seized with the same spirit of disaffection; and they gradually deserted him, till he found that he had not above 6000 men who followed his standard. It appeared, therefore, necessary to retire secretly from this small body, which served only to expose him to danger; and he fled to the isle of Anglesea, where he purposed to embark either for Ireland or France, and there await the favourable opportunities which the return of his subjects to a sense of duty, or their future discontents against the duke of Lancaster, would probably afford him. Henry, sensible of the danger, sent to him the earl of Northumberland with the strongest professions of loyalty and submission; and that nobleman, by treachery and false oaths, made himself master of the king's person, and carried him to his enemy at Flint Castle. Richard was conducted to London (1st September,) by the duke of Lancaster, who was there received with the acclamations of the mutinous populace. It is pretended that the recorder met him on the road, and in the name of the city, entreated him, for the public safety, to put Richard to death, with all his adherents who were prisoners; but the duke prudently determined to make many others participate in his guilt, before he would proceed to those extremities. For this purpose, he issued writs of election in the king's name, and appointed the immediate meeting of a parliament at Westminster.

Such of the peers as were most devoted to the king were either fled or imprisoned; and no opponents, even among the barons, dared to appear against Henry amidst that scene of outrage and violence, which commonly attends revolutions, more especially in England during those turbulent ages. It is also easy to imagine, that a house of commons, elected during this universal ferment, and this triumph of the Lancastrian party, would be extremely attached to that cause, and ready to second every suggestion of their leaders. That order, being as yet of too little weight to stem the torrent, was always carried along with it, and served only to increase the violence which the public interest required it should endeavour to control. The duke of Lancaster, therefore, sensible that he should be entirely master, began to carry his views to the crown itself; and he deliberated with his partizans concerning the most proper means of effecting his daring purpose. He first extorted a resignation from Richard; but as he knew that this deed would plainly appear the result of force and fear, he also proposed, notwithstanding the danger of the precedent to himself and his posterity, to have him solemnly deposed (28th September) in parliament, for his pretended tyranny and misconduct. A charge, consisting of thirty-three articles, was accordingly drawn up against him, and presented to that assembly.

If we examine these articles, which are expressed with extreme acrimony against Richard, we shall find that, except some rash speeches which are imputed to him, and of whose reality, as they are said to have passed in private conversation, we may reasonably entertain some doubt, the chief amount of the charge is contained in his violent conduct during the last two years of his reign, and naturally divides itself into two principal heads. The first and most considerable is the revenge which he took on the princes and great barons who had formerly usurped, and still persevered in controlling and threatening his authority; the second is the violation of the laws and general privileges of his people. But the former, however irregular in many of its circumstances, was fully supported by authority of parliament, and was but a copy of the violence which the princes and barons themselves, during their former triumph, had exercised against him and his party. The detention of Lancaster's estate was, properly speaking, a revocation, by parliamentary authority, of a grace which the king himself had formerly granted him. The murder of Gloucester (for the secret execution, however merited, of that prince, certainly deserves this appellation) was a private deed, formed not any precedent, and implied not any usurped or arbitrary power of the crown which could justly give umbrage to the people. It really proceeded from a defect of power in the king, rather than from his ambition; and proves that, instead of being dangerous to the constitution, he possessed not even the authority necessary for the execution of the laws.

Concerning the second head of accusation, as it mostly consists of general facts, was framed by Richard's inveterate enemies, and was never allowed to be answered by him or his friends, it is more difficult to form a judgment. The greater part of these grievances, imputed to Richard, seems to be the exertion of arbitrary prerogatives; such as the dispensing power, levying purveyance, employing the marshal's court, extorting loans, granting protections from lawsuits; prerogatives which, though often complained of, had often been exercised by his predecessors, and still continued to be so by his successors. But whether his irregular acts of this kind were more frequent, and injudicious, and violent than usual, or were only laid hold of and exaggerated by the factions to which the weakness of his reign had given birth, we are not able, at this distance, to determine with certainty. There is, however, one circumstance in which his conduct is visibly different from that of his grandfather: he is not accused of having imposed one arbitrary tax, without consent of parliament, during his whole reign:* scarcely a year passed, during the reign of Edward, which was free from complaints with regard to this dangerous exertion of authority. But, perhaps, the ascendant which Edward had acquired over the people, together with his great prudence, enabled him to make a use very advantageous to his subjects of this and other arbitrary prerogatives, and rendered them a smaller grievance in his hands, than a less absolute authority in those of his grandson. This is a point which it would be rash for us to decide positively on either side; but it is certain, that a charge drawn up by the duke of Lancaster, and assented to by a parliament situated in those circumstances, forms no manner of presumption with regard to the unusual irregularity or violence of the king's conduct in this particular. [*See note* 2 H, *at the end of this Vol.*]

When the charge against Richard was presented to the parliament, though it was liable, almost in every article, to objections, it was not canvassed, nor examined, nor disputed in either house, and seemed to be received with universal approbation. One man alone, the bishop of Carlisle, had the courage, amidst this general disloyalty and violence, to appear in defence of his unhappy master, and to plead his cause against all the power of the prevailing party. Though some topics employed by that virtuous prelate may seem to favour too much the doctrine of passive obedience, and to make too large a sacrifice of the rights of mankind, he was naturally pushed into that extreme by his abhorrence of the present licentious factions; and such intrepidity, as well as disinterestedness of behaviour, proves, that whatever his speculative principles were, his heart was elevated far above the meanness and abject submission of a slave. He represented to the parliament that all the abuses of government which could justly be imputed to Richard, instead of amounting to tyranny, were merely the result of error, youth, or misguided counsel, and admitted of a remedy more easy and salutary than a total subversion of the

* We learn from Cotton, p. 369, that the king, by his chancellor, told the commons, *that they were sundery bound to him, and namely in forbearing to charge them with dismes and fifteens, the which he meant no more to charge them in his own person.* These words, *no more*, allude to the practice of his predecessors; he had not himself imposed any arbitrary taxes: even the parliament, in the articles of his deposition, though they complain of heavy taxes, affirm not that they were imposed illegally or by arbitrary will.

constitution. That even had they been much more violent and dangerous than they really were, they had chiefly proceeded from former examples of resistance, which, making the prince sensible of his precarious situation, had obliged him to establish his throne by irregular and arbitrary expedients. That a rebellious disposition in subjects was the principal cause of tyranny in kings: laws could never secure the subject which did not give security to the sovereign: and if the maxim of inviolable loyalty, which formed the basis of the English government, were once rejected, the privileges belonging to the several orders of the state, instead of being fortified by that licentiousness, would thereby lose the surest foundation of their force and stability. That the parliamentary deposition of Edward II., far from making a precedent which could control this maxim, was only an example of successful violence; and it was sufficiently to be lamented that crimes were so often committed in the world without establishing principles which might justify and authorise them. That even that precedent, false and dangerous as it was, could never warrant the present excesses, which were so much greater, and which would entail distraction and misery on the nation to the latest posterity. That the succession, at least, of the crown, was then preserved inviolate: the lineal heir was placed on the throne; and the people had an opportunity by their legal obedience to him, of making atonement for the violence which they had committed against his predecessor. That a descendant of Lionel, duke of Clarence, the elder brother of the late duke of Lancaster, had been declared in parliament successor to the crown: he had left posterity: and their title, however it might be overpowered by present force and faction, could never be obliterated from the minds of the people. That if the turbulent disposition alone of the nation had overturned the well-established throne of so good a prince as Richard; what bloody commotions must ensue, when the same cause was united to the motive of restoring the legal and undoubted heir to his authority? That the new government intended to be established, would stand on no principle; and would scarcely retain any pretence by which it could challenge the obedience of men of sense and virtue. That the claim of lineal descent was so gross as scarcely to deceive the most ignorant of the populace: conquest could never be pleaded by a rebel against his sovereign: the consent of the people had no authority in a monarchy not derived from consent, but established by hereditary right; and however the nation might be justified in deposing the misguided Richard, it could never have any reason for setting aside his lawful heir and successor, who was plainly innocent. And that the duke of Lancaster would give them but a bad specimen of the legal moderation which might be expected from his future government, if he added to the crime of his past rebellion the guilt of excluding the family, which, both by right of blood and by declaration of parliament, would, in case of Richard's demise or voluntary resignation, have been received as the undoubted heirs of the monarchy.

All the circumstances of this event, compared to those which attended the late Revolution in 1688, show the difference between a great and civilized nation deliberately vindicating its established privileges, and a turbulent and barbarous aristocracy plunging headlong from the extremes of one faction into those of another. This noble freedom of the bishop of Carlisle, instead of being applauded, was not so much as tolerated: he was immediately arrested by order of the duke of Lancaster, and sent a prisoner to the abbey of St. Albans. No further debate was attempted: thirty-three long articles of charge were, in one meeting, voted against Richard; and voted unanimously by the same peers and prelates who a little before had voluntarily and unanimously authorised those very acts of violence of which they now complained. That prince was deposed by the suffrages of both houses; and the throne being now vacant, the duke of Lancaster stepped forth, and having crossed himself on the forehead and on the breast, and called upon the name of Christ, he pronounced these words, which we shall give in the original language, because of their singularity:—

"*In the name of Father, Son, and Holy Ghost, I Henry of Lancaster challenge this rewme of Englande, and the crown, with all the membres, and the appurtenances: als I that am descendit by right line of the blode, coming fro the gude king Henry the therde, and throge that right that God of his grace hath sent me, with helpe of kyn, and of my frendes to recover it; the which rewme was in poynt to be ondone by defaut of governance, and ondoying of the gude lawes.*"

In order to understand this speech, it must be observed, that there was a silly story, received among some of the lowest vulgar, that Edmond, earl of Lancaster, son of Henry III., was really the elder brother of Edward I.; but that, by reason of some deformity in his person, he had been postponed in the succession, and his younger brother imposed on the nation in his stead. As the present duke of Lancaster inherited from Edmond by his mother, this genealogy made him the true heir of the monarchy; and it is therefore insinuated in Henry's speech: but the absurdity was too gross to be openly avowed either by him or by the parliament. The case is the same with regard to his right of conquest: he was a subject who rebelled against his sovereign: he entered the kingdom with a retinue of no more than sixty persons: he could not therefore be the conqueror of England; and this right is accordingly insinuated, not avowed. Still there is a third claim derived from his merits in saving the nation from tyranny and oppression; and this claim is also insinuated: but as it seemed, by its nature, better calculated as a reason for his being *elected* king by a free choice, than for giving him an immediate right of possession, he durst not speak openly even on this head; and to obviate any notion of election, he challenges the crown as his due either by acquisition or inheritance. The whole forms such a piece of jargon and nonsense as is almost without example: no objection, however, was made to it in parliament: the unanimous voice of lords and commons placed Henry on the throne; he became king, nobody could tell how or wherefore; the title of the house of Marche, formerly recognised by parliament, was neither invalidated nor repealed, but passed over in total silence: and as a concern for the liberties of the people seems to have had no hand in this revolution, their right to dispose of the government, as well as all their other privileges, was left precisely on the same footing as before. But Henry having, when he claimed the crown, dropped some obscure hint concerning conquest, which it was thought might endanger these privileges, he soon after made a public declaration, that he did not thereby intend to deprive any one of his franchises or liberties: which was the only circumstance where we shall find meaning or common sense in all these transactions.

The subsequent events discover the same headlong violence of conduct and the same rude notions of civil government. The deposition of Richard dissolved the parliament: (6th October:) it was necessary to summon a new one; and Henry, in six days after, called together, without any new election, the same members; and this assembly he denominated a new parliament. They were employed in the usual task of reversing every deed of the opposite party. All the acts of the last parliament of Richard, which had been confirmed by their oaths, and by a papal bull, were abrogated: all the acts which had passed in the parliament where Gloucester prevailed, which had also been confirmed by their oaths, but which had been abrogated by Richard, were anew established. The answers of Tresilian and the other judges, which a parliament had annulled, but which a new parliament and new judges had approved, here received a second condemnation. The peers who had accused Gloucester, Arundel, and

Warwick, and who had received higher titles for that piece of service, were all of them degraded from their new dignities: even the practice of prosecuting appeals in parliament, which bore the air of a violent confederacy against an individual rather than of a legal indictment, was wholly abolished; and trials were restored to the course of common law. The natural effect of this conduct was to render the people giddy with such rapid and perpetual changes, and to make them lose all notions of right and wrong in the measures of government.

MURDER OF THE KING.

The earl of Northumberland made a motion, in the house of peers, (23rd October,) with regard to the unhappy prince whom they had deposed. He asked them what advice they would give the king for the future treatment of him, since Henry was resolved to spare his life. They unanimously replied, that he should be imprisoned under a secure guard, in some secret place, and should be deprived of all commerce with any of his friends or partisans. It was easy to foresee, that he would not long remain alive in the hands of such barbarous and sanguinary enemies. Historians differ with regard to the manner in which he was murdered. It was long the prevailing opinion that sir Piers Exton, and others of his guards, fell upon him in the castle of Pomfret, where he was confined, and dispatched him with their halberts. But it is more probable that he was starved to death in prison; and after all sustenance was denied him, he prolonged his unhappy life, it is said, for a fortnight, before he reached the end of his miseries. This account is more consistent with the story, that his body was exposed in public, and that no marks of violence were observed upon it. He died in the thirty-fourth year of his age, and the twenty-third of his reign. He left no posterity, either legitimate or illegitimate.

HIS CHARACTER.

All the writers who have transmitted to us the history of Richard, lived during the reigns of the Lancastrian princes; and candour requires, that we should not give entire credit to the reproaches which they have thrown upon his memory. But, after making all proper allowances, he still appears to have been a weak prince, and unfit for government, less for want of natural parts and capacity, than of solid judgment and good education. He was violent in his temper, profuse in his expense, fond of idle show and magnificence, devoted to favourites, and addicted to pleasure; passions, all of them, the most inconsistent with a prudent economy, and consequently dangerous in a limited and mixed government. Had he possessed the talents of gaining, and still more those of overawing his great barons, he might have escaped all the misfortunes of his reign, and been allowed to carry much further his oppressions over the people, if he really was guilty of any, without their daring to rebel, or even to murmur against him. But when the grandees were tempted, by his want of prudence and of vigour, to resist his authority, and execute the most violent enterprises upon him, he was naturally led to seek an opportunity of retaliation: justice was neglected; the lives of the chief nobility were sacrificed; and all these enormities seem to have proceeded less from a settled design of establishing arbitrary power, than from the insolence of victory, and the necessities of the king's situation. The manners indeed of the age were the chief source of such violence: laws, which were feebly executed in peaceable times, lost all their authority during public convulsions: both parties were alike guilty: or if any difference may be remarked between them, we shall find, that the authority of the crown, being more legal, was commonly carried, when it prevailed, to less desperate extremities than was that of the aristocracy.

On comparing the conduct and events of this reign, with those of the preceding, we shall find equal reason to admire Edward, and to blame Richard; but the circumstance of opposition, surely will not lie in the strict regard paid by the former to national privileges, and the neglect of them by the latter. On the contrary, the prince of small abilities, as he felt his want of power, seems to have been more moderate in this respect than the other. Every parliament assembled during the reign of Edward, remonstrates against the exertion of some arbitrary prerogative or other: we hear not any complaints of that kind during the reign of Richard, till the assembling of his last parliament, which was summoned by his inveterate enemies, which dethroned him, which framed their complaints during the time of the most furious convulsions, and whose testimony must therefore have, on that account, much less authority with every equitable judge.* Both these princes experienced the encroachments of the great upon their authority. Edward, reduced to necessities, was obliged to make an express bargain with his parliament, and to sell some of his prerogatives for present supply; but as they were acquainted with his genius and capacity, they ventured not to demand any exorbitant concessions, or such as were incompatible with regal and sovereign power. The weakness of Richard tempted the parliament to extort a commission, which, in a manner, dethroned the prince, and transferred the sceptre into the hands of the nobility. The events of these encroachments were also suitable to the character of each. Edward had no sooner gotten the supply, than he departed from the engagements which had induced the parliament to grant it: he openly told his people, that he had but *dissembled* with them when he seemed to make them these concessions; and he resumed and retained all his prerogatives. But Richard, because he was detected in consulting and deliberating with the judges on the lawfulness of restoring the constitution, found his barons immediately in arms against him; was deprived of his liberty; saw his favourites, his ministers, his tutor, butchered before his face, or banished and attainted; and was obliged to give way to all this violence. There cannot be a more remarkable contrast between the fortunes of two princes: it were happy for society, did this contrast always depend on the justice or injustice of the measures which men embrace; and not rather on the different degrees of prudence and vigour with which those measures are supported.

MISCELLANEOUS TRANSACTIONS DURING THIS REIGN.

There was a sensible decay of ecclesiastical authority during this period. The disgust which the laity had received from the numerous usurpations both of the court of Rome, and of their own clergy, had very very much weaned the kingdom from superstition; and strong symptoms appeared, from time to time, of a general desire to shake off the bondage of the Romish church. In the committee of eighteen, to whom Richard's last parliament delegated their whole power, there is not the name of one ecclesiastic to be found; a neglect which is almost without example, while the catholic religion subsisted in England. [*See note* 2 I, *at the end of this Vol.*]

The aversion entertained against the established church soon found principles, and tenets, and reasonings, by which it could justify and support itself. John Wickliffe, a secular priest, educated at Oxford, began in the latter end of Edward III. to spread the doctrine of Reformation by his discourses, sermons, and writings; and he made many disciples among men of all ranks and stations. He seems to have been a man of parts and learning; and has the honour of being the first person in Europe, that publicly called

* Peruse, in this view, the Abridgment of the Records, by sir Robert Cotton, during these two reigns.







in question those principles, which had universally passed for certain and undisputed during so many ages. Wickliffe himself, as well as his disciples, who received the name of Wickliffites, or Lollards, was distinguished by a great austerity of life and manners; a circumstance common to almost all those who dogmatize in any new way; both because men, who draw to them the attention of the public, and expose themselves to the odium of great multitudes, are obliged to be very guarded in their conduct, and because few, who have a strong propensity to pleasure or business, will enter upon so difficult and laborious an undertaking. The doctrines of Wickliffe, being derived from his search into the scriptures and into ecclesiastical antiquity, were nearly the same with those which were propagated by the reformers in the sixteenth century: he only carried some of them further than was done by the more sober part of these reformers. He denied the doctrine of the real presence, the supremacy of the church of Rome, the merit of monastic vows: he maintained, that the scriptures were the sole rule of faith; that the church was dependent on the state, and should be reformed by it; that the clergy ought to possess no estates; that the begging friars were a nuisance, and ought not to be supported; that the numerous ceremonies of the church were hurtful to true piety: he asserted, that oaths were unlawful, that dominion was founded in grace, that everything was subject to fate and destiny, and that all men were preordained either to eternal salvation or reprobation. From the whole of his doctrines, Wickliffe appears to have been strongly tinctured with enthusiasm, and to have been thereby the better qualified to oppose a church whose chief characteristic is superstition.

The propagation of these principles gave great alarm to the clergy; and a bull was issued by pope Gregory XI. for taking Wickliffe into custody, and examining into the scope of his opinions. Courteney, bishop of London, cited him before his tribunal; but the reformer had now acquired powerful protectors, who screened him from the ecclesiastical jurisdiction. The duke of Lancaster, who then governed the kingdom, encouraged the principles of Wickliffe; and he made no scruple, as well as lord Piercy, the mareschal, to appear openly in court with him, in order to give him countenance upon his trial: he even insisted that Wickliffe should sit in the bishop's presence, while his principles were examined: Courteney exclaimed against the insult: the Londoners, thinking their prelate affronted, attacked the duke and mareschal, who escaped from their hands with some difficulty. And the populace, soon after, broke into the houses of both these noblemen, threatened their persons, and plundered their goods. The bishop of London had the merit of appeasing their fury and resentment.

The duke of Lancaster, however, still continued his protection to Wickliffe during the minority of Richard; and the principles of that reformer had so far propagated themselves, that, when the pope sent to Oxford a new bull against these doctrines, the university deliberated for some time, whether they should receive the bull; and they never took any vigorous measures in consequence of the papal orders. Even the populace of London were at length brought to entertain favourable sentiments of this reformer: when he was cited before a synod at Lambeth, they broke into the assembly, and so overawed the prelates, who found both the people and the court against them, that they dismissed him without any further censure.

The clergy, we may well believe, were more wanting in power than in inclination to punish this new heresy, which struck at all their credit, possessions, and authority. But there was hitherto no law in England by which the secular arm was authorized to support orthodoxy; and the ecclesiastics endeavoured to supply the defect by an extraordinary and unwarrantable artifice. In the year 1381, there was an act passed, requiring sheriffs to apprehend the preachers of heresy and their abettors; but this statute had been surreptitiously obtained by the clergy, and had the formality of an enrolment without the consent of the commons. In the subsequent session the lower house complained of the fraud; affirmed, that they had no intention to bind themselves to the prelates further than their ancestors had done before them; and required that the pretended statute should be repealed; which was done accordingly. But it is remarkable that, notwithstanding this vigilance of the commons, the clergy had so much art and influence that the repeal was suppressed; and the act, which never had any legal authority, remains this day upon the statute-book: though the clergy still thought proper to keep it in reserve, and not proceed to the immediate execution of it.

But, besides this defect of power in the church, which saved Wickliffe, that reformer himself, notwithstanding his enthusiasm, seems not to have been actuated by the spirit of martyrdom; and in subsequent trials before the prelates, he so explained away his doctrine by tortured meanings, as to render it quite innocent and inoffensive. Most of his followers imitated his cautious disposition, and saved themselves either by recantations or explanations. He died of a palsy, in the year 1385, at his rectory of Lutterworth, in the county of Leicester; and the clergy, mortified that he should have escaped their vengeance, took care, besides assuring the people of his eternal damnation, to represent his last distemper as a visible judgment of heaven upon him for his multiplied heresies and impieties.

The proselytes, however, of Wickliffe's opinions still increased in England: some monkish writers represent one half of the kingdom as infected by those principles: they were carried over to Bohemia by some youth of that nation who studied at Oxford; but though the age seemed strongly disposed to receive them, affairs were not yet fully ripe for this great revolution; and the finishing blow to ecclesiastical power was reserved to a period of more curiosity, literature, and inclination for novelties.

Meanwhile the English parliament continued to check the clergy and the court of Rome, by more sober and more legal expedients. They enacted anew the statute of *provisors*, and affixed higher penalties to the transgression of it, which, in some instances, was even made capital. The court of Rome had fallen upon a new device, which increased their authority over the prelates: the pope, who found that the expedient of arbitrarily depriving them was violent and liable to opposition, attained the same end by transferring such of them as were obnoxious to poorer sees, and even to nominal sees, *in partibus infidelium*. It was thus that the archbishop of York, and the bishops of Durham and Chichester, the king's ministers, had been treated after the prevalence of Gloucester's faction: the bishop of Carlisle met with the same fate after the accession of Henry IV. For the pope always joined with the prevailing powers when they did not thwart his pretensions. The parliament, in the reign of Richard, enacted a law against this abuse: and the king made a general remonstrance to the court of Rome against all those usurpations which he calls *horrible excesses* of that court.

It was usual for the church, that they might elude the mortmain act, to make their votaries leave lands in trust to certain persons, under whose name the clergy enjoyed the benefit of the bequest: the parliament also stopped the progress of this abuse. In the 17th of the king, the commons prayed, "That remedy might be had against such religious persons as cause their villains to marry free women inheritable, whereby the estate comes to those religious hands by collusion." This was a new device of the clergy.

The papacy was, at this time, somewhat weakened by a schism, which lasted during forty years, and gave great scandal to the devoted partisans of the holy see. After the pope had resided many years at Avignon, Gregory XI. was persuaded to return to Rome; and

upon his death, which happened in 1389, the Romans, resolute to fix, for the future, the seat of the papacy in Italy, besieged the cardinals in the conclave, and compelled them, though they were mostly Frenchmen, to elect Urban VI., an Italian, into that high dignity. The French cardinals, as soon as they recovered their liberty, fled from Rome, and, protesting against the forced election, chose Robert, son of the count of Geneva, who took the name of Clement VII., and resided at Avignon. All the kingdoms of Christendom, according to their several interests and inclinations, were divided between these two pontiffs. The court of France adhered to Clement, and was followed by its allies, the king of Castile, and the king of Scotland: England, of course, was thrown into the other party, and declared for Urban. Thus the appellation of *Clementines* and *Urbanists* distracted Europe for several years; and each party damned the other as schismatics, and as rebels to the true vicar of Christ. But this circumstance, though it weakened the papal authority, had not so great an effect as might naturally be imagined. Though any king could easily at first make his kingdom embrace the party of one pope or the other, or even keep it some time in suspense between them, he could not so easily transfer his obedience at pleasure: the people attached themselves to their own party, as to a religious opinion; and conceived an extreme abhorrence to the opposite party, whom they regarded as little better than Saracens or infidels. Crusades were even undertaken in this quarrel; and the zealous bishop of Norwich, in particular, led over, in 1382, near 60,000 bigots into Flanders against the Clementines; but, after losing a great part of his followers, he returned with disgrace into England. Each pope, sensible, from this prevailing spirit among the people, that the kingdom which once embraced his cause would always adhere to him, boldly maintained all the pretensions of his see, and stood not much more in awe of the temporal sovereigns, than if his authority had not been endangered by a rival.

We meet with the preamble to a law enacted at the very beginning of this reign:—"Whereas divers persons of small garrison of land or other possessions, do make great retinue of people, as well of esquires as of others, in many parts of the realm, giving to them hats and other livery of one suit by year, taking again towards them the value of the same livery, or percase the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people, &c." This preamble contains a true picture of the state of the kingdom. The laws had been so feebly executed, even during the long, active, and vigilant reign of Edward III., that no subject could trust to their protection. Men openly associated themselves, under the patronage of some great baron, for their mutual defence. They wore public badges, by which their confederacy was distinguished. They supported each other in all quarrels, iniquities, extortions, murders, robberies, and other crimes. Their chief was more their sovereign than the king himself; and their own band was more connected with them than their country. Hence the perpetual turbulence, disorders, factions, and civil wars of those times: hence the small regard paid to a character or the opinion of the public: hence the large discretionary prerogatives of the crown, and the danger which might have ensued from the too great limitation of them. If the king had possessed no arbitrary powers, while all the nobles assumed and exercised them, there must have ensued an absolute anarchy in the state.

One great mischief attending these confederacies, was the extorting from the king pardons for the most enormous crimes. The parliament often endeavoured, in the last reign, to deprive the prince of this prerogative; but, in the present they were content with an abridgment of it. They enacted, that no pardon for rapes or for murder from malice prepense should be valid, unless the crime were particularly specified in it. There were also some other circumstances required for passing any pardon of this kind; an excellent law; but ill observed, like most laws that thwart the manners of the people, and the prevailing customs of the times.

It is easy to observe, from these voluntary associations among the people, that the whole force of the feudal system was in a manner dissolved, and that the English had nearly returned, in that particular, to the same situation in which they stood before the Norman conquest. It was, indeed, impossible that that system could long subsist under the perpetual revolutions to which landed property is everywhere subject. When the great feudal baronies were first erected, the lord lived in opulence in the midst of his vassals: he was in a situation to protect and cherish and defend them: the quality of patron naturally united itself to that of superior; and these two principles of authority mutually supported each other. But when, by the various divisions and mixtures of property, a man's superior came to live at a distance from him, and could no longer give him shelter or countenance, the tie gradually became more fictitious than real; new connexions from vicinity or other causes were formed; protection was sought by voluntary services and attachment: the appearance of valour, spirit, abilities in any great man, extended his interests very far: and if the sovereign were deficient in these qualities, he was no less, if not more exposed to the usurpations of the aristocracy, than even during the vigour of the feudal system.

The greatest novelty introduced into the civil government during this reign was the creation of peers by patent. Lord Beauchamp of Holt was the first peer that was advanced to the house of lords in this manner. The practice of levying benevolences is also first mentioned in the present reign.

This prince lived in a more magnificent manner than perhaps any of his predecessors or successors. His household consisted of 10,000 persons: he had 300 in his kitchen; and all the other officers were furnished in proportion.* It must be remarked, that this enormous train had tables supplied them at the king's expense, according to the mode of that age. Such prodigality was probably the source of many exactions by purveyors, and was one chief reason of the public discontents.

CHAPTER XVIII.

HENRY IV.

Title of the King—An Insurrection—An Insurrection in Wales—The Earl of Northumberland rebels—battle of Shrewsbury—State of Scotland—Parliamentary Transactions—Death—and Character of the King.

TITLE OF THE KING. 1399.

THE English had so long been familiarised to the hereditary succession of their monarchs, the instances of departure from it had always borne such strong symptoms of injustice and violence, and so little of a national choice or election, and the returns to the true line had ever been deemed such fortunate incidents in their history, that Henry was afraid lest, in resting his title on the consent of the people, he should build on a foundation to which the people themselves were not accustomed, and whose solidity they would with difficulty be brought to recognise. The idea too

* Hardyng: this poet says, that he speaks from the authority of a clerk of the green cloth.

of choice seemed always to imply that of condition, and a right of recalling the consent upon any supposed violation of them; an idea which was not naturally agreeable to a sovereign, and might, in England, be dangerous to the subjects, who, lying so much under the influence of turbulent nobles, had ever paid but an imperfect obedience even to their hereditary princes. For these reasons, Henry was determined never to have recourse to this claim; the only one on which his authority could consistently stand: he rather chose to patch up his title in the best manner he could from other pretensions: and in the end, he left himself, in the eyes of men of sense, no ground of right but his present possession; a very precarious foundation, which, by its very nature, was liable to be overthrown by every faction of the great, or prejudice of the people. He had indeed a present advantage over his competitor: the heir of the house of Mortimer, who had been declared, in parliament, heir to the crown, was a boy of seven years of age; his friends consulted his safety, by keeping silence with regard to his title; Henry detained him and his younger brother in honourable custody at Windsor Castle; but he had reason to dread, that in proportion as that nobleman grew to man's estate, he would draw to him the attachment of the people, and make them reflect on the fraud, violence, and injustice, by which he had been excluded from the throne. Many favourable topics would occur in his behalf: he was a native of England; possessed an extensive interest from the greatness and alliance of his family; however criminal the deposed monarch, this youth was entirely innocent; he was of the same religion, and educated in the same manners with the people, and could not be governed by any separate interest; these views would all concur to favour his claim; and though the abilities of the present prince might ward off any dangerous revolution, it was justly to be apprehended, that his authority could with difficulty be brought to equal that of his predecessors.

Henry, in his very first parliament, had reason to see the danger attending that station which he had assumed, and the obstacles which he would meet with in governing an unruly aristocracy, always divided by faction, and at present inflamed with the resentments consequent on such recent convulsions. The peers, on their assembling, broke out into violent animosities against each other: forty gauntlets, the pledges of furious battle, were thrown on the floor of the house by noblemen, who gave mutual challenges; and *liar* and *traitor* resounded from all quarters. The king had so much authority with these doughty champions, as to prevent all the combats which they threatened; but he was not able to bring them to a proper composure, or to an amicable disposition towards each other.

AN INSURRECTION. 1400.

It was not long before these passions broke into action. The earls of Rutland, Kent, and Huntingdon, and lord Spenser, who were now degraded from the respective titles of Albemarle, Surrey, Exeter, and Gloucester, conferred on them by Richard, entered into a conspiracy, together with the earl of Salisbury and lord Lumley, for raising an insurrection, and for seizing the king's person at Windsor: but the treachery of Rutland gave him warning of the danger. He suddenly withdrew to London; and the conspirators, who came to Windsor with a body of 500 horse, found that they had missed this blow, on which all the success of their enterprise depended. Henry appeared next day at Kingston-upon-Thames, at the head of 20,000 men, mostly drawn from the city; and his enemies, unable to resist his power, dispersed themselves, with a view of raising their followers in the several counties which were the seat of their interest. But the adherents of the king were hot in the pursuit, and everywhere opposed themselves to their progress. The earls of Kent and Salisbury were seized at Cirencester by the citizens; and were next day beheaded without further ceremony, according to the custom of the times. The citizens of Bristol treated Spenser and Lumley in the same manner. The earl of Huntingdon, sir Thomas Blount, and sir Benedict Sely, who were also taken prisoners, suffered death, with many others of the conspirators, by orders from Henry. And when the quarters of these unhappy men were brought to London, no less than eighteen bishops and thirty-two mitred abbots joined the populace, and met them with the most indecent marks of joy and exultation.

But the spectacle the most shocking to every one who retained any sentiment either of honour or humanity, still remained. The earl of Rutland appeared, carrying on a pole the head of lord Spenser, his brother-in-law, which he presented in triumph to Henry, as a testimony of his loyalty. This infamous man, who was soon after duke of York, by the death of his father, and first prince of the blood, had been instrumental in the murder of his uncle, the duke of Gloucester; had then deserted Richard, by whom he was trusted; had conspired against the life of Henry, to whom he had sworn allegiance; had betrayed his associates, whom he had seduced into this enterprise; and now displayed, in the face of the world, these badges of his multiplied dishonour.

1401. Henry was sensible, that though the execution of these conspirators might seem to give security to his throne, the animosities which remain after such bloody scenes are always dangerous to royal authority; and he therefore determined not to increase, by any hazardous enterprise, those numerous enemies with whom he was everywhere environed. While a subject, he was believed to have strongly imbibed all the principles of his father, the duke of Lancaster, and to have adopted the prejudices which the Lollards inspired against the abuses of the established church: but finding himself possessed of the throne by so precarious a title, he thought superstition a necessary implement of public authority; and he resolved, by every expedient, to pay court to the clergy. There were hitherto no penal laws enacted against heresy; an indulgence which had proceeded, not from a spirit of toleration in the Romish church, but from the ignorance and simplicity of the people, which had rendered them unfit either for starting or receiving any new or curious doctrines, and which needed not to be restrained by rigorous penalties. But when the learning and genius of Wickliffe had once broken, in some measure, the fetters of prejudice, the ecclesiastics called aloud for the punishment of his disciples; and the king, who was very little scrupulous in his conduct, was easily induced to sacrifice his principles to his interest, and to acquire the favour of the church by that most effectual method, the gratifying of their vengeance against opponents. He engaged the parliament to pass a law for that purpose: it was enacted, that when any heretic, who relapsed, or refused to abjure his opinions, was delivered over to the secular arm by the bishop or his commissaries, he should be committed to the flames by the civil magistrate before the whole people. This weapon did not long remain unemployed in the hands of the clergy: William Sautre, rector of St. Osithes, in London, had been condemned by the convocation of Canterbury; his sentence was ratified by the house of peers; the king issued his writ for the execution; and the unhappy man atoned for his erroneous opinions by the penalty of fire. This is the first instance of that kind in England; and thus one horror more was added to those dismal scenes which at that time were already but too familiar to the people.

But the utmost precaution and prudence of Henry could not shield him from those numerous inquietudes which assailed him from every quarter. The connexions of Richard with the royal family of France made that court exert its activity to recover his authority.

or revenge his death; but though the confusions in England tempted the French to engage in some enterprise by which they might distress their ancient enemy, the greater confusions which they experienced at home obliged them quickly to accommodate matters; and Charles, content with recovering his daughter from Henry's hands, laid aside his preparations, and renewed the truce between the kingdoms. The attack of Guienne was also an inviting attempt, which the present factions that prevailed among the French obliged them to neglect. The Gascons, affectionate to the memory of Richard, who was born among them, refused to swear allegiance to a prince that had dethroned and murdered him; and the appearance of a French army on their frontiers would probably have tempted them to change masters. But the earl of Worcester, arriving with some English troops, gave countenance to the partisans of Henry, and overawed their opponents. Religion too was here found a cement to their union with England. The Gascons had been engaged, by Richard's authority, to acknowledge the pope of Rome; and they were sensible that, if they submitted to France, it would be necessary for them to pay obedience to the pope of Avignon, whom they had been taught to detest as a schismatic. Their principles on this head were too fast rooted to admit of any sudden or violent alteration.

INSURRECTION IN WALES.

The revolution in England proved likewise the occasion of an insurrection in Wales. Owen Glendour, or Glendourduy, descended from the ancient princes of that country, had become obnoxious on account of his attachment to Richard; and Reginald lord Gray of Ruthyn, who was closely connected with the new king, and who enjoyed a great fortune in the marches of Wales, thought the opportunity favourable for oppressing his neighbour, and taking possession of his estate. Glendour, provoked at the injustice, and still more at the indignity, recovered possession by the sword: Henry sent assistance to Gray; the Welsh took part with Glendour; a troublesome and tedious war was kindled, which Glendour long sustained by his valour and activity, aided by the natural strength of the country, and the untamed spirit of its inhabitants.

As Glendour committed devastations promiscuously on all the English, he infested the estate of the earl of Marche; and sir Edmund Mortimer, uncle to that nobleman, led out the retainers of the family, and gave battle to the Welsh chieftain; his troops were routed, and he was taken prisoner: at the same time the earl himself, who had been allowed to retire to his castle of Wigmore, and who, though a mere boy, took the field with his followers, fell also into Glendour's hands, and was carried by him into Wales. As Henry dreaded and hated all the family of Marche, he allowed the earl to remain in captivity; and though that young nobleman was nearly allied to the Piercies, to whose assistance he himself had owed his crown, he refused to the earl of Northumberland permission to treat of his ransom with Glendour.

The uncertainty in which Henry's affairs stood during a long time with France, as well as the confusions incident to all great changes in government, tempted the Scots to make incursions into England; and Henry, desirous of taking revenge upon them, but afraid of rendering his new government unpopular by requiring great supplies from his subjects, summoned at Westminster a council of the peers, without the commons, and laid before them the state of his affairs. The military part of the feudal constitution was now much decayed: there remained only so much of that fabric as affected the civil rights and properties of men; and the peers here undertook, but voluntarily, to attend the king in an expedition against Scotland, each of them at the head of a certain number of his retainers. Henry conducted this army to Edinburgh, of which he easily made himself master; and he there summoned Robert III. to do homage to him for his crown. But finding that the Scots would neither submit nor give him battle, he returned in three weeks, after making this useless bravado; and he disbanded his army.

1402. In the subsequent season, Archibald, earl of Douglas, at the head of 12,000 men, and attended by many of the principal nobility of Scotland, made an irruption into England, and committed devastations on the northern counties. On his return home he was overtaken by the Piercies at Homeldon, on the borders of England, and a fierce battle ensued, where the Scots were totally routed. Douglas himself was taken prisoner; as was Mordac, earl of Fife, son of the duke of Albany, and nephew of the Scottish king, with the earls of Angus, Murray, and Orkney, and many others of the gentry and nobility. When Henry received intelligence of this victory, he sent the earl of Northumberland orders not to ransom his prisoners, which that nobleman regarded as his right by the laws of war received in that age. The king intended to detain them, that he might be able, by their means, to make an advantageous peace with Scotland; but by this policy he gave a fresh disgust to the family of Piercy.

1403. The obligations which Henry had owed to Northumberland were of a kind the most likely to produce ingratitude on one side, and discontent on the other. The sovereign naturally became jealous of that power which had advanced him to the throne; and the subject was not easily satisfied in the returns which he thought so great a favour had merited. Though Henry, on his accession, had bestowed the office of constable on Northumberland for life, and conferred other gifts on that family, these favours were regarded as their due: the refusal of any other request was deemed an injury. The impatient spirit of Harry Piercy, and the factious disposition of the earl of Worcester, younger brother of Northumberland, inflamed the discontents of that nobleman; and the precarious title of Henry tempted him to seek revenge, by overturning that throne which he had at first established. He entered into a correspondence with Glendour: he gave liberty to the earl of Douglas, and made an alliance with that martial chief: he roused up all his partisans to arms; and such unlimited authority at that time belonged to the great families, that the same men, whom a few years before he had conducted against Richard, now followed his standard in opposition to Henry. When war was ready to break out, Northumberland was seized with a sudden illness at Berwick; and young Piercy, taking the command of the troops, marched towards Shrewsbury, in order to join his forces with those of Glendour. The king had happily a small army on foot, with which he had intended to act against the Scots; and knowing the importance of celerity in all civil wars, he instantly hurried down that he might give battle to the rebels. He approached Piercy near Shrewsbury, before that nobleman was joined by Glendour; and the policy of one leader, and impatience of the other, made them hasten to a general engagement.

The evening before the battle, Piercy sent a manifesto to Henry, in which he renounced his allegiance, set that prince at defiance, and in the name of his father and uncle, as well as his own, enumerated all the grievances of which, he pretended, the nation had reason to complain. He upbraided him with the perjury of which he had been guilty, when, on landing at Ravenspur, he had sworn upon the Gospels, before the earl of Northumberland, that he had no other intention than to recover the dutchy of Lancaster, and that he would ever remain a faithful subject to king Richard. He aggravated his guilt in first dethroning, then murdering that prince, and in usurping on the title of the house of Mortimer, to whom, both by lineal succession, and by declarations of parliament, the throne, when vacant by Richard's demise, did of right belong. He





complained of his cruel policy in allowing the young earl of Marche, whom he ought to regard as his sovereign, to remain a captive in the hands of his enemies, and in even refusing to all his friends permission to treat of his ransom. He charged him again with perjury in loading the nation with heavy taxes, after having sworn that, without the utmost necessity, he would never levy any impositions upon them. And he reproached him with the arts employed in procuring favourable elections into parliament; arts which he himself had before imputed as a crime to Richard, and which he had made one chief reason of that prince's arraignment and deposition. This manifesto was well calculated to inflame the quarrel between the parties: the bravery of the two leaders promised an obstinate engagement; and the equality of the armies, being each about 12,000 men, a number which was not unmanageable by the commanders, gave reason to expect a great effusion of blood on both sides, and a very doubtful issue to the combat.

BATTLE OF SHREWSBURY. *July* 21.

We shall scarcely find any battle in those ages where the shock was more terrible and more constant. Henry exposed his person in the thickest of the fight: his gallant son, whose military achievements were afterwards so renowned, and who here performed his noviciate in arms, signalized himself on his father's footsteps: and even a wound, which he received in the face with an arrow, could not oblige him to quit the field. Piercy supported that fame which he had acquired in many a bloody combat: and Douglas, his ancient enemy, and now his friend, still appeared his rival, amidst the horror and confusion of the day. This nobleman performed feats of valour which are almost incredible: he seemed determined that the king of England should that day fall by his arm: he sought him all over the field of battle: and as Henry, either to elude the attacks of the enemy upon his person, or to encourage his own men by the belief of his presence everywhere, had accoutred several captains in the royal garb, the sword of Douglas rendered this honour fatal to many. But while the armies were contending in this furious manner, the death of Piercy, by an unknown hand, decided the victory, and the royalists prevailed. There are said to have fallen that day, on both sides, near two thousand three hundred gentlemen; but the persons of greatest distinction were on the king's: the earl of Stafford, sir Hugh Shirley, sir Nicholas Gausel, sir Hugh Mortimer, sir John Massy, sir John Calverly. About six thousand private men perished, of whom two-thirds were of Piercy's army. The earls of Worcester and Douglas were taken prisoners: the former was beheaded at Shrewsbury; the latter was treated with the courtesy due to his rank and merit.

The earl of Northumberland, having recovered from his sickness, had levied a fresh army, and was on his march to join his son; but being opposed by the earl of Westmoreland, and hearing of the defeat at Shrewsbury, he dismissed his forces, and came with a small retinue to the king at York. He pretended that his sole intention in arming was to mediate between the parties: Henry thought proper to accept of the apology, and even granted him a pardon for his offence: all the other rebels were treated with equal lenity; and, except the earl of Worcester and sir Richard Vernon, who were regarded as the chief authors of the insurrection, no person engaged in this dangerous enterprise seems to have perished by the hands of the executioner.

1405. But Northumberland, though he had been pardoned, knew that he never should be trusted, and that he was too powerful to be cordially forgiven by a prince whose situation gave him such reasonable grounds of jealousy. It was the effect either of Henry's vigilance or good fortune, or of the narrow genius of his enemies, that no proper concert was ever formed among them: they rose in rebellion one after another; and thereby afforded him an opportunity of suppressing singly those insurrections, which, had they been united, might have proved fatal to his authority. The earl of Nottingham, son of the duke of Norfolk, and the archbishop of York, brother to the earl of Wiltshire, whom Henry, then duke of Lancaster, had beheaded at Bristol, though they had remained quiet while Piercy was in the field, still harboured in their breast a violent hatred against the enemy of their families; and they determined, in conjunction with the earl of Northumberland, to seek revenge against him. They betook themselves to arms before that powerful nobleman was prepared to join them; and publishing a manifesto, in which they reproached Henry with his usurpation of the crown, and the murder of the late king, they required that the right line should be restored, and all public grievances be redressed. The earl of Westmoreland, whose power lay in the neighbourhood, approached them with an inferior force at Shipton, near York; and, being afraid to hazard an action, he attempted to subdue them by a stratagem, which nothing but the greatest folly and simplicity on their part could have rendered successful. He desired a conference with the archbishop and earl between the armies: he heard their grievances with great patience: he begged them to propose the remedies: he approved of every expedient which they suggested: he granted them all their demands: he also engaged that Henry should give them entire satisfaction; and when he saw them pleased with the facility of his concessions, he observed to them, that since amity was now, in effect, restored between them, it were better on both sides to dismiss their forces, which otherwise would prove an insupportable burden to the country. The archbishop and the earl of Nottingham immediately gave directions to that purpose: their troops disbanded upon the field: but Westmoreland, who had secretly issued contrary orders to *his* army, seized the two rebels without resistance, and carried them to the king, who was advancing with hasty marches to suppress the insurrection. The trial and punishment of an archbishop might have proved a troublesome and dangerous undertaking, had Henry proceeded regularly, and allowed time for an opposition to form itself against that unusual measure: the celerity of the execution alone could here render it safe and prudent. Finding that sir William Gascoigne, the chief-justice, made some scruple of acting on this occasion, he appointed sir William Fulthorp for judge; who, without any indictment, trial, or defence, pronounced sentence of death upon the prelate, which was presently executed. This was the first instance in England of a capital punishment inflicted on a bishop; whence the clergy of that rank might learn that their crimes, more than those of laics, were not to pass with impunity. The earl of Nottingham was condemned and executed in the same summary manner: but though many other persons of condition, such as lord Falconberg, sir Ralph Hastings, sir John Colville, were engaged in this rebellion, no others seem to have fallen victims to Henry's severity.

The earl of Northumberland, on receiving this intelligence, fled into Scotland, together with lord Bardolf, and the king without opposition reduced all the castles and fortresses belonging to these noblemen. He thence turned his arms against Glendour, over whom his son, the prince of Wales, had obtained some advantages: but that enemy, more troublesome than dangerous, still found means of defending himself in his fastnesses, and of eluding, though not resisting, all the force of England. In a subsequent season, [1407,] the earl of Northumberland and lord Bardolf, impatient of their exile, entered the north in hopes of raising the people to arms; but found the country in such a posture as rendered all their attempts unsuccessful. Sir Thomas Rokesby, sheriff of Yorkshire, levied some forces, attacked the invaders

at Bramham, and gained a victory, in which both Northumberland and Bardolf were slain. This prosperous event, joined to the death of Glendour, which happened soon after, freed Henry from all his domestic enemies; and this prince, who had mounted the throne by such unjustifiable means, and held it by such an exceptionable title, had yet, by his valour, prudence, and address, accustomed the people to the yoke, and had obtained a greater ascendant over his haughty barons than the law alone, not supported by these active qualities, was ever able to confer.

About the same time, fortune gave Henry an advantage over that neighbour who, by his situation, was most enabled to disturb his government. Robert III., king of Scots, was a prince, though of slender capacity, extremely innocent and inoffensive in his conduct: but Scotland, at that time, was still less fitted than England for cherishing, or even enduring, sovereigns of that character. The duke of Albany, Robert's brother, a prince of more abilities, at least of a more boisterous and violent disposition, had assumed the government of the state; and, not satisfied with present authority, he entertained the criminal purpose of extirpating his brother's children, and of acquiring the crown to his own family. He threw in prison David, his eldest nephew, who there perished by hunger: James alone, the younger brother of David, stood between that tyrant and the throne; and king Robert, sensible of his son's danger, embarked him on board a ship, with a view of sending him to France, and entrusting him to the protection of that friendly power. Unfortunately, the vessel was taken by the English; prince James, a boy about nine years of age, was carried to London; and though there subsisted at that time a truce between the kingdoms, Henry refused to restore the young prince to his liberty. Robert, worn out with cares and infirmities, was unable to bear the shock of this last misfortune; and he soon after died, leaving the government in the hands of the duke of Albany. Henry was now more sensible than ever of the importance of the acquisition which he had made: while he retained such a pledge, he was sure of keeping the duke of Albany in dependence; or, if offended, he could easily, by restoring the true heir, take ample revenge upon the usurper. But though the king, by detaining James in the English court, had shown himself somewhat deficient in generosity, he made ample amends by giving that prince an excellent education, which afterwards qualified him, when he mounted the throne, to reform, in some measure, the rude and barbarous manners of his native country.

The hostile dispositions which of late had prevailed between France and England were restrained, during the greater part of this reign, from appearing in action. The jealousies and civil commotions with which both nations were disturbed, kept each of them from taking advantage of the unhappy situation of its neighbour. But as the abilities and good fortune of Henry had sooner been able to compose the English factions, this prince began in the latter part of his reign to look abroad, and to foment the animosities between the families of Burgundy and Orleans, by which the government of France was, during that period, so much distracted. He knew that one great source of the national discontent against his predecessor was the inactivity of his reign; and he hoped, by giving a new direction to the restless and unquiet spirits of his people, to prevent their breaking out in domestic wars and disorders. That he might unite policy with force, he first entered into treaty [1411] with the duke of Burgundy, and sent that prince a small body of troops, which supported him against his enemies. Soon after, he hearkened to more advantageous proposals made him by the duke of Orleans, and dispatched a greater body to support that party. [1412.] But the leaders of the opposite factions having made temporary accommodation, the interests of the English were sacrificed; and this effort of Henry proved, in the issue, entirely vain and fruitless. The declining state of his health, and the shortness of his reign, prevented him from renewing the attempt, which his more fortunate son carried to so great a length against the French monarchy.

PARLIAMENTARY TRANSACTIONS.

Such were the military and foreign transactions of this reign: the civil and parliamentary are somewhat more memorable, and more worthy of our attention. During the two last reigns, the elections of the commons had appeared a circumstance of government not to be neglected; and Richard was even accused of using unwarrantable methods for procuring to his partisans a seat in that house. This practice formed one considerable article of charge against him in his deposition; yet Henry scrupled not to tread in his footsteps, and to encourage the same abuses in elections. Laws were enacted against such undue influence, and even a sheriff was punished for an iniquitous return which he had made: but laws were commonly, at that time, very ill executed; and the liberties of the people, such as they were, stood on a surer basis than on laws and parliamentary elections. Though the house of commons was little able to withstand the violent currents which perpetually ran between the monarchy and the aristocracy, and though that house might easily be brought, at a particular time, to make the most unwarrantable concessions to either; the general institutions of the state still remained invariable; the interests of the several members continued on the same footing; the sword was in the hands of the subject; and the government, though thrown into temporary disorder, soon settled itself on its ancient foundations.

During the greater part of this reign, the king was obliged to court popularity; and the house of commons, sensible of their own importance, began to assume powers which had not usually been exercised by their predecessors. In the first year of Henry, they procured a law, that no judge, in concurring with any iniquitous measure, should be excused by pleading the orders of the king, or even the danger of his own life from the menaces of the sovereign. In the second year, they insisted on maintaining the practice of not granting any supply before they received an answer to their petitions; which was a tacit manner of bargaining with the prince. In the fifth year, they desired the king to remove from his household four persons who had displeased them, among whom was his own confessor; and Henry, though he told them that he knew of no offence which these men had committed, yet, in order to gratify them, complied with their request. In the sixth year, they voted the king supplies, but appointed treasurers of their own, to see the money disbursed for the purposes intended, and required them to deliver in their accounts to the house. In the eighth year, they proposed, for the regulation of the government and household, thirty important articles, which were all agreed to; and they even obliged all the members of council, all the judges, and all the officers of the household, to swear to the observance of them. The abridger of the records remarks the unusual liberties taken by the speaker and the house during this period. But the great authority of the commons was but a temporary advantage, arising from the present situation. In a subsequent parliament, when the speaker made his customary application to the throne for liberty of speech, the king, having now overcome all his domestic difficulties, plainly told him, that he would have no novelties introduced, and would enjoy his prerogatives. But on the whole, the limitations of the government seem to have been more sensibly felt, and more carefully maintained by Henry, than by any of his predecessors.

During this reign, when the house of commons were, at any time, brought to make unwary concessions to the crown, they also showed their freedom by a speedy

retraction of them. Henry, though he entertained a perpetual and well-grounded jealousy of the family of Mortimer, allowed not their name to be once mentioned in parliament; and as none of the rebels had ventured to declare the earl of Marche king, he never attempted to procure, what would not have been refused him, an express declaration against the claim of that nobleman; because he knew that such a declaration, in the present circumstances, would have no authority, and would only serve to revive the memory of Mortimer's title in the minds of the people. He proceeded in his purpose after a more artful and covert manner. He procured a settlement of the crown on himself and his heirs-male, thereby tacitly excluding the females, and transferring the Salic law into the English government. He thought, that though the house of Plantagenet had at first derived their title from a female, this was a remote event, unknown to the generality of the people; and if he could once accustom them to the practice of excluding women, the title of the earl of Marche would gradually be forgotten and neglected by them. But he was very unfortunate in this attempt. During the long contests with France, the injustice of the Salic law had been so much exclaimed against by the nation, that a contrary principle had taken deep root in the minds of men; and it was now become impossible to eradicate it. The same house of commons, therefore, in a subsequent session, apprehensive that they had overturned the foundations of the English government, and that they had opened the door to more civil wars than might ensue even from the irregular elevation of the house of Lancaster, applied with such earnestness for a new settlement of the crown, that Henry yielded to their request, and agreed to the succession of the princesses of his family. A certain proof, that nobody was, in his heart, satisfied with the king's title to the crown, or knew on what principle to rest it.

But though the commons during this reign showed a laudable zeal for liberty in their transactions with the crown, their efforts against the church were still more extraordinary, and seemed to anticipate very much the spirit which became so general in a little more than a century afterwards. I know that the credit of these passages rests entirely on one ancient historian; but that historian was contemporary, was a clergyman, and it was contrary to the interests of his order to preserve the memory of such transactions, much more to forge precedents which posterity might some time be tempted to imitate. This is a truth so evident, that the most likely way of accounting for the silence of the records on this head, is by supposing that the authority of some churchmen was so great as to procure a razure, with regard to these circumstances, which the indiscretion of one of that order has happily preserved to us.

In the sixth of Henry, the commons, who had been required to grant supplies, proposed in plain terms to the king, that he should seize all the temporalities of the church, and employ them as a perpetual fund to serve the exigencies of the state. They insisted that the clergy possessed a third of the lands in the kingdom; that they contributed nothing to the public burdens; and that their riches tended only to disqualify them from performing their ministerial functions with proper zeal and attention. When this address was presented, the archbishop of Canterbury, who then attended the king, objected that the clergy, though they went not in person to the wars, sent their vassals and tenants in all cases of necessity; while, at the same time, they themselves, who stayed at home, were employed night and day in offering up their prayers for the happiness and prosperity of the state. The speaker smiled, and answered, without reserve, that he thought the prayers of the church but a very slender supply. The archbishop, however, prevailed in the dispute: the king discouraged the application of the commons: and the lords rejected the bill which the lower house had framed for stripping the church of her revenues.

The commons were not discouraged by this repulse; in the eleventh of the king they returned to the charge with more zeal than before: they made a calculation of all the ecclesiastical revenues, which, by their account, amounted to 485,000 marks a year, and contained 18,400 ploughs of land. They proposed to divide this property among fifteen new earls, 1500 knights, 6000 esquires, and a hundred hospitals; besides 20,000 pounds a year, which the king might take for his own use: and they insisted that the clerical functions would be better performed than at present by 15,000 parish priests, paid at the rate of seven marks a-piece of yearly stipend. This application was accompanied with an address for mitigating the statutes enacted against the Lollards, which shows from what source the address came. The king gave the commons a severe reply; and further to satisfy the church, and to prove that he was quite in earnest, he ordered a Lollard to be burned before the dissolution of the parliament.

DEATH AND CHARACTER OF THE KING.

1413. We have now related almost all the memorable transactions of this reign, which was busy and active, but produced few events that deserve to be transmitted to posterity. The king was so much employed in defending his crown, which he had obtained by unwarrantable means, and possessed by a bad title, that he had little leisure to look abroad, or perform any action which might redound to the honour or advantage of the nation. His health declined some months before his death; he was subject to fits, which bereaved him for the time of his senses; and, though he was yet in the flower of his age, his end was visibly approaching. He expired at Westminster, (20th March,) in the forty-sixth year of his age, and the thirteenth of his reign.

The great popularity which Henry enjoyed before he attained the crown, and which had so much aided him in the acquisition of it, was entirely lost many years before the end of his reign; and he governed his people more by terror than by affection, more by his own policy than by their sense of duty or allegiance. When men came to reflect, in cool blood, on the crimes which had led him to the throne; the rebellion against his prince; the deposition of a lawful king, guilty sometimes, perhaps, of oppression, but more frequently of indiscretion; the exclusion of the true heir; the murder of his sovereign and near relation; these were such enormities as drew on him the hatred of his subjects, sanctified all the rebellions against him, and made the executions, though not remarkably severe, which he found necessary for the maintenance of his authority, appear cruel as well as iniquitous to the people. Yet, without pretending to apologize for these crimes, which must ever be held in detestation, it may be remarked that he was insensibly led into this blamable conduct by a train of incidents which few men possess virtue enough to withstand. The injustice with which his predecessor had treated him, in first condemning him to banishment, then despoiling him of his patrimony, made him naturally think of revenge, and of recovering his lost rights; the headlong zeal of the people hurried him into the throne; the care of his own security, as well as his ambition, made him an usurper; and the steps have always been so few between the prisons of princes and their graves, that we need not wonder that Richard's fate was no exception to the general rule. All these considerations make Henry's situation, if he retained any sense of virtue, much to be lamented; and the inquietude with which he possessed his envied greatness, and the remorses by which, it is said, he was continually haunted, render him an object of our pity, even when seated upon the throne. But it must be owned, that his prudence and vigilance and foresight in maintaining his power were admirable; his command of temper remarkable; his

courage, both military and political, without blemish; and he possessed many qualities which fitted him for his high station, and which rendered his usurpation of it, though pernicious in after times, rather salutary during his own reign to the English nation.

Henry was twice married: by his first wife, Mary de Bohun, daughter and co-heir of the earl of Hereford, he had four sons, Henry, his successor in the throne; Thomas, duke of Clarence; John, duke of Bedford; and Humphrey, duke of Gloucester; and two daughters, Blanche and Philippa, the former married to the duke of Bavaria, the latter to the king of Denmark. His second wife, Jane, whom he married after he was king, and who was daughter of the king of Navarre, and widow of the duke of Britanny, brought him no issue.

By an act of the fifth of this reign, it is made felony to cut out any person's tongue, or put out his eyes; crimes which, the act says, were very frequent. This savage spirit of revenge denotes a barbarous people; though, perhaps, it was increased by the prevailing factions and civil commotions.

Commerce was very little understood in this reign, as in all the preceding. In particular, a great jealousy prevailed against *merchant strangers;* and many restraints were by law imposed upon them; namely, that they should lay out in English manufactures or commodities all the money acquired by the sale of their goods; that they should not buy or sell with one another, and that all their goods should be disposed of three months after importation. This last clause was found so inconvenient, that it was soon after repealed by parliament.

It appears that the expense of this king's household amounted to the yearly sum of £19,500, money of that age.

Guicciardin tells us, that the Flemings in this century learned from Italy all the refinements in arts, which they taught the rest of Europe. The progress, however, of the arts was still very slow and backward in England.

CHAPTER XIX.

HENRY V.

The King's former Disorders — His Reformation — The Lollards — Punishment of Lord Cobham — State of France — Invasion of that Kingdom — Battle of Azincourt — State of France — New Invasion of France — Assassination of the Duke of Burgundy — Treaty of Troye — Marriage of the King — His Death and Character — Miscellaneous Transactions during this Reign.

THE KING'S FORMER DISORDERS. 1413.

THE many jealousies to which Henry IV.'s situation naturally exposed him had so infected his temper, that he had entertained unreasonable suspicions with regard to the fidelity of his eldest son; and, during the latter years of his life, he had excluded that prince from all share in public business, and was even displeased to see him at the head of armies, where his martial talents, though useful to the support of government, acquired him a renown, which, he thought, might prove dangerous to his own authority. The active spirit of young Henry, restrained from its proper exercise, broke out into extravagancies of every kind; and the riot of pleasure, the frolic of debauchery, the outrage of wine, filled the vacancies of a mind better adapted to the pursuits of ambition and the cares of government. This course of life threw him among companions whose disorders, if accompanied with spirit and humour, he indulged and seconded; and he was detected in many sallies, which, to severer eyes, appeared totally unworthy of his rank and station. There even remains a tradition, that, when heated with liquor and jollity, he scrupled not to accompany his riotous associates in attacking the passengers on the streets and highways, and despoiling them of their goods; and he found an amusement in the incidents which the terror and regret of these defenceless people produced on such occasions. This extreme of dissoluteness proved equally disagreeable to his father, as that eager application to business which had at first given him occasion of jealousy; and he saw, in his son's behaviour, the same neglect of decency, the same attachment to low company, which had degraded the personal character of Richard, and which, more than all his errors in government, had tended to overturn his throne. But the nation in general considered the young prince with more indulgence; and observed so many gleams of generosity, spirit, and magnanimity, breaking continually through the cloud which a wild conduct threw over his character, that they never ceased hoping for his amendment; and they ascribed all the weeds, which shot up in that rich soil, to the want of proper culture and attention in the king and his ministers. There happened an incident which encouraged these agreeable views, and gave much occasion for favourable reflections to all men of sense and candour. A riotous companion of the prince's had been indicted before Gascoigne, the chief-justice, for some disorders; and Henry was not ashamed to appear at the bar with the criminal, in order to give him countenance and protection. Finding that his presence had not overawed the chief-justice, he proceeded to insult that magistrate on his tribunal; but Gascoigne, mindful of the character which he then bore, and the majesty of the sovereign and of the laws, which he sustained, ordered the prince to be carried to prison for his rude behaviour. The spectators were agreeably disappointed when they saw the heir of the crown submit peaceably to this sentence, make reparation for his error by acknowledging it, and check his impetuous nature in the midst of its extravagant career.

The memory of this incident, and many others of a like nature, rendered the prospect of the future reign nowise disagreeable to the nation, and increased the joy which the death of so unpopular a prince as the late king naturally occasioned. The first steps taken by the young prince confirmed all those prepossessions entertained in his favour. He called together his former companions, acquainted them with his intended reformation, exhorted them to imitate his example, but strictly inhibited them, till they had given proofs of their sincerity in this particular, from appearing any more in his presence; and he thus dismissed them with liberal presents. The wise ministers of his father, who had checked his riots, found that they had unknowingly been paying the highest court to him; and were received with all the marks of favour and confidence. The chief-justice himself, who trembled to approach the royal presence, met with praises instead of reproaches for his past conduct, and was exhorted to persevere in the same rigorous and impartial execution of the laws. The surprise of those who expected an opposite behaviour augmented their satisfaction; and the character of the young king appeared brighter than if it had never been shaded by any errors.

But Henry was anxious not only to repair his own misconduct, but also to make amends for those iniquities into which policy or the necessity of affairs had betrayed his father. He expressed the deepest sorrow for the fate of the unhappy Richard, did justice to the memory of that unfortunate prince, even performed his funeral obsequies with pomp and solemnity, and cherished all those who had distinguished themselves by their loyalty and attachment towards him. Instead of continuing the restraints which the jealousy of his father had imposed on the earl of Marche, he received that young nobleman with singular courtesy and fa-

vour; and by this magnanimity so gained on the gentle and unambitious nature of his competitor, that he remained ever after sincerely attached to him, and gave him no disturbance in his future government. The family of Piercy was restored to its fortune and honours. The king seemed ambitious to bury all party-distinctions in oblivion: the instruments of the preceding reign, who had been advanced from their blind zeal for the Lancastrian interests, more than from their merits, gave place everywhere to men of more honourable characters: virtue seemed now to have an open career, in which it might exert itself: the exhortations, as well as example, of the prince gave it encouragement: all men were unanimous in their attachment to Henry; and the defects of his title were forgotten amidst the personal regard which was universally paid to him.

THE LOLLARDS.

There remained among the people only one party-distinction, which was derived from religious differences, and which, as it is of a peculiar, and commonly a very obstinate nature, the popularity of Henry was not able to overcome. The Lollards were every day increasing in the kingdom, and were become a formed party, which appeared extremely dangerous to the church, and even formidable to the civil authority. The enthusiasm by which these sectaries were generally actuated, the great alterations which they pretended to introduce, the hatred which they expressed against the established hierarchy, gave an alarm to Henry; who, either from a sincere attachment to the ancient religion, or from a dread of the unknown consequences which attend all important changes, was determined to execute the law against such bold innovators. The head of this sect was sir John Oldcastle, lord Cobham, a nobleman who had distinguished himself by his valour and his military talents, and had, on many occasions, acquired the esteem both of the late and of the present king. His high character and his zeal for the new sect pointed him out to Arundel, archbishop of Canterbury, as the proper victim of ecclesiastical severity; whose punishment would strike a terror into the whole party, and teach them that they must expect no mercy under the present administration. He applied to Henry for a permission to indict lord Cobham; but the generous nature of the prince was averse to such sanguinary methods of conversion. He represented to the primate, that reason and conviction were the best expedients for supporting truth; that all gentle means ought first to be tried in order to reclaim men from error; and that he himself would endeavour, by a conversation with Cobham, to reconcile him to the catholic faith. But he found that nobleman obstinate in his opinions, and determined not to sacrifice truths of such infinite moment to his complaisance for sovereigns. Henry's principles of toleration, or rather his love of the practice, could carry him no further; and he then gave full reins to ecclesiastical severity against the inflexible heresiarch. The primate indicted Cobham; and, with the assistance of his three suffragans, the bishops of London, Winchester, and St. David's, condemned him to the flames for his erroneous opinions. Cobham, who was confined in the Tower, made his escape before the day appointed for his execution. The bold spirit of the man, provoked by persecution and stimulated by zeal, was urged to attempt the most criminal enterprises; and his unlimited authority over the new sect proved that he well merited the attention of the civil magistrate. He formed in his retreat very violent designs against his enemies; and dispatching his emissaries to all quarters, appointed a general rendezvous of the party, in order to seize the person of the king at Eltham, and put their persecutors to the sword. Henry, apprized of their intention, removed to Westminster: (January 6, 1414:) Cobham was not discouraged by this disappointment, but changed the place of rendezvous to the field near St. Giles's: the king, having shut the gates of the city, to prevent any re-enforcement to the Lollards from that quarter, came into the field in the night-time, seized such of the conspirators as appeared, and afterwards laid hold of the several parties who were hastening to the place appointed. It appeared that a few only were in the secret of the conspiracy: the rest implicitly followed their leaders: but upon the trial of the prisoners, the treasonable designs of the sect were rendered certain, both from evidence and from the confession of the criminals themselves. Some were executed, the greater number pardoned. Cobham himself, who made his escape by flight, was not brought to justice till four years after, when he was hanged as a traitor; and his body was burnt on the gibbet, in execution of the sentence pronounced against him as a heretic. This criminal design, which was perhaps somewhat aggravated by the clergy, brought discredit upon the party, and checked the progress of that sect, which had embraced the speculative doctrines of Wickliffe, and at the same time aspired to a reformation of ecclesiastical abuses.

These two points were the great objects of the Lollards; but the bulk of the nation was not affected in the same degree by both of them. Common sense and obvious reflection had discovered to the people the advantages of a reformation in discipline; but the age was not yet so far advanced as to be seized with the spirit of controversy, or to enter into those abstruse doctrines, which the Lollards endeavoured to propagate throughout the kingdom. The very notion of heresy alarmed the generality of the people; innovation in fundamental principles was suspicious: curiosity was not, as yet, a sufficient counterpoise to authority: and even many, who were the greatest friends to the reformation of abuses, were anxious to express their detestation of the speculative tenets of the Wickliffites, which, they feared, threw disgrace on so good a cause. This turn of thought appears evidently in the proceedings of the parliament which was summoned immediately after the detection of Cobham's conspiracy. That assembly passed severe laws against the new heretics: they enacted, that whoever was convicted of Lollardy before the ordinary, besides suffering capital punishment according to the laws formerly established, should also forfeit his lands and goods to the king; and that the chancellor, treasurer, justices of the two benches, sheriffs, justices of the peace, and all the chief magistrates in every city and borough, should take an oath to use their utmost endeavours for the extirpation of heresy. Yet this very parliament, when the king demanded supply, renewed the offer formerly pressed upon his father, and entreated him to seize all the ecclesiastical revenues, and convert them to the use of the crown. The clergy were alarmed: they could offer the king no bribe which was equivalent: they only agreed to confer on him all the priories alien, which depended on capital abbeys in Normandy, and had been bequeathed to these abbeys, when that province remained united to England: and Chichely, now archbishop of Canterbury, endeavoured to divert the blow, by giving occupation to the king, and by persuading him to undertake a war against France, in order to recover his lost rights to that kingdom.

It was the dying injunction of the late king to his son, not to allow the English to remain long in peace, which was apt to breed intestine commotions; but to employ them in foreign expeditions, by which the prince might acquire honour; the nobility, in sharing his dangers, might attach themselves to his person; and all the restless spirits find occupation for their inquietude. The natural disposition of Henry sufficiently inclined him to follow this advice, and the civil disorders of France, which had been prolonged beyond those of England, opened a full career to his ambition.

STATE OF FRANCE. 1415.

The death of Charles V., which followed soon after that of Edward III., and the youth of his son, Charles VI., put the two kingdoms for some time in a similar situation; and it was not to be apprehended, that either of them, during a minority, would be able to make much advantage of the weakness of the other. The jealousies also between Charles's three uncles, the dukes of Anjou, Berri, and Burgundy, had distracted the affairs of France rather more than those between the dukes of Lancaster, York, and Gloucester, Richard's three uncles, disordered those of England; and had carried off the attention of the French nation from any vigorous enterprise against foreign states. But in proportion as Charles advanced in years, the factions were composed; his two uncles, the dukes of Anjou and Burgundy, died; and the king himself, assuming the reins of government, discovered symptoms of genius and spirit, which revived the drooping hopes of his country. This promising state of affairs was not of long duration: the unhappy prince fell suddenly into a fit of frenzy, which rendered him incapable of exercising his authority; and though he recovered from this disorder, he was so subject to relapses, that his judgment was gradually but sensibly impaired, and no steady plan of government could be pursued by him. The administration of affairs was disputed between his brother, Louis, duke of Orleans, and his cousin-german, John, duke of Burgundy: the propinquity to the crown pleaded in favour of the former: the latter, who, in right of his mother, had inherited the county of Flanders, which he annexed to his father's extensive dominions, derived a lustre from his superior power: the people were divided between these contending princes: and the king, now resuming, now dropping his authority, kept the victory undecided, and prevented any regular settlement of the state by the final prevalence of either party.

At length, the dukes of Orleans and Burgundy, seeming to be moved by the cries of the nation, and by the interposition of common friends, agreed to bury all past quarrels in oblivion, and to enter into strict amity: they swore before the altar the sincerity of their friendship; the priest administered the sacrament to both of them; they gave to each other every pledge which could be deemed sacred among men: but all this solemn preparation was only a cover for the basest treachery, which was deliberately premeditated by the duke of Burgundy. He procured his rival to be assassinated in the streets of Paris: he endeavoured for some time to conceal the part which he took in the crime: but being detected, he embraced a resolution still more criminal and more dangerous to society, by openly avowing and justifying it. The parliament itself of Paris, the tribunal of justice, heard the harangues of the duke's advocate in defence of assassination, which he termed tyrannicide; and that assembly, partly influenced by faction, partly overawed by power, pronounced no sentence of condemnation against this detestable doctrine. The same question was afterwards agitated before the council of Constance; and it was with difficulty that a feeble decision, in favour of the contrary opinion, was procured from these fathers of the church, the ministers of peace and of religion. But the mischievous effects of that tenet, had they been before anywise doubtful, appeared sufficiently from the present incidents. The commission of this crime, which destroyed all trust and security, rendered the war implacable between the French parties, and cut off every means of peace and accommodation. The princes of the blood, combining with the young duke of Orleans and his brothers, made violent war on the duke of Burgundy; and the unhappy king, seized sometimes by one party, sometimes by the other, transferred alternately to each of them the appearance of legal authority. The provinces were laid waste by mutual depredations: assassinations were everywhere committed from the animosity of the several leaders; or, what was equally terrible, executions were ordered without any legal or free trial, by pretended courts of judicature. The whole kingdom was distinguished into two parties, the Burgundians and the Armagnacs; so the adherents of the young duke of Orleans were called, from the count of Armagnac, father-in-law to that prince. The city of Paris, distracted between them, but inclining more to the Burgundians, was a perpetual scene of blood and violence; the king and royal family were often detained captives in the hands of the populace; their faithful ministers were butchered or imprisoned before their face; and it was dangerous for any man, amidst these enraged factions, to be distinguished by a strict adherence to the principles of probity and honour.

During this scene of general violence, there rose into some consideration a body of men, which usually makes no figure in public transactions, even during the most peaceful times; and that was the university of Paris, whose opinion was sometimes demanded, and more frequently offered, in the multiplied disputes between the parties. The schism, by which the church was at that time divided, and which occasioned frequent controversies in the university, had raised the professors to an unusual degree of importance; and this connexion between literature and superstition had bestowed on the former a weight to which reason and knowledge are not of themselves anywise entitled among men. But there was another society whose sentiments were much more decisive at Paris, the fraternity of butchers, who, under the direction of their ringleaders, had declared for the duke of Burgundy, and committed the most violent outrages against the opposite party. To counterbalance their power, the Armagnacs made interest with the fraternity of carpenters; the populace ranged themselves on one side or the other; and the fate of the capital depended on the prevalence of either party.

The advantage which might be made of these confusions, was easily perceived in England; and, according to the maxims which usually prevailed among nations, it was determined to lay hold of the favourable opportunity. The late king, who was courted by both the French parties, fomented the quarrel, by alternately sending assistance to each; but the present sovereign, impelled by the vigour of youth, and the ardour of ambition, determined to push his advantages to a greater length, and to carry violent war into that distracted kingdom. But while he was making preparations for this end, he tried to effect his purpose by negociation; and he sent over ambassadors to Paris, offering a perpetual peace and alliance; but demanding Catherine, the French king's daughter, in marriage, two millions of crowns as her portion, one million six hundred thousand as the arrears of king John's ransom, and the immediate possession and full sovereignty of Normandy, and of all the other provinces which had been ravished from England by the arms of Philip Augustus; together with the superiority of Britanny and Flanders. Such exorbitant demands show that he was sensible of the present miserable condition of France; and the terms offered by the French court, though much inferior, discovered the consciousness of the same melancholy truth. They were willing to give him the princess in marriage, to pay him eight hundred thousand crowns, to resign the entire sovereignty of Guienne, and to annex to that province the country of Perigord, Rovergue, Xaintonge, the Angoumois, and other territories.* As Henry rejected these conditions, and scarcely hoped that his own demands would be complied with, he never intermitted a moment his preparations for war,

* It is reported by some historians (See Hist. Croy. Cont. p. 500) that the Dauphin, in derision of Henry's claims and dissolute character, sent him a box of tennis-balls, intimating that these implements of play were better adapted to him than the instruments of war. But this story is by no means credible; the great offers made by the court of France, show that they had already entertained a just idea of Henry's character, as well as of their own situation.

and having assembled a great fleet and army at Southampton, having invited all the nobility and military men of the kingdom to attend him, by the hopes of glory and conquest, he came to the sea-side, with a purpose of embarking on his expedition.

But while Henry was meditating conquests upon his neighbours, he unexpectedly found himself in danger from a conspiracy at home, which was happily detected in its infancy. The earl of Cambridge, second son of the late duke of York, having espoused the sister of the earl of Marche, had zealously embraced the interests of that family; and had held some conferences with lord Scrope, of Masham, and sir Thomas Grey, of Heton, about the means of recovering to that nobleman his right to the crown of England. The conspirators, as soon as detected, acknowledged their guilt to the king; and Henry proceeded without delay to their trial and condemnation. The utmost that could be expected of the best king in those ages, was, that he would so far observe the essentials of justice, as not to make an innocent person a victim to his severity: but as to the formalities of law, which are often as material as the essentials themselves, they were sacrificed without scruple to the least interest or convenience. A jury of commoners was summoned: the three conspirators were indicted before them; the constable of Southampton castle swore that they had separately confessed their guilt to him: without other evidence, sir Thomas Grey was condemned and executed: but as the earl of Cambridge and Lord Scrope pleaded the privilege of their peerage, Henry thought proper to summon a court of eighteen barons, in which the duke of Clarence presided: the evidence given before the jury was read to them: the prisoners, though one of them was a prince of the blood, were not examined, nor produced in court, nor heard in their own defence; but received sentence of death upon this proof, which was every way irregular and unsatisfactory; and the sentence was soon after executed. The earl of Marche was accused of having given his approbation to the conspiracy, and received a general pardon from the king. He was probably either innocent of the crime imputed to him, or had made reparation by his early repentance and discovery.

INVASION OF FRANCE.

The successes which the arms of England have, in different ages, obtained over those of France, have been much owing to the favourable situation of the former kingdom. The English, happily seated in an island, could make advantage of every misfortune which attended their neighbours, and were little exposed to the danger of reprisals. They never left their own country but when they were conducted by a king of extraordinary genius, or found their enemy divided by intestine factions, or were supported by a powerful alliance on the continent; and as all these circumstances concurred at present to favour their enterprise, they had reason to expect from it proportionable success. The duke of Burgundy, expelled France by a combination of the princes, had been secretly soliciting the alliance of England; and Henry knew that this prince, though he scrupled at first to join the inveterate enemy of his country, would willingly, if he saw any probability of success, both assist him with his Flemish subjects, and draw over to the same side all his numerous partisans in France. Trusting, therefore, to this circumstance, but without establishing any concert with the duke, he put to sea, 14th of August, and landed near Harfleur, at the head of an army of 6000 men-at-arms, and 24,000 foot, mostly archers. He immediately began the siege of that place, which was valiantly defended by d'Estoüteville, and under him by the Guitri, de Gaucourt, and others of the French nobility; but as the garrison was weak, and the fortifications in bad repair, the governor was at last obliged to capitulate; and he promised to surrender the place if he received no succour before the eighteenth of September. The day came, and there was no appearance of a French army to relieve him. Henry, taking possession of the town, placed a garrison in it, and expelled all the French inhabitants, with an intention of peopling it anew with English.

The fatigues of this siege, and the unusual heat of the season, had so wasted the English army, that Henry could enter on no further enterprise; and was obliged to think of returning into England. He had dismissed his transports, which could not anchor in an open road upon the enemy's coasts: and he lay under a necessity of marching by land to Calais, before he could reach a place of safety. A numerous French army of 14,000 men-at-arms, and 40,000 foot, was by this time assembled in Normandy, under the constable d'Albert; a force which, if prudently conducted, was sufficient either to trample down the English in the open field, or to harass and reduce to nothing their small army, before they could finish so long and difficult a march. Henry, therefore, cautiously offered to sacrifice his conquest of Harfleur for a safe passage to Calais; but his proposals being rejected, he determined to make his way by valour and conduct through all the opposition of the enemy. That he might not discourage his army by the appearance of flight, or expose them to those hazards which naturally attend precipitate marches, he made slow and deliberate journeys, till he reached the Somme, which he purposed to pass at the ford of Blanquetague, the same place where Edward, in a like situation, had before escaped from Philip de Valois. But he found the ford rendered impassable by the precaution of the French general, and guarded by a strong body on the opposite bank; and he was obliged to march higher up the river, in order to seek for a safe passage. He was continually harassed on his march by flying parties of the enemy; saw bodies of troops on the other side ready to oppose every attempt; his provisions were cut off; his soldiers languished with sickness and fatigue; and his affairs seemed to be reduced to a desperate situation; when he was so dexterous or so fortunate as to seize by surprise a passage near St. Quintin, which had not been sufficiently guarded; and he safely carried over his army.

BATTLE OF AZINCOUR. *October* 25.

Henry then bent his march northwards to Calais; but he was still exposed to great and imminent danger from the enemy, who had also passed the Somme, and threw themselves full in his way, with a purpose of intercepting his retreat. After he had passed the small river of Ternois at Blangi, he was surprised to observe from the heights the whole French army drawn up in the plains of Azincour, and so posted, that it was impossible for him to proceed on his march without coming to an engagement. Nothing in appearance could be more unequal than the battle, upon which his safety and all his fortunes now depended. The English army was little more than half the number which had disembarked at Harfleur; and they laboured under every discouragement and necessity. The enemy was four times more numerous; was headed by the dauphin and all the princes of the blood; and was plentifully supplied with provisions of every kind. Henry's situation was exactly similar to that of Edward at Crecy, and that of the Black Prince at Poictiers; and the memory of these great events, inspiring the English with courage, made them hope for a like deliverance from their present difficulties. The king likewise observed the same prudent conduct which had been followed by these great commanders: he drew up his army on a narrow ground between two woods, which guarded each flank; and he patiently expected in that posture the attack of the enemy.

Had the French constable been able either to reason justly upon the present circumstances of the two

armies, or to profit by past experience, he had declined a combat, and had waited till necessity, obliging the English to advance, had made them relinquish the advantages of their situation. But the impetuous valour of the nobility, and a vain confidence in superior numbers, brought on this fatal action, which proved the source of infinite calamities to their country. The French archers on horseback and their men-at-arms, crowded in their ranks, advanced upon the English archers, who had fixed palisadoes in their front to break the impression of the enemy, and who safely plied them, from behind that defence, with a shower of arrows which nothing could resist. The clay soil, moistened by some rain which had lately fallen, proved another obstacle to the force of the French cavalry: the wounded men and horses discomposed their ranks: the narrow compass in which they were pent, hindered them from recovering any order: the whole army was a scene of confusion, terror, and dismay: and Henry, perceiving his advantage, ordered the English archers, who were light and unencumbered, to advance upon the enemy and seize the moment of victory. They fell with their battle-axes upon the French, who, in their present posture, were incapable either of flying or of making defence: they hewed them in pieces without resistance: and being seconded by the men-at-arms, who also pushed on against the enemy, they covered the field with the killed, wounded, dismounted, and overthrown. After all appearance of opposition was over, the English had leisure to make prisoners; and having advanced with uninterrupted success to the open plain, they there saw the remains of the French rear-guard, which still maintained the appearance of a line of battle. At the same time, they heard an alarm from behind: some gentlemen of Picardy, having collected about 600 peasants, had fallen upon the English baggage, and were doing execution on the unarmed followers of the camp, who fled before them. Henry, seeing the enemy on all sides of him, began to entertain apprehensions from his prisoners; and he thought it necessary to issue general orders for putting them to death: but on discovering the truth, he stopped the slaughter, and was still able to save a great number.

No battle was ever more fatal to France, by the number of princes and nobility slain or taken prisoners. Among the former were the constable himself, the count of Nevers and the duke of Brabant, brothers to the duke of Burgundy, the count of Vaudemont, brother to the duke of Lorraine, the duke of Alençon, the duke of Barre, the count of Marle. The most eminent prisoners were the dukes of Orleans and Bourbon, the counts d'Eu, Vendome, and Richemont, and the mareschal of Boucicaut. An archbishop of Sens also was slain in this battle. The killed are computed, on the whole, to have amounted to ten thousand men; and as the slaughter fell chiefly upon the cavalry, it is pretended, that of these eight thousand were gentlemen. Henry was master of 14,000 prisoners. The person of chief note who fell among the English, was the duke of York, who perished fighting by the king's side, and had an end more honourable than his life. He was succeeded in his honours and fortune by his nephew, son of the earl of Cambridge, executed in the beginning of the year. All the English who were slain exceeded not forty; though some writers, with great probability, make the number more considerable.

The three great battles of Crecy, Poictiers, and Azincour bear a singular resemblance to each other in their most considerable circumstances. In all of them, there appears the same temerity in the English princes, who, without any object of moment, merely for the sake of plunder, had ventured so far into the enemy's country as to leave themselves no retreat; and unless saved by the utmost imprudence in the French commanders, were from their very situation, exposed to inevitable destruction. But, allowance being made for this temerity, which, according to the irregular plans of war followed in those ages, seems to have been, in some measure, unavoidable, there appears in the day of action the same presence of mind, dexterity, courage, firmness, and precaution, on the part of the English; the same precipitation, confusion, and vain confidence, on the part of the French: and the events were such as might have been expected from such opposite conduct. The immediate consequences too of these three great victories were similar: instead of pushing the French with vigour, and taking advantage of their consternation, the English princes, after their victory, seem rather to have relaxed their efforts, and to have allowed the enemy leisure to recover from his losses. Henry interrupted not his march a moment after the battle of Azincour; he carried his prisoners to Calais, thence to England; he never concluded a truce with the enemy; and it was not till after an interval of two years that any body of English troops appeared in France.

The poverty of all the European princes, and the small resources of their kingdoms, were the cause of these continual interruptions in their hostilities; and though the maxims of war were in general destructive, their military operations were mere incursions, which, without any settled plan, they carried on against each other. The lustre, however, attending the victory of Azincour, procured some supplies from the English parliament, though still unequal to the expenses of a campaign. They granted Henry an entire fifteenth of moveables; and they conferred on him, *for life*, the duties of tonnage and poundage, and the subsidies on the exportation of wool and leather. This concession is more considerable than that which had been granted to Richard II. by his last parliament, and which was afterwards, on his deposition, made so great an article of charge against him.

STATE OF FRANCE.

But during this interruption of hostilities from England, France was exposed to all the furies of civil war; and the several parties became every day more enraged against each other. The duke of Burgundy, confident that the French ministers and generals were entirely discredited by the misfortune at Azincour, advanced with a great army to Paris, and attempted to reinstate himself in possession of the government as well as of the person of the king. But his partisans in that city were overawed by the court and kept in subjection: the duke despaired of success; and he retired with his forces, which he immediately disbanded in the Low Countries. He was soon after [1416] invited to make a new attempt, by some violent quarrels which broke out in the royal family. The queen Isabella, daughter of the duke of Bavaria, who had been hitherto an inveterate enemy to the Burgundian faction, had received a great injury from the other party, which the implacable spirit of that princess was never able to forgive. The public necessities obliged the count of Armagnac, created constable of France in the place of d'Albert, to seize the great treasures which Isabella had amassed: and when she expressed her displeasure at this injury, he inspired into the weak mind of the king some jealousies concerning her conduct, and pushed him to seize and put to the torture, and afterwards throw into the Seine, Bois-bourdon, her favourite, whom he accused of a commerce of gallantry with that princess. The queen herself was sent to Tours, and confined under a guard; and, after suffering these multiplied insults, she no longer scrupled to enter into a correspondence with the duke of Burgundy. As her son, the dauphin Charles, a youth of sixteen, was entirely governed by the faction of Armagnac, she extended her animosity to him, and sought his destruction with the most unrelenting hatred. She had soon an opportunity of rendering her unnatural purpose effectual. The duke of Burgundy, in concert with her, entered

France at the head of a great army: he made himself master of Amiens, Abbeville, Dourlens, Montreüil, and other towns in Picardy; Senlis, Rheims, Chalons, Troye, and Auxerre, declared themselves of his party. He got possession of Beaumont, Pontoise, Vernon, Meulant, Montlheri, towns in the neighbourhood of Paris; and carrying further his progress towards the west, he seized Etampes, Chartres, and other fortresses; and was at last able to deliver the queen, who fled to Treye, and openly declared against those ministers who, he said, detained her husband in captivity.

Meanwhile the partisans of Burgundy raised a commotion in Paris, which always inclined to that faction. Lile-Adam, one of the duke's captains, was received into the city in the night-time, and headed the insurrections of the people, which in a moment became so impetuous that nothing could oppose it. The person of the king was seized: the dauphin made his escape with difficulty: great numbers of the faction of Armagnac were immediately butchered: the count himself, and many persons of note were thrown into prison: murders were daily committed from private animosity, under pretence of faction: and the populace, not satiated with their fury, and deeming the course of public justice too dilatory, broke into the prisons, and put to death the count of Armagnac, and all the other nobility who were there confined.

NEW INVASION OF FRANCE.

August 1st, 1417.

While France was in such furious combustion, and was so ill-prepared to resist a foreign enemy, Henry, having collected some treasure and levied an army, landed in Normandy at the head of twenty-five thousand men; and met with no considerable opposition from any quarter. He made himself master of Falaise; Evreux and Caen submitted to him; [1418;] Ponte de l'Arche opened its gates; and Henry having subdued all the lower Normandy, and having received a reenforcement of fifteen thousand men from England, formed the siege of Rouen, which was defended by a garrison of four thousand men, seconded by the inhabitants, to the number of fifteen thousand. The cardinal des Ursins here attempted to incline him towards peace, and to moderate his pretensions: but the king replied to him in such terms as showed that he was fully sensible of all his present advantages. "Do you not see," said he, "that God has led me hither as by the hand? France has no sovereign: I have just pretensions to that kingdom: everything is here in the utmost confusion: no one thinks of resisting me. Can I have a more sensible proof that the Being who disposes of empires has determined to put the crown of France upon my head?"

But though Henry had opened his mind to this scheme of ambition, he still continued to negociate with his enemies, and endeavoured to obtain more secure though less considerable advantages. He made, at the same time, offers of peace to both parties: to the queen and duke of Burgundy on the one hand, who, having possession of the king's person, carried the appearace of legal authority; and to the dauphin on the other, who, being the undoubted heir of the monarchy, was adhered to by every one that paid any regard to the true interests of their country. These two parties also carried on a continual negociation with each other. The terms proposed on all sides were perpetually varying; the events of the war and the intrigues of the cabinet intermingled with each other; and the fate of France remained long in this uncertainty. After many negociations, Henry offered the queen and the duke of Burgundy to make peace with them, to espouse the princess Catherine, and to accept of all the provinces ceded to Edward III. by the treaty of Bretigni, with the addition of Normandy, which he was to receive in full and entire sovereignty. These terms were submitted to: [1419:] there remained only some circumstances to adjust in order to the entire completion of the treaty; but in this interval the duke of Burgundy secretly finished his treaty with the dauphin; and these two princes agreed to share the royal authority during king Charles's lifetime, and to unite their arms in order to expel foreign enemies.

This alliance, which seemed to cut off from Henry all hopes of further success, proved, in the issue, the most favourable event that could have happened for his pretensions. Whether the dauphin and the duke of Burgundy were ever sincere in their mutual engagements, is uncertain, but very fatal effects resulted from their momentary and seeming union. The two princes agreed to an interview in order to concert the means of rendering effectual their common attack on the English; but how both or either of them could with safety venture upon this conference, it seemed somewhat difficult to contrive. The assassination perpetrated by the duke of Burgundy, and still more, his open avowal of the deed and defence of the doctrine, tended to dissolve all the bands of civil society; and even men of honour, who detested the example, might deem it just, on a favourable opportunity, to retaliate upon the author. The duke, therefore, who neither dared to give, nor could pretend to expect, any trust, agreed to all the contrivances for mutual security which were proposed by the ministers of the dauphin. The two princes came to Montereau: the duke lodged in the castle; the dauphin in the town, which was divided from the castle by the river Yonne: the bridge between them was chosen for the place of interview; two high rails were drawn across the bridge; the gates on each side were guarded, one by the officers of the dauphin, the other by those of the duke; the princes were to enter into the intermediate space by the opposite gates, accompanied each by ten persons; and, with all these marks of diffidence, to conciliate their mutual friendship. But it appeared that no precautions are sufficient where laws have no place, and where all principles of honour are utterly abandoned Tannegui de Chatel, and others of the dauphin's retainers, had been zealous partisans of the late duke of Orleans; and they determined to seize the opportunity of revenging on the assassin the murder of that prince; they no sooner entered the rails than they drew their swords and attacked the duke of Burgundy: his friends were astonished, and thought not of making any defence; and all of them either shared his fate or were taken prisoners by the retinue of the dauphin.

The extreme youth of this prince made it doubtful whether he had been admitted into the secret of the conspiracy; but as the deed was committed under his eye, by his most intimate friends, who still retained their connexions with him, the blame of the action, which was certainly more imprudent than criminal, fell entirely upon him. The whole state of affairs was everywhere changed by this unexpected incident. The city of Paris, passionately devoted to the family of Burgundy, broke out into the highest fury against the dauphin. The court of king Charles entered from interest into the same views; and as all the ministers of that monarch had owed their preferment to the late duke, and foresaw their downfall if the dauphin should recover possession of his father's person, they were concerned to prevent, by any means, the success of his enterprise. The queen, by persevering in her unnatural animosity against her son, increased the general flame, and inspired into the king, as far as he was susceptible of any sentiment, the same prejudices by which she herself had long been actuated. But, above all, Philip, count of Charolois, now duke of Burgundy, thought himself bound, by every tie of honour and of duty, to revenge the murder of his father, and to prosecute the assassin to the utmost extremity. And in this general transport of rage, every consideration of national and family interest was buried in oblivion by all parties; the subjection to a foreign enemy, the expulsion of the lawful heir, the slavery of the kingdom.

appeared but small evils if they led to the gratification of the present passion.

The king of England had, before the death of the duke of Burgundy, profited extremely by the distractions of France, and was daily making a considerable progress in Normandy. He had taken Roüen after an obstinate siege; he had made himself master of Pontoise and Gisors; he even threatened Paris, and by the terror of his arms had obliged the court to remove to Troye; and in the midst of his successes he was agreeably surprised to find his enemies, instead of combining against him for their mutual defence, disposed to rush into his arms, and to make him the instrument of their vengeance upon each other. A league was immediately concluded at Arras, between him and the duke of Burgundy. This prince, without stipulating anything for himself, except the prosecution of his father's murder and the marriage of the duke of Bedford with his sister, was willing to sacrifice the kingdom to Henry's ambition; and he agreed to every demand made by that monarch....1420. In order to finish this astonishing treaty, which was to transfer the crown of France to a stranger, Henry went to Troye, accompanied by his brothers, the dukes of Clarence and Gloucester; and was there met by the duke of Burgundy. The imbecility into which Charles had fallen made him incapable of seeing anything but through the eyes of those who attended him; as they, on their part, saw everything through the medium of their passions. The treaty being already concerted among the parties, was immediately drawn, and signed, and ratified: Henry's will seemed to be a law throughout the whole negociation; nothing was attended to but his advantages.

TREATY OF TROYE.

The principal articles of the treaty were, that Henry should espouse the princess Catherine; that king Charles, during his lifetime, should enjoy the title and dignity of king of France; that Henry should be declared and acknowledged heir of the monarchy, and be entrusted with the present administration of the government; that that kingdom should pass to his heirs general; that France and England should for ever be united under one king, but still retain their several usages, customs, and privileges; that all the princes, peers, vassals, and communities of France should swear, that they would both adhere to the future succession of Henry, and pay him present obedience as regent; that this prince should unite his arms to those of king Charles and the duke of Burgundy, in order to subdue the adherents of Charles the pretended dauphin; and that these three princes should make no peace or truce with him but by common consent and agreement.

Such was the tenor of this famous treaty; a treaty which, as nothing but the most violent animosity could dictate it, so nothing but the power of the sword could carry into execution. It is hard to say whether its consequences, had it taken effect, would have proved more pernicious to England or to France. It must have reduced the former kingdom to the rank of a province: it would have entirely disjointed the succession of the latter, and have brought on the destruction of every descendant of the royal family; as the houses of Orleans, Anjou, Alençon, Britanny, Bourbon, and of Burgundy itself, whose titles were preferable to that of the English princes, would, on that account, have been exposed to perpetual jealousy and persecution from the sovereign. There was even a palpable deficiency in Henry's claim, which no art could palliate. For, besides the insuperable objections to which Edward III.'s pretension were exposed, *he* was not heir to that monarch: if female succession were admitted, the right had devolved on the house of Mortimer: allowing that Richard II. was a tyrant, and that Henry IV.'s merits in deposing him were so great towards the English as to justify that nation in placing him on the throne, Richard had nowise offended France, and his rival had merited nothing of that kingdom: it could not possibly be pretended that the crown of France was become an appendage to that of England; and that a prince who, by any means got possession of the latter, was, without further question, entitled to the former. So that, on the whole, it must be allowed that Henry's claim to France was, if possible, still more unintelligible than the title by which his father had mounted the throne of England.

MARRIAGE OF THE KING.

But though all these considerations were overlooked amidst the hurry of passion by which the courts of France and Burgundy were actuated, they would necessarily revive during times of more tranquillity; and it behoved Henry to push his present advantages, and allow men no leisure for reason or reflection. In a few days after he espoused the princess Catherine; he carried his father-in-law to Paris, and put himself in possession of that capital; he obtained from the parliament and the three estates a ratification of the treaty of Troye; he supported the duke of Burgundy in procuring a sentence against the murderers of his father; and he immediately turned his arms, with success, against the adherents of the dauphin, who, as soon as he heard of the treaty of Troye, took on him the style and authority of regent, and appealed to God and his sword for the maintenance of his title.

The first place that Henry subdued was Sens, which opened its gates after a slight resistance. With the same facility he made himself master of Montereau. The defence of Melun was more obstinate: Barbasan, the governor, held out for the space of four months against the besiegers; and it was famine alone which obliged him to capitulate. Henry stipulated to spare the lives of all the garrison, except such as were accomplices in the murder of the duke of Burgundy; and as Barbasan himself was suspected to be of the number, his punishment was demanded by Philip: but the king had the generosity to intercede for him, and to prevent his execution.

1421. The necessity of providing supplies, both of men and money, obliged Henry to go over to England; and he left the duke of Exeter, his uncle, governor of Paris during his absence. The authority which naturally attends success, procured from the English parliament a subsidy of a fifteenth; but if we may judge by the scantiness of the supply, the nation was nowise sanguine on their king's victories; and in proportion as the prospect of their union with France became nearer, they began to open their eyes, and to see the dangerous consequences with which that event must necessarily be attended. It was fortunate for Henry, that he had other resources besides pecuniary supplies from his native subjects. The provinces which he had already conquered maintained his troops; and the hopes of further advantages allured to his standard all men of ambitious spirits in England, who desired to signalize themselves by arms. He levied a new army of twenty-four thousand archers, and four thousand horsemen, and marched them to Dover, the place of rendezvous. Everything had remained in tranquillity at Paris under the duke of Exeter; but there had happened, in another quarter of the kingdom, a misfortune which hastened the king's embarkation.

The detention of the young king of Scots in England had hitherto proved advantageous to Henry; and, by keeping the regent in awe, had preserved, during the whole course of the French war, the northern frontier in tranquillity. But when intelligence arrived in Scotland of the progress made by Henry, and the near prospect of his succession to the crown of France, the nation was alarmed, and foresaw their own inevitable ruin, if the subjection of their ally left them to combat alone a victorious enemy, who was already so much superior in power and riches. The regent en-

tered into the same views; and though he declined an open rupture with England, he permitted a body of seven thousand Scots, under the command of the earl of Buchan, his second son, to be transported into France for the service of the dauphin. To render this aid ineffectual, Henry had, in his former expedition, carried over the king of Scots, whom he obliged to send orders to his countrymen to leave the French service; but the Scottish general replied, that he would obey no commands which came from a king in captivity, and that a prince, while in the hands of his enemy, was nowise entitled to authority. These troops, therefore, continued still to act under the earl of Buchan; and were employed by the dauphin to oppose the progress of the duke of Clarence in Anjou. The two armies encountered at Baugé: the English were defeated: the duke himself was slain by sir Allan Swinton, a Scotch knight, who commanded a company of men-at-arms: and the earls of Somerset,* Dorset, and Huntingdon were taken prisoners. This was the first action that turned the tide of success against the English; and the dauphin, that he might both attach the Scotch to his service, and reward the valour and conduct of the earl of Buchan, honoured that nobleman with the office of constable.

But the arrival of the king of England with so considerable an army, was more than sufficient to repair this loss. Henry was received at Paris with great expressions of joy; so obstinate were the prejudices of the people! and he immediately conducted his army to Chartres, which had long been besieged by the dauphin. That prince raised the siege on the approach of the English; and being resolved to decline a battle, he retired with his army. Henry made himself master of Dreux without a blow: he laid siege to Meaux at the solicitation of the Parisians, who were much incommoded by the garrison of that place. This enterprise employed the English arms during the space of eight months: the bastard of Vaurus, governor of Meaux, distinguished himself by an obstinate defence; but was at last obliged to surrender at discretion. The cruelty of this officer was equal to his bravery: he was accustomed to hang, without distinction, all the English and Burgundians who fell into his hands: and Henry, in revenge of his barbarity, ordered him immediately to be hanged on the same tree which he had made the instrument of his inhuman executions.

This success was followed by the surrender of many other places in the neighbourhood of Paris, which held for the dauphin: that prince was chased beyond the Loire, and he almost totally abandoned all the northern provinces: he was even pursued into the south by the united arms of the English and Burgundians, and threatened with total destruction. Notwithstanding the bravery and fidelity of his captains, he saw himself unequal to his enemies in the field; and found it necessary to temporize, and to avoid all hazardous actions with a rival who had gained so much the ascendant over him. And, to crown all the other prosperities of Henry, his queen was delivered of a son, who was called by his father's name, and whose birth was celebrated by rejoicings no less pompous and no less sincere, at Paris than at London. The infant prince seemed to be universally regarded as the future heir of both monarchies.

DEATH AND CHARACTER OF THE KING. 1422.

But the glory of Henry, when it had nearly reached the summit, was stopped short by the hand of nature; and all his mighty projects vanished into smoke. He was seized with a fistula, a malady which the surgeons at that time had not skill enough to cure; and he was at last sensible that his distemper was mortal, and that his end was approaching. He sent for his brother the duke of Bedford, the earl of Warwick, and a few noblemen more, whom he had honoured with his friendship, and he delivered to them, in great tranquillity, his last will with regard to the government of his kingdom and family. He entreated them to continue, towards his infant son, the same fidelity and attachment which they had always professed to himself during his lifetime, and which had been cemented by so many mutual good offices. He expressed his indifference on the approach of death; and, though he regretted that he must leave unfinished a work so happily begun, he declared himself confident, that the final acquisition of France would be the effect of their prudence and valour. He left the regency of that kingdom to his elder brother, the duke of Bedford; that of England to his younger, the duke of Gloucester; and the care of his son's person to the earl of Warwick. He recommended to all of them a great attention to maintain the friendship of the duke of Burgundy; and advised them never to give liberty to the French princes taken at Azincour, till his son were of age, and could himself hold the reins of government. And conjured them, if the success of their arms should not enable them to place young Henry on the throne of France, never, at least, to make peace with that kingdom, unless the enemy, by the cession of Normandy, and its annexation to the crown of England, made compensation for all the hazard and expense of his enterprise.

He next applied himself to his devotions, and ordered his chaplain to recite the seven penitential psalms. When that passage of the fifty-first psalm was read, *Build thou the walls of Jerusalem*, he interrupted the chaplain, and declared his serious intention, after he should have fully subdued France, to conduct a crusade against the infidels, and recover possession of the Holy Land. So ingenious are men in deceiving themselves, that Henry forgot, in those moments, all the blood spilt by his ambition; and received comfort from this late and feeble resolve, which, as the mode of these enterprises was now past, he certainly would never have carried into execution. He expired (31st August) in the thirty-fourth year of his age and the tenth of his reign.

This prince possessed many eminent virtues; and if we give indulgence to ambition in a monarch, or rank it, as the vulgar are inclined to do, among his virtues, they were unstained by any considerable blemish. His abilities appeared equally in the cabinet and in the field: the boldness of his enterprises was no less remarkable than his personal valour in conducting them. He had the talent of attaching his friends by affability, and of gaining his enemies by address and clemency. The English, dazzled by the lustre of his character, still more than by that of his victories, were reconciled to the defects in his title: the French almost forgot that he was an enemy: and his care in maintaining justice in his civil administration, and preserving discipline in his armies, made some amends to both nations for the calamities inseparable from those wars in which his short reign was almost entirely occupied. That he could forgive the earl of Marche, who had a better title to the crown than himself, is a sure indication of his magnanimity; and that the earl relied so entirely on his friendship, is no less a proof of his established character for candour and sincerity. There remain in history few instances of such mutual trust; and still fewer where neither party found reason to repent it.

The exterior figure of this great prince, as well as his deportment, was engaging. His stature was somewhat above the middle size; his countenance beautiful; his limbs genteel and slender, but full of vigour; and he excelled in all warlike and manly exercises. He left, by his queen, Catherine of France, only one son, not full nine months old; whose misfortunes, in

* His name was John, and he was afterwards created duke of Somerset. He was grandson of John of Gaunt, duke of Lancaster. The earl of Dorset was brother to Somerset, and succeeded him in the title.

the course of his life, surpassed all the glories and successes of his father.

In less than two months after Henry's death, Charles VI. of France, his father-in-law, terminated his unhappy life. He had, for several years, possessed only the appearance of royal authority: yet was this mere appearance of considerable advantage to the English; and divided the duty and affections of the French between them and the dauphin. This prince was proclaimed and crowned king of France at Poictiers, by the name of Charles VII. Rheims, the place where this ceremony is usually performed, was at that time in the hands of his enemies.

Catherine of France, Henry's widow, married, soon after his death, a Welsh gentleman, sir Owen Tudor, said to be descended from the ancient princes of that country: she bore him two sons, Edmund and Jasper, of whom the eldest was created earl of Richmond; the second, earl of Pembroke. The family of Tudor, first raised to distinction by this alliance, mounted afterwards the throne of England.

MISCELLANEOUS TRANSACTIONS.

The long schism, which had divided the Latin church for near forty years, was finally terminated in this reign by the council of Constance; which deposed the pope, John XXIII., for his crimes, and elected Martin V. in his place, who was acknowledged by almost all the kingdoms of Europe. This great and unusual act of authority in the council gave the Roman pontiffs ever after a mortal antipathy to those assemblies. The same jealousy which had long prevailed in most European countries, between the civil aristocracy and monarchy, now also took place between these powers in the ecclesiastical body. But the great separation of the bishops in the several states, and the difficulty of assembling them, gave the pope a mighty advantage, and made it more easy for him to centre all the powers of the hierarchy in his own person. The cruelty and treachery which attended the punishment of John Huss and Jerome of Prague, the unhappy disciples of Wickliffe, who, in violation of a safe-conduct, were burned alive for their errors by the council of Constance, prove this melancholy truth, that toleration is none of the virtues of priests in any form of ecclesiastical government. But as the English nation had little or no concern in these transactions, we are here the more concise in relating them.

The first commission of array which we meet with was issued in this reign. The military part of the feudal system, which was the most essential circumstance of it, was entirely dissolved; and could no longer serve for the defence of the kingdom. Henry, therefore, when he went to France in 1415, empowered certain commissioners to take, in each county, a review of all the freemen able to bear arms, to divide them into companies, and to keep them in readiness for resisting an enemy. This was the era when the feudal militia in England gave place to one which was perhaps still less orderly and regular.

We have an authentic and exact account of the ordinary revenue of the crown during this reign; and it amounts only to 55,714 pounds ten shillings and ten pence a year. This is nearly the same with the revenue of Henry III.; and the kings of England had neither become much richer nor poorer in the course of so many years. The ordinary expense of the government amounted to 42,507 pounds sixteen shillings and ten pence; so that the king had a surplus only of 13,206 pounds fourteen shillings for the support of his household, for his wardrobe, for the expense of embassies, and other articles. This sum was nowise sufficient: he was therefore obliged to have frequent recourse to parliamentary supplies, and was thus, even in time of peace, not altogether independent of his people. But wars were attended with a great expense, which neither the prince's ordinary revenue, nor the extraordinary supplies, were able to bear; and the sovereign was always reduced to many miserable shifts, in order to make any tolerable figure in them. He commonly borrowed money from all quarters; he pawned his jewels, and sometimes the crown itself; he ran in arrears to his army; and he was often obliged, notwithstanding all these expedients, to stop in the midst of his career of victory, and to grant truces to the enemy. The high pay which was given to soldiers agreed very ill with this low income. All the extraordinary supplies granted by parliament to Henry, during the course of his reign, were only seven tenths and fifteenths, about 203,000 pounds. It is easy to compute how soon this money must be exhausted by armies of 24,000 archers, and 6,000 horse; when each archer had six-pence a day,* and each horseman two shillings. The most splendid successes proved commonly fruitless, when supported by so poor a revenue; and the debts and difficulties which the king thereby incurred made him pay dear for his victories. The civil administration likewise, even in time of peace, could never be very regular, where the government was so ill enabled to support itself. Henry, till within a year of his death, owed debts which he had contracted when prince of Wales. It was in vain that the parliament pretended to restrain him from arbitrary practices, when he was reduced to such necessities. Though the right of levying purveyance, for instance, had been expressly guarded against by the Great Charter itself, and was frequently complained of by the commons, it was found absolutely impracticable to abolish it; and the parliament at length, submitting to it as a legal prerogative, contented themselves with enacting laws to limit and confine it. The duke of Gloucester, in the reign of Richard II. possessed a revenue of 60,000 crowns, (about 30,000 pounds a year of our present money,) as we learn from Froissard, and was, consequently, richer than the king himself, if all circumstances be duly considered.

It is remarkable, that the city of Calais alone was an annual expense to the crown of 19,119 pounds; that is, above a third of the common charge of the government in time of peace. This fortress was of no use to the defence of England, and only gave that kingdom an inlet to annoy France. Ireland cost two thousand pounds a year over and above its own revenue, which was certainly very low. Everything conspires to give us a very mean idea of the state of Europe in those ages.

From the most early times, till the reign of Edward III. the denomination of money had never been altered, a pound sterling was still a pound troy; that is, about three pounds of our present money. That conqueror was the first that innovated in this important article. In the twentieth of his reign he coined twenty-two shillings from a pound troy; in his twenty-seventh year he coined twenty-five shillings. But Henry V., who was also a conqueror, raised still further the denomination, and coined thirty shillings from a pound troy: his revenue, therefore, must have been about 110,000 pounds of our present money; and, by the cheapness of provision, was equivalent to about 330,000 pounds.

None of the princes of the house of Lancaster ventured to impose taxes without consent of parliament: their doubtful or bad title became, so far, of advantage to the constitution. The rule was then fixed, and could not safely be broken afterwards, even by more absolute princes.

* It appears from many passages of Rymer, particularly vol. iv. p. 258, that the king paid 20 marks a year for an archer, which is a good deal above six-pence a day. The price had risen, as is natural, by raising the denomination of money.



CHAPTER XX.

HENRY VI.

Government during the Minority—State of France—Military Operations—Battle of Verneuil—Siege of Orleans—The Maid of Orleans—The Siege of Orleans raised—The King of France crowned at Rheims—Prudence of the Duke of Bedford—Execution of the Maid of Orleans—Defection of the Duke of Burgundy—Death of the Duke of Bedford—Decline of the English in France—Truce with France—Marriage of the King with Margaret of Anjou—Murder of the Duke of Gloucester—State of France—Renewal of the War with France—The English expelled France.

GOVERNMENT DURING THE MINORITY.

1422.

DURING the reigns of the Lancastrian princes, the authority of parliament seems to have been more confirmed, and the privileges of the people more regarded, than during any former period; and the two preceding kings, though men of great spirit and abilities, abstained from such exertions of prerogative as even weak princes, whose title was undisputed, were tempted to think they might venture upon with impunity. The long minority, of which there was now the prospect, encouraged still further the lords and commons to extend their influence; and without paying much regard to the verbal destination of Henry V., they assumed the power of giving a new arrangement to the whole administration. They declined altogether the name of *regent* with regard to England. They appointed the duke of Bedford *protector* or *guardian* of that kingdom, a title which they supposed to imply less authority: they invested the duke of Gloucester with the same dignity during the absence of his elder brother: and, in order to limit the power of both these princes, they appointed a council, without whose advice and approbation no measure of importance could be determined. The person and education of the infant prince was committed to Henry Beaufort, bishop of Winchester, his great-uncle, and the legitimated son of John of Gaunt, duke of Lancaster; a prelate who, as his family could never have any pretensions to the crown, might safely, they thought, be entrusted with that important charge. The two princes, the dukes of Bedford and Gloucester, who seemed injured by this plan of government, yet, being persons of great integrity and honour, acquiesced in any appointment which tended to give security to the public; and as the wars in France appeared to be the object of greatest moment, they avoided every dispute which might throw an obstacle in the way of foreign conquests.

STATE OF FRANCE.

When the state of affairs between the English and French kings was considered with a superficial eye, every advantage seemed to be on the side of the former, and the total expulsion of Charles appeared to be an event which might naturally be expected from the superior power of his competitor. Though Henry was yet in his infancy, the administration was devolved on the duke of Bedford, the most accomplished prince of his age; whose experience, prudence, valour, and generosity qualified him for his high office, and enabled him both to maintain union among his friends, and to gain the confidence of his enemies. The whole power of England was at his command: he was at the head of armies inured to victory: he was seconded by the most renowned generals of the age, the earls of Somerset, Warwick, Salisbury, Suffolk, and Arundel, sir John Talbot, and sir John Fastolfe: and besides Guienne, the ancient inheritance of England, he was master of the capital, and of almost all the northern provinces, which were well enabled to furnish him with supplies both of men and money, and to assist and support his English forces.

But Charles, notwithstanding the present inferiority of his power, possessed some advantages, derived partly from his situation, partly from his personal character, which promised him success, and served, first to control, then to overbalance the superior force and opulence of his enemies. He was the true and undoubted heir of the monarchy: all Frenchmen, who knew the interests, or desired the independence of their country, turned their eyes towards him as its sole resource: the exclusion given him by the imbecility of his father, and the forced or precipitate consent of the states had plainly no validity: that spirit of faction, which had blinded the people, could not long hold them in so gross a delusion: their national and inveterate hatred against the English, the authors of all their calamities, must soon revive, and inspire them with indignation at bending their necks under the yoke of that hostile people: great nobles and princes, accustomed to maintain an independence against their native sovereigns, would never endure a subjection to strangers: and though most of the princes of the blood were, since the fatal battle of Azincour, detained prisoners in England, the inhabitants of their demesnes, their friends, their vassals, all declared a zealous attachment to the king, and exerted themselves in resisting the violence of foreign invaders.

Charles himself, though only in his twentieth year, was of a character well calculated to become the object of these benevolent sentiments; and perhaps, from the favour which naturally attends youth, was the more likely, on account of his tender age, to acquire the goodwill of his native subjects. He was a prince of the most friendly and benign disposition, of easy and familiar manners, and of a just and sound, though not a very vigorous understanding. Sincere, generous, affable, he engaged, from affection, the services of his followers, even while his low fortunes might make it their interest to desert him; and the lenity of his temper could pardon in them those sallies of discontent to which princes in his situation are so frequently exposed. The love of pleasure often seduced him into indolence; but amidst all his irregularities, the goodness of his heart still shone forth; and, by exerting at intervals his courage and activity, he proved, want his general remissness proceeded not from the that either of a just spirit of ambition, or of personal valour.

Though the virtues of this amiable prince lay some time in obscurity, the duke of Bedford knew that his title alone made him formidable, and that every foreign assistance would be requisite, ere an English regent could hope to complete the conquest of France: an enterprise which, however it might seem to be much advanced, was still exposed to many and great difficulties. The chief circumstance which had procured to the English all their present advantages was the resentment of the duke of Burgundy against Charles; and as that prince seemed intent rather on gratifying his passion than consulting his interests, it was the more easy for the regent, by demonstrations of respect and confidence, to retain him in the alliance of England. He bent therefore all his endeavours to that purpose: he gave the duke every proof of friendship and regard; he even offered him the regency of France, which Philip declined: and that he might corroborate national connexion by private ties, he concluded his own marriage with the princess of Burgundy, which had been stipulated by the treaty of Arras.

1423. Being sensible, that next to the alliance of Burgundy, the friendship of the duke of Britanny was of the greatest importance towards forwarding the English conquests; and that, as the provinces of France, already subdued, lay between the dominions of these two princes, he could never hope for any security, without preserving his connexions with them; he was very intent on strengthening himself also from that quarter. The duke of Britanny, having received many just reasons of displeasure from the ministers of

Charles, had already acceded to the treaty of Troye, and, had, with other vassals of the crown, done homage to Henry V., in quality of heir to the kingdom: but as the regent knew that the duke was much governed by his brother, the count of Richemont, he endeavoured to fix his friendship, by paying court and doing services to this haughty and ambitious prince.

Arthur, count of Richemont, had been taken prisoner at the battle of Azincour, had been treated with great indulgence by the late king, and had even been permitted on his parole to take a journey into Britanny, where the state of affairs required his presence. The death of that victorious monarch happened before Richemont's return; (17th April;) and this prince pretended that, as his word was given personally to Henry V., he was not bound to fulfil it towards his son and successor: a chicane which the regent, as he could not force him to compliance, deemed it prudent to overlook. An interview was settled at Amiens between the dukes of Bedford, Burgundy, and Britanny, at which the count of Richemont was also present. The alliance was renewed between these princes: and the regent persuaded Philip to give in marriage to Richemont his eldest sister, widow of the deceased dauphin, Louis, the elder brother of Charles. Thus Arthur was connected both with the regent and the duke of Burgundy, and seemed engaged by interest to prosecute the same object, in forwarding the success of the English arms.

While the vigilance of the duke of Bedford was employed in gaining or confirming these allies, whose vicinity rendered them so important, he did not overlook the state of more remote countries. The duke of Albany, regent of Scotland, had died; and his power had devolved on Murdac, his son, a prince of weak understanding and indolent disposition; who, far from possessing the talents requisite for the government of that fierce people, was not even able to maintain authority in his own family, or restrain the petulance and insolence of his sons. The ardour of the Scots to serve in France, where Charles treated them with great honour and distinction, and where the regent's brother enjoyed the dignity of constable, broke out afresh under his feeble administration; new succours daily came over, and filled the armies of the French king: the earl of Douglas conducted a re-enforcement of 5000 men to his assistance: and it was justly to be dreaded that the Scots, by commencing open hostilities in the north, would occasion a diversion still more considerable of the English power, and would ease Charles, in part, of that load by which he was at present so grievously oppressed. The duke of Bedford, therefore, persuaded the English council to form an alliance with James, their prisoner; to free that prince from his long captivity; and to connect him with England by marrying him to a daughter of the earl of Somerset, and cousin of the young king. As the Scottish regent, tired of his present dignity, which he was not able to support, was now become entirely sincere in his applications for James's liberty, the treaty was soon concluded; a ransom of forty thousand pounds was stipulated; and the king of Scots was restored to the throne of his ancestors, and proved, in his short reign, one of the most illustrious princes that had ever governed that kingdom. He was murdered, in 1437, by his traitorous kinsman, the earl of Athole. His affections inclined to the side of France; but the English had never reason, during his lifetime, to complain of any breach of the neutrality of Scotland.

MILITARY OPERATIONS.

But the regent was not so much employed in these political negociations as to neglect the operations of war, from which alone he could hope to succeed in expelling the French monarch. Though the chief seat of Charles's power lay in the southern provinces beyond the Loire; his partisans were possessed of some fortresses in the northern, and even in the neighbourhood of Paris; and it behoved the duke of Bedford first to clear these countries from the enemy, before he could think of attempting more distant conquests. The castle of Dorsoy was taken, after a siege of six weeks: that of Noyelle and the town of Rüe, in Picardy, underwent the same fate: Pont sur Seine, Vertus, Montaigu, were subjected by the British arms: and a more considerable advantage was soon after gained by the united forces of England and Burgundy. John Stuart, constable of Scotland, and the lord of Estissac, had formed the siege of Crevant in Burgundy: the earls of Salisbury and Suffolk, with the count of Toulongeon, were sent to its relief: a fierce and well disputed action ensued: the Scots and French were defeated: the constable of Scotland, and the count of Ventadour were taken prisoners; and above a thousand men, among whom was sir William Hamilton, were left on the field of battle. The taking of Gaillon upon the Seine, and of la Charite upon the Loire, was the fruit of this victory: and as this latter place opened an entrance into the southern provinces, the acquisition of it appeared on that account of the greater importance to the duke of Bedford, and seemed to promise a successful issue to the war.

1424. The more Charles was threatened with an invasion in those provinces which adhered to him, the more necessary it became that he should retain possession of every fortress which he still held within the quarters of the enemy. The duke of Bedford had besieged in person, during the space of three months, the town of Yvri, in Normandy; and the brave governor, unable to make any longer defence, was obliged to capitulate; and he agreed to surrender the town if, before a certain term, no relief arrived. Charles, informed of these conditions, determined to make an attempt for saving the place. He collected, with some difficulty, an army of 14,000 men, of whom one half were Scots; and he sent them thither under the command of the earl of Buchan, constable of France; who was attended by the earl of Douglas, his countryman, the duke of Alençon, the mareschal de la Fayette, the count of Aumale, and the viscount of Narbonne. When the constable arrived within a few leagues of Yvri, he found that he was come too late, and that the place was already surrendered. He immediately turned to the left, and sat down before Verneüil, which the inhabitants, in spite of the garrison, delivered up to him. Buchan might now have returned in safety, and with the glory of making an acquisition no less important than the place which he was sent to relieve: but hearing of Bedford's approach, he called a council of war, in order to deliberate concerning the conduct which he should hold in this emergence. The wiser part of the council declared for a retreat; and represented, that all the past misfortunes of the French had proceeded from their rashness in giving battle where no necessity obliged them; that this army was the last resource of the king, and the only defence of the few provinces which remained to him; and that every reason invited him to embrace cautious measures, which might leave time for his subjects to return to a sense of their duty, and give leisure for discord to arise among his enemies, who, being united by no common band of interest or motive of alliance, could not long persevere in their animosity against him. All these prudential considerations were overborne by a vain point of honour not to turn their backs on the enemy; and they resolved to await the arrival of the duke of Bedford.

BATTLE OF VERNEÜIL. *August* 27.

The numbers were nearly equal in this action; and as the long continuance of war had introduced discipline, which, however imperfect, sufficed to maintain some appearance of order in such small armies, the

battle was fierce and well disputed, and attended with bloodshed on both sides. The constable drew up his forces under the walls of Verneüil, and resolved to abide the attack of the enemy; but the impatience of the viscount of Narbonne, who advanced precipitately, and obliged the whole line to follow him in some hurry and confusion, was the cause of the misfortune which ensued. The English archers, fixing their palisadoes before them, according to their usual custom, sent a volley of arrows amidst the thickest of the French army; and though beaten from their ground, and obliged to take shelter among the baggage, they soon rallied, and continued to do great execution upon the enemy. The duke of Bedford, meanwhile, at the head of the men-at-arms, made impression on the French, broke their ranks, chased them off the field, and rendered the victory entirely complete and decisive. The constable himself perished in battle, as well as the earl of Douglas and his son, the counts of Aumale, Tonnerre, and Ventadour, with many other considerable nobility. The duke of Alençon, the mareschal de la Fayette, the lords of Gaucour and Mortemar were taken prisoners. There fell about four thousand of the French, and sixteen hundred of the English; a loss esteemed, at that time, so unusual on the side of the victors, that the duke of Bedford forbade all rejoicings for his success. Verneüil was surrendered next day by capitulation.

The condition of the king of France now appeared very terrible, and almost desperate. He had lost the flower of his army and the bravest of his nobles in this fatal action: he had no resource either for recruiting or subsisting his troops; he wanted money even for his personal subsistence; and though all parade of a court was banished, it was with difficulty he could keep a table, supplied with the plainest necessaries, for himself and his few followers; every day brought him intelligence of some loss or misfortune; towns which were bravely defended were obliged at last to surrender for want of relief or supply; he saw his partisans entirely chased from all the provinces which lay north of the Loire; and he expected soon to lose, by the united efforts of his enemies, all the territories of which he had hitherto continued master; when an incident happened which saved him on the brink of ruin, and lost the English such an opportunity for completing their conquests as they never afterwards were able to recal.

Jacqueline, countess of Hainault and Holland, and heir of these provinces, had espoused John, duke of Brabant, cousin-german to the duke of Burgundy; but having made this choice from the usual motives of princes, she soon found reason to repent of the unequal alliance. She was a princess of a masculine spirit and uncommon understanding; the duke of Brabant was of a sickly complexion and weak mind; she was in the vigour of her age; he had only reached his fifteenth year; these causes had inspired her with such contempt for her husband, which soon proceeded to antipathy, that she determined to dissolve a marriage, where, it is probable, nothing but the ceremony had as yet intervened. The court of Rome was commonly very open to applications of this nature, when seconded by power and money; but, as the princess foresaw great opposition from her husband's relations, and was impatient to effect her purpose, she made her escape into England, and threw herself under the protection of the duke of Gloucester. That prince, with many noble qualities, had the defect of being governed by an impetuous temper and vehement passions; and he was rashly induced, as well by the charms of the countess herself, as by the prospect of possessing her rich inheritance, to offer himself as her husband. Without waiting for a papal dispensation, without endeavouring to reconcile the duke of Burgundy to the measure, he entered into a contract of marriage with Jacqueline, and immediately attempted to put himself in possession of her dominions. Philip was disgusted with so precipitate a conduct: he resented the injury done to the duke of Brabant, his near relation; he dreaded to have the English established on all sides of him; and he foresaw the consequences which must attend the extensive and uncontrolled dominion of that nation, if, before the full settlement of their power, they insulted and injured an ally to whom they had already been so much indebted, and who was still so necessary for supporting their further progress. He encouraged, therefore, the duke of Brabant to make resistance; he engaged many of Jacqueline's subjects to adhere to that prince; he himself marched troops to his support; and as the duke of Gloucester still persevered in his purpose, a sharp war was suddenly kindled in the Low Countries. The quarrel soon became personal as well as political. The English prince wrote to the duke of Burgundy, complaining of the opposition made to his pretensions; and though, in the main, he employed amicable terms in his letter, he took notice of some falsehoods into which, he said, Philip had been betrayed during the course of these transactions. This unguarded expression was highly resented: the duke of Burgundy insisted that he should retract it: and mutual challenges and defiances passed between them on this occasion.

The duke of Bedford could easily foresee the bad effects of so ill-timed and imprudent a quarrel. All the succours which he expected from England, and which were so necessary in this critical emergence, were intercepted by his brother, and employed in Holland and Hainault: the forces of the duke of Burgundy, which he also depended on, were diverted by the same wars: and, besides this double loss, he was in imminent danger of alienating for ever that confederate whose friendship was one of the utmost importance, and whom the late king had enjoined him, with his dying breath, to gratify by every mark of regard and attachment. He represented these topics to the duke of Gloucester: he endeavoured to mitigate the resentment of the duke of Burgundy: he interposed with his good offices between these princes: but was not successful in any of his endeavours; and he found that the impetuosity of his brother's temper was still the chief obstacle to all accommodation. For this reason, instead of pushing the victory gained at Verneüil, he found himself obliged to take a journey into England, and to try, by his council and authority, to moderate the measures of the duke of Gloucester.

There had likewise broken out some differences among the English ministry, which had proceeded to great extremities, and which required the regent's presence to compose them. The bishop of Winchester, to whom the care of the king's person and education had been entrusted, was a prelate of great capacity and experience, but of an intriguing and dangerous character; and as he aspired to the government of affairs, he had continual disputes with his nephew, the protector; and he gained frequent advantages over the vehement and impolitic temper of that prince. . . 1425. The duke of Bedford employed the authority of parliament to reconcile them; and these rivals were obliged to promise, before that assembly, that they would bury all quarrels in oblivion. Time also seemed to open expedients for composing the difference with the duke of Burgundy. The credit of that prince had procured a bull from the pope; by which not only Jacqueline's contract with the duke of Gloucester was annulled; but it was also declared, that even in case of the duke of Brabant's death, it should never be lawful for her to espouse the English prince. Humphrey, despairing of success, married another lady, of inferior rank, who had lived some time with him as his mistress. The duke of Brabant died; and his widow, before she could recover possession of her dominions, was obliged to declare the duke of Burgundy her heir, in case she should die without issue, and to promise never to marry without his consent. But though the affair was thus terminated to the satisfaction of Philip,

it left a disagreeable impression on his mind; it excited an extreme jealousy of the English, and opened his eyes to his true interests; and as nothing but his animosity against Charles had engaged him in alliance with them, it counterbalanced that passion by another of the same kind, which, in the end, became prevalent, and brought him back by degrees to his natural connexions with his family and his native country.

About the same time the duke of Britanny began to withdraw himself from the English alliance. His brother, the count of Richemont, though connected by marriage with the dukes of Burgundy and Bedford, was extremely attached by inclination to the French interest; and he willingly hearkened to all the advances which Charles made him for obtaining his friendship. The staff of constable, vacant by the earl of Buchan's death, was offered him; and, as his martial and ambitious temper aspired to the command of armies, which he had in vain attempted to obtain from the duke of Bedford, he not only accepted that office, but brought over his brother to an alliance with the French monarch. This new constable, having made this one change in his measures, firmly adhered, ever after, to his engagements with France. Though his pride and violence, which would admit of no rival in his master's confidence, and even prompted him to assassinate his other favourities, had so much disgusted Charles, that he once banished him the court, and refused to admit him to his presence, he still acted with vigour for the service of that monarch, and obtained at last, by his perseverance, the pardon of all past offences.

1426. In this situation the duke of Bedford, on his return, found the affairs of France, after passing eight months in England. The duke of Burgundy was much disgusted. The duke of Britanny had entered into engagements with Charles, and had done homage to that prince for his dutchy. The French had been allowed to recover from the astonishment into which their frequent disasters had thrown them. An incident too had happened, which served extremely to raise their courage. The earl of Warwick had besieged Montargis with a small army of three thousand men, and the place was reduced to extremity, when the bastard of Orleans undertook to throw relief into it. This general, who was natural son to the prince assassinated by the duke of Burgundy, and who was afterwards created count of Dunois, conducted a body of sixteen hundred men to Montargis; and made an attack on the enemy's trenches with so much valour, prudence, and good fortune, that he not only penetrated into the place, but gave a severe blow to the English, and obliged Warwick to raise the siege. This was the first signal action that raised the fame of Dunois, and opened him the road to those great honours which he afterwards attained.

But the regent, soon after his arrival, revived the reputation of the English arms, by an important enterprise, which he happily achieved. He secretly brought together, in separate detachments, a considerable army to the frontiers of Britanny; and fell so unexpectedly upon that province, that the duke, unable to make resistance, yielded to all the terms required of him: he renounced the French alliance: he engaged to maintain the treaty of Troye; he acknowledged the duke of Bedford for regent of France; and promised to do homage for his dutchy to king Henry. And the English prince, having thus freed himself from a dangerous enemy who lay behind him, resolved on an undertaking which, if successful, would, he hoped, cast the balance between the two nations, and prepare the way for the final conquest of France.

SIEGE OF ORLEANS. 1428.

The city of Orleans was so situated between the provinces commanded by Henry, and those possessed by Charles, that it opened an easy entrance to either; and as the duke of Bedford intended to make a great effort for penetrating into the south of France, it behoved him to begin with this place, which, in the present circumstances, was become the most important in the kingdom. He committed the conduct of the enterprise to the earl of Salisbury, who had newly brought him a re-enforcement of six thousand men from England, and who had much distinguished himself, by his abilities, during the course of the present war. Salisbury, passing the Loire, made himself master of several small places which surrounded Orleans on that side; and as his intentions were thereby known, the French king used every expedient to supply the city with a garrison and provisions, and enable it to maintain a long and obstinate siege. The lord of Gaucour, a brave and experienced captain, was appointed governor: many officers of distinction threw themselves into the place: the troops which they conducted were inured to war, and were determined to make the most obstinate resistance: and even the inhabitants, disciplined by the long continuance of hostilities, were well qualified, in their own defence, to second the efforts of the most veteran forces. The eyes of all Europe were turned towards this scene, where, it was reasonably supposed, the French were to make their last stand for maintaining the independence of their monarchy and the rights of their sovereign.

The earl of Salisbury at last approached the place with an army, which consisted only of ten thousand men; and not being able, with so small a force, to invest so great a city, that commanded a bridge over the Loire, he stationed himself on the southern side towards Sologne, leaving the other, towards the Beausse, still open to the enemy. He there attacked the fortifications which guarded the entrance to the bridge; and after an obstinate resistance, he carried several of them; but was himself killed by a cannon-ball as he was taking a view of the enemy. The earl of Suffolk succeeded to the command; and being re-enforced with great numbers of English and Burgundians, he passed the river with the main body of his army, and invested Orleans on the other side. As it was now the depth of winter, Suffolk, who found it difficult in that season to throw up intrenchments all around, contented himself, for the present, with erecting redoubts at different distances, where his men were lodged in safety, and were ready to intercept the supplies which the enemy might attempt to throw into the place. Though he had several pieces of artillery in his camp, (and this is among the first sieges in Europe where cannon were found to be of importance,) the art of engineering was hitherto so imperfect, that Suffolk trusted more to famine than to force for subduing the city; and he purposed in the spring to render the circumvallation more complete, by drawing intrenchments from one redoubt to another. Numberless feats of valour were performed both by the besiegers and besieged during the winter: bold sallies were made, and repulsed with equal boldness: convoys were sometimes introduced and often intercepted: the supplies were still unequal to the consumption of the place; and the English seemed daily, though slowly, to be advancing towards the completion of their enterprise.

1429. But while Suffolk lay in this situation, the French parties ravaged all the country around; and the besiegers, who were obliged to draw their provisions from a distance, were themselves exposed to the danger of want and famine. Sir John Fastolffe was bringing up a large convoy of every kind of stores, which he escorted with a detachment of two thousand five hundred men, when he was attacked by a body of four thousand French, under the command of the counts of Clermont and Dunois. Fastolffe drew up his troops behind the waggons; but the French generals, afraid of attacking him in that posture, planted a battery of cannon against him, which threw everything into confusion, and would have insured them the victory, had not the impatience of some Scottish



troops, who broke the line of battle, brought on an engagement, in which Fastolffe was victorious. The count of Dunois was wounded; and about five hundred French were left on the field of battle. This action, which was of great importance in the present conjuncture, was commonly called the battle of *Herrings;* because the convoy brought a great quantity of that kind of provisions for the use of the English army during the Lent season.

Charles seemed now to have but one expedient for saving this city, which had been so long invested. The duke of Orleans, who was still prisoner in England, prevailed on the protector and the council to consent that all his demesnes should be allowed to preserve a neutrality during the war, and should be sequestered, for the greater security, into the hands of the duke of Burgundy. This prince, who was much less cordial in the English interests than formerly, went to Paris, and made the proposal to the duke of Bedford; but the regent coldly replied, That he was not of a humour to beat the bushes while others ran away with the game: an answer which so disgusted the duke, that he recalled all the troops of Burgundy that acted in the siege. The place, however, was every day more and more closely invested by the English: great scarcity began already to be felt by the garrison and inhabitants: Charles in despair of collecting an army which should dare to approach the enemy's intrenchments, not only gave up the city for lost, but began to entertain a very dismal prospect with regard to the general state of his affairs. He saw that the country, in which he had hitherto, with great difficulty, subsisted, would be laid entirely open to the invasion of a powerful and victorious enemy; and he already entertained thoughts of retiring with the remains of his forces into Languedoc and Dauphiny, and defending himself as long as possible in those remote provinces. But it was fortunate for this good prince, that, as he lay under the dominion of the fair, the women, whom he consulted, had the spirit to support his sinking resolution in this desperate extremity. Mary of Anjou, his queen, a princess of great merit and prudence, vehemently opposed this measure, which, she foresaw, would discourage all his partisans, and serve as a general signal for deserting a prince who seemed himself to despair of success. His mistress, too, the fair Agnes Sorel, who lived in entire amity with the queen, seconded all her remonstrances, and threatened that, if he thus pusillanimously threw away the sceptre of France, she would seek in the court of England a fortune more correspondent to her wishes. Love was able to rouse in the breast of Charles that courage which ambition had failed to excite: he resolved to dispute every inch of ground with an imperious enemy; and rather to perish with honour in the midst of his friends, than yield ingloriously to his bad fortune: when relief was unexpectedly brought him by another female of a very different character, who gave rise to one of the most singular revolutions that is to be met with in history.

THE MAID OF ORLEANS.

In the village of Domremi, near Vaucouleurs, on the borders of Lorraine, there lived a country girl of twenty-seven years of age, called Joan d'Arc, who was servant in a small inn, and who in that station had been accustomed to tend the horses of the guests, to ride them without a saddle to the watering-place, and to perform other offices, which, in well-frequented inns, commonly fall to the share of the men-servants. This girl was of an irreproachable life, and had not hitherto been remarked for any singularity; whether that she had met with no occasion to excite her genius, or that the unskilful eyes of those who conversed with her had not been able to discern her uncommon merit. It is easy to imagine, that the present situation of France was an interesting object even to persons of the lowest rank, and would become the frequent subject of conversation: a young prince expelled his throne by the sedition of native subjects, and by the arms of strangers, could not fail to move the compassion of all his people whose hearts were uncorrupted by faction; and the peculiar character of Charles, so strongly inclined to friendship and the tender passions, naturally rendered him the hero of that sex whose generous minds know no bounds in their affections. The siege of Orleans, the progress of the English before that place, the great distress of the garrison and inhabitants, the importance of saving this city and its brave defenders, had turned thither the public eye; and Joan, inflamed by the general sentiment, was seized with a wild desire of bringing relief to her sovereign in his present distresses. Her unexperienced mind, working day and night on this favourite object, mistook the impulses of passion for heavenly inspirations; and she fancied that she saw visions, and heard voices, exhorting her to re-establish the throne of France, and to expel the foreign invaders. An uncommon intrepidity of temper made her overlook all the dangers which might attend her in such a path; and thinking herself destined by Heaven to this office, she threw aside all that bashfulness and timidity so natural to her sex, her years, and her low station. She went to Vaucouleurs; procured admission to Baudricourt, the governor; informed him of her inspirations and intentions; and conjured him not to neglect the voice of God, who spoke through her, but to second those heavenly revelations which impelled her to this glorious enterprise. Baudricourt treated her at first with some neglect; but on her frequent returns to him, and importunate solicitations, he began to remark something extraordinary in the maid, and was inclined, at all hazards, to make so easy an experiment. It is uncertain whether this gentleman had discernment enough to perceive that great use might be made with the vulgar of so uncommon an engine; or, what is more likely, in that credulous age, was himself a convert to this visionary: but he adopted at last the schemes of Joan; and he gave her some attendants, who conducted her to the French court, which at that time resided at Chinon.

It is the business of history to distinguish between the *miraculous* and the *marvellous;* to reject the first in all narrations merely profane and human; to doubt the second; and when obliged by unquestionable testimony, as in the present case, to admit of something extraordinary, to receive as little of it as is consistent with the known facts and circumstances. It is pretended that Joan, immediately on her admission, knew the king, though she had never seen his face before, and though he purposely kept himself in the crowd of courtiers, and had laid aside everything in his dress and apparel which might distinguish him: that she offered him, in the name of the supreme Creator, to raise the siege of Orleans, and conduct him to Rheims to be there crowned and anointed; and on his expressing doubts of her mission, revealed to him, before some sworn confidents, a secret, which was unknown to all the world besides himself, and which nothing but a heavenly inspiration could have discovered to her; and that she demanded, as the instrument of her future victories, a particular sword which was kept in the church of St. Catherine of Fierbois, and which, though she had never seen it, she described by all its marks, and by the place in which it had long lain neglected. This is certain, that all these miraculous stories were spread abroad, in order to captivate the vulgar. The more the king and his ministers were determined to give in to the illusion, the more scruples they pretended. An assembly of grave doctors and theologians cautiously examined Joan's mission, and pronounced it undoubted and supernatural. She was sent to the parliament, then residing at Poictiers, and was interrogated before that assembly; the presidents, the counsellors, who came persuaded of her imposture, went away convinced of her inspiration. A ray of hope

began to break through that despair in which the minds of all men were before enveloped. Heaven had declared itself in favour of France, and had laid bare its outstretched arm to take vengeance on her invaders. Few could distinguish between the impulse of inclination and the force of conviction; and none would submit to the trouble of so disagreeable a scrutiny.

After these artificial precautions and preparations had been for some time employed, Joan's requests were at last complied with: she was armed cap-a-pee, mounted on horseback, and shown in that martial habiliment before the whole people. Her dexterity in managing her steed, though acquired in her former occupation, was regarded as a fresh proof of her mission; and she was received with the loudest acclamations by the spectators. Her former occupation was even denied; she was no longer the servant of an inn: she was converted into a shepherdess, an employment much more agreeable to the imagination. To render her still more interesting, near ten years were subtracted from her age; and all the sentiments of love and chivalry were thus united to those of enthusiasm, in order to inflame the fond fancy of the people with prepossessions in her favour.

When the engine was dressed up in full splendour, it was determined to essay its force against the enemy, Joan was sent to Blois, where a large convoy was prepared for the supply of Orleans, and an army of ten thousand men, under the command of St. Severe, assembled to escort it. She ordered all the soldiers to confess themselves before they set out on the enterprise: she banished from the camp all women of bad fame: she displayed in her hands a consecrated banner; where the Supreme Being was represented grasping the globe of earth, and surrounded with flower-de-luces: and she insisted, in right of her prophetic mission, that the convoy should enter Orleans by the direct road from the side of Beausse: but the count of Dunois, unwilling to submit the rules of the military art to her inspirations, ordered it to approach by the other side of the river, where, he knew, the weakest part of the English army was stationed.

Previous to this attempt, the maid had written to the regent, and to the English generals before Orleans, commanding them, in the name of the omnipotent Creator, by whom she was commissioned, immediately to raise the siege, and to evacuate France; and menacing them with divine vengeance in case of their disobedience. All the English affected to speak with derision of the maid, and of her heavenly commission; and said, that the French king was now indeed reduced to a sorry pass when he had recourse to such ridiculous expedients: but they felt their imagination secretly struck with the vehement persuasion which prevailed in all around them; and they waited with anxious expectation, not unmixed with horror, for the issue of these extraordinary preparations.

As the convoy approached the river, a sally was made by the garrison on the side of Beausse, to prevent the English general from sending any detachment to the other side: the provisions were peaceably embarked in boats (29th of April,) which the inhabitants of Orleans had sent to receive them: the maid covered with her troops the embarkation: Suffolk did not venture to attack her: and the French general carried back the army in safety to Blois; an alteration of affairs which was already visible to all the world, and which had a proportional effect on the minds of both parties.

The maid entered the city of Orleans arrayed in her military garb, and displaying her consecrated standard; and was received as a celestial deliverer by all the inhabitants. They now believed themselves invincible under her influence; and Dunois himself, perceiving such a mighty alteration both in friends and foes, consented that the next convoy, which was expected in a few days, should enter by the side of Beausse. The convoy approached: (4th May:) no sign of resistance appeared in the besiegers: the waggons and troops passed without interruption between the redoubts of the English: a dead silence and astonishment reigned among those troops, formerly so elated with victory, and so fierce for the combat.

The earl of Suffolk was in a situation very unusual and extraordinary, and which might well confound the man of the greatest capacity and firmest temper. He saw his troops overawed, and strongly impressed with the idea of a divine influence accompanying the maid. Instead of banishing these vain terrors by hurry, and action, and war, he waited till the soldiers should recover from the panic; and he thereby gave leisure for those prepossessions to sink still deeper into their minds. The military maxims which are prudent in common cases, deceived him in these unaccountable events. The English felt their courage daunted and overwhelmed; and thence inferred a divine vengeance hanging over them. The French drew the same inference from an inactivity so new and unexpected. Every circumstance was now reversed in the opinions of men, on which all depends; the spirit resulting from a long course of uninterrupted success was on a sudden transferred from the victors to the vanquished.

The maid called aloud, that the garrison should remain no longer on the defensive; and she promised her followers the assistance of Heaven in attacking those redoubts of the enemy which had so long kept them in awe, and which they had never hitherto dared to insult. The generals seconded her ardour: an attack was made on one redoubt, and it proved successful: all the English who defended the intrenchments were put to the sword, or taken prisoners: and sir John Talbot himself, who had drawn together, from the other redoubts, some troops to bring them relief, durst not appear in the open field against so formidable an enemy.

Nothing, after this success seemed impossible to the maid and her enthusiastic votaries. She urged the generals to attack the main body of the English in their intrenchments: but Dunois, still unwilling to hazard the fate of France by too great temerity, and sensible that the least reverse of fortune would make all the present visions evaporate, and restore everything to its former condition, checked her vehemence, and proposed to her first to expel the enemy from their forts on the other side of the river, and thus lay the communication with the country entirely open, before she attempted any more hazardous enterprise. Joan was persuaded, and these forts were vigorously assailed. In one attack the French were repulsed; the maid was left almost alone; she was obliged to retreat, and join the runaways; but displaying her sacred standard, and animating them with her countenance, her gestures, her exhortations, she led them back to the charge, and overpowered the English in their intrenchments. In the attack of another fort, she was wounded in the neck with an arrow; she retreated a moment behind the assailants; she pulled out the arrow with her own hands; she had the wound quickly dressed; and she hastened back to head the troops, and to plant her victorious banner on the ramparts of the enemy.

By all these successes, the English were entirely chased from their fortifications on that side: they had lost above six thousand men in these different actions; and, what was still more important, their wonted courage and confidence was wholly gone, and had given place to amazement and despair. The maid returned triumphant over the bridge, and was again received as the guardian angel of the city. After performing such miracles, she convinced the most obdurate incredulity of her divine mission: men felt themselves animated as by a superior energy, and thought nothing impossible to that divine hand which so visibly conducted them. It was in vain even for the English generals to oppose with their soldiers the prevailing opinion of supernatural influence: they themselves were probably

moved by the same belief: the utmost they dared to advance was, that Joan was not an instrument of God; she was only the implement of the devil: but as the English had felt, to their sad experience, that the devil might be allowed sometimes to prevail, they derived not much consolation from the enforcing of this opinion.

THE SIEGE OF ORLEANS RAISED. *May 8.*

It might prove extremely dangerous for Suffolk, with such intimidated troops, to remain any longer in the presence of so courageous and victorious an enemy; he therefore raised the siege, and retreated with all the precaution imaginable. The French resolved to push their conquests, and to allow the English no leisure to recover from their consternation. Charles formed a body of six thousand men, and sent them to attack Jergeau, whither Suffolk had retired with a detachment of his army. The siege lasted ten days; and the place was obstinately defended. Joan displayed her wonted intrepidity on the occasion. She descended into the fosse in leading the attack; and she there received a blow on the head with a stone, by which she was confounded and beaten to the ground: but she soon recovered herself; and in the end rendered the assault successful: Suffolk was obliged to yield himself prisoner to a Frenchman, called Renaud; but, before he submitted, he asked his adversary, whether he were a gentleman! On receiving a satisfactory answer, he demanded, whether he were a knight? Renaud replied, "that he had not yet attained that honour." "*Then I make you one,*" replied Suffolk: upon which he gave him the blow with his sword, which dubbed him into that fraternity; and he immediately surrendered himself his prisoner.

The remainder of the English army was commanded by Fastolffe, Scales, and Talbot, who thought of nothing but of making their retreat as soon as possible into a place of safety; while the French esteemed the overtaking them equivalent to a victory. So much had the events which passed before Orleans altered everything between the two nations! The vanguard of the French, under Richemont and Xaintrailles, attacked the rear of the enemy at the village of Patay, on the 18th June. The battle lasted not a moment: the English were discomfited, and fled: the brave Fastolffe himself showed the example of flight to his troops; and the order of the garter was taken from him, as a punishment for this instance of cowardice. Two thousand men were killed in this action, and both Talbot and Scales taken prisoners.

In the account of all these successes, the French writers, to magnify the wonder, represent the maid (who was now known by the appellation of *the Maid of Orleans*) as not only active in combat, but as performing the office of general; directing the troops, conducting the military operations, and swaying the deliberations in all councils of war. It is certain, that the policy of the French court endeavoured to maintain this appearance with the public: but it is much more probable, that Dunois and the wiser commanders prompted her in all her measures, than that a country girl, without experience or education, could, on a sudden, become expert in a profession which requires more genius and capacity than any other active scene of life. It is sufficient praise that she could distinguish the persons on whose judgment she might rely; that she could seize their hints and suggestions, and, on a sudden, deliver their opinions as her own; and that she could curb, on occasion, that visionary and enthusiastic spirit with which she was actuated, and could temper it with prudence and discretion.

The raising of the siege of Orleans was one part of the maid's promise to Charles: the crowning of him at Rheims was the other: and she now vehemently insisted that he should forthwith set out on that enterprise. A few weeks before, such a proposal would have appeared the most extravagant in the world. Rheims lay in a distant quarter of the kingdom; was then in the hands of a victorious enemy; the whole road which led to it was occupied by their garrisons; and no man could be so sanguine as to imagine that such an attempt could so soon come within the bounds of possibility. But as it was extremely the interest of Charles to maintain the belief of something extraordinary and divine in these events, and to avail himself of the present consternation of the English, he resolved to follow the exhortations of the warlike prophetess, and to lead his army upon this promising adventure. Hitherto he had kept remote from the scene of war; as the safety of the state depended upon his person, he had been persuaded to restrain his military ardour: but observing this prosperous turn of affairs, he now determined to appear at the head of his armies, and to set the example of valour to all his soldiers. And the French nobility saw at once their young sovereign assuming a new and more brilliant character, seconded by fortune and conducted by the hand of Heaven; and they caught fresh zeal to exert themselves in replacing him on the throne of his ancestors.

THE KING OF FRANCE CROWNED AT RHEIMS. *July 17.*

Charles set out for Rheims at the head of twelve thousand men: he passed by Troye, which opened its gates to him: Chalons imitated the example: Rheims sent him a deputation with its keys, before his approach to it: and he scarcely perceived, as he passed along, that he was marching through an enemy's country. The ceremony of his coronation was here performed with the holy oil, which a pigeon had brought to king Clovis from heaven on the first establishment of the French monarchy; the maid of Orleans stood by his side in complete armour, and displayed her sacred banner, which had so often dissipated and confounded his fiercest enemies: and the people shouted with the most unfeigned joy on viewing such a complication of wonders. After the completion of the ceremony, the maid threw herself at the king's feet, embraced his knees, and with a flood of tears, which pleasure and tenderness extorted from her, she congratulated him on this singular and marvellous event.

Charles, thus crowned and anointed, became more respectable in the eyes of all his subjects, and seemed in a manner to receive anew, from a heavenly commission, his title to their allegiance. The inclinations of men swaying their belief, no one doubted of the inspirations and prophetic spirit of the maid: so many incidents, which passed all human comprehension, left little room to question a superior influence: and the real and undoubted facts brought credit to every exaggeration which could scarcely be rendered more wonderful. Laon, Soissons, Chateau-Thierri, Provins, and many other towns and fortresses in that neighbourhood, immediately after Charles's coronation, submitted to him on the first summons; and the whole nation was disposed to give him the most zealous testimonies of their duty and affection.

PRUDENCE OF THE DUKE OF BEDFORD.

Nothing can impress us with a higher idea of the wisdom, address, and resolution of the duke of Bedford, than his being able to maintain himself in so perilous a situation, and to preserve some footing in France, after the defection of so many places, and amidst the universal inclination of the rest to imitate that contagious example. This prince seemed present everywhere by his vigilance and foresight: he employed every resource which fortune had yet left him: he put all the English garrisons in a posture of defence: he kept a watchful eye over every attempt among the French towards an insurrection: he retained the Parisians in obedience, by alternately employing caresses

and severity: and knowing that the duke of Burgundy was already wavering in his fidelity, he acted with so much skill and prudence, as to renew in this dangerous crisis his alliance with that prince; an alliance of the utmost importance to the credit and support of the English government.

The small supplies which he received from England set the talents of this great man in a still stronger light. The ardour of the English for foreign conquests was now extremely abated by time and reflection: the parliament seems even to have become sensible of the danger which might attend their further progress: no supply of money could be obtained by the regent during his greatest distresses: and men enlisted slowly under his standard, or soon deserted, by reason of the wonderful accounts which had reached England of the magic, and sorcery, and diabolical power of the maid of Orleans. It happened fortunately, in this emergency, that the bishop of Winchester, now created a cardinal, landed at Calais with a body of five thousand men, which he was conducting into Bohemia, on a crusade against the Hussites. He was persuaded to lend these troops to his nephew during the present difficulties; and the regent was thereby enabled to take the field, and to oppose the French king, who was advancing with his army to the gates of Paris.

The extraordinary capacity of the duke of Bedford appeared also in his military operations. He attempted to restore the courage of his troops by boldly advancing to the face of the enemy; but he chose his posts with so much caution, as always to decline a combat, and to render it impossible for Charles to attack him. He still attended that prince in all his movements; covered his own towns and garrisons; and kept himself in a posture to reap advantage from every imprudence or false step of the enemy. The French army, which consisted mostly of volunteers, who served at their own expense, soon after retired, and was disbanded: Charles went to Bourges, the ordinary place of his residence; but not till he had made himself master of Compiegne, Beauvais, Senlis, Sens, Laval, Lagni, St. Denis, and of many places in the neighbourhood of Paris, which the affections of the people had put into his hands.

The regent endeavoured to revive the declining state of his affairs by bringing over the young king of England, and having him crowned and anointed at Paris. All the vassals of the crown who lived within the provinces possessed by England swore anew allegiance, and did homage to him. But this ceremony was cold and insipid, compared with the lustre which had attended the coronation of Charles at Rheims; and the duke of Bedford expected more effect from an accident, which put into his hands the person that had been the author of all his calamities.

The maid of Orleans, after the coronation of Charles, declared to the count of Dunois, that her wishes were now fully gratified, and that she had no further desire than to return to her former condition and to the occupation and course of life which became her sex: but that nobleman, sensible of the great advantages which might still be reaped from her presence in the army, exhorted her to persevere till, by the final expulsion of the English, she had brought all her prophecies to their full completion. In pursuance of this advice, she threw herself into the town of Compiegne, which was at that time besieged by the duke of Burgundy, assisted by the earls of Arundel and Suffolk; and the garrison, on her appearance, believed themselves thenceforth invincible. But their joy was of short duration. The maid, next day after her arrival, (25th May,) headed a sally upon the quarters of John of Luxembourg; she twice drove the enemy from their intrenchments; finding their numbers to increase every moment, she ordered a retreat; when hard pressed by the pursuers, she turned upon them, and made them again recoil; but being here deserted by her friends, and surrounded by the enemy, she was at last, after exerting the utmost valour, taken prisoner by the Burgundians. The common opinion was, that the French officers, finding the merit of every victory ascribed to her, had, in envy to her renown, by which they themselves were so much eclipsed, willingly exposed her to this fatal accident.

The envy of her friends, on this occasion, was not a greater proof of her merit than the triumph of her enemies. A complete victory would not have given more joy to the English and their partisans. The service of *Te Deum*, which has so often been profaned by princes, was publicly celebrated on this fortunate event at Paris. The duke of Bedford fancied, that, by the captivity of that extraordinary woman, who had blasted all his successes, he should again recover his former ascendant over France; and to push further the present advantage, he purchased the captive from John of Luxembourg, and formed a prosecution against her, which, whether it proceeded from vengeance or policy, was equally barbarous and dishonourable.

1431. There was no possible reason why Joan should not be regarded as a prisoner of war, and be entitled to all the courtesy and good usage which civilized nations practise towards enemies on these occasions. She had never, in her military capacity, forfeited, by any act of treachery or cruelty, her claim to that treatment: she was unstained by any civil crime: even the virtues and the very decorums of her sex had ever been rigidly observed by her: and though her appearing in war, and leading armies to battle, may seem an exception, she had thereby performed such signal service to her prince, that she had abundantly compensated for this irregularity; and was, on that very account, the more an object of praise and admiration. It was necessary, therefore, for the duke of Bedford to interest religion some way in the prosecution; and to cover, under that cloak, his violation of justice and humanity.

The bishop of Beauvais, a man wholly devoted to the English interests, presented a petition against Joan, on pretence that she was taken within the bounds of his diocese; and he desired to have her tried by an ecclesiastical court, for sorcery, impiety, idolatry, and magic: the university of Paris was so mean as to join in the same request: several prelates, among whom the cardinal of Winchester was the only Englishman, were appointed her judges; they held their court in Roüen, where the young king of England then resided: and the maid, clothed in her former military apparel, but loaded with irons, was produced before this tribunal.

She first desired to be eased of her chains; her judges answered, that she had once already attempted an escape, by throwing herself from a tower; she confessed the fact, maintained the justice of her intention, and owned that, if she could, she would still execute that purpose. All her other speeches showed the same firmness and intrepidity; though harassed with interrogatories during the course of near four months, she never betrayed any weakness or womanish submission; and no advantage was gained over her. The point, which her judges pushed most vehemently were her visions and revelations, and intercourse with departed saints; and they asked her, whether she would submit to the church the truth of these inspirations? she replied, that she would submit them to God, the fountain of truth. They then exclaimed, that she was a heretic, and denied the authority of the church. She appealed to the pope: they rejected her appeal.

They asked her why she put her trust in her standard, which had been consecrated by magical incantations: she replied, that she put trust in the Supreme Being alone, whose image was impressed upon it. They demanded why she carried in her hand that standard at the anointment and coronation of Charles at Rheims; she answered, that the person who had shared the danger was entitled to share the glory. When accused of going to war, contrary to the decorums of her sex, and of assuming government and

command over men; she scrupled not to reply, that her sole purpose was to defeat the English, and to expel them the kingdom. In the issue, she was condemned for all the crimes of which she had been accused, aggravated by heresy; her revelations were declared to be inventions of the devil to delude the people; and she was sentenced to be delivered over to the secular arm.

Joan so long surrounded by inveterate enemies, who treated her with every mark of contumely; brow-beaten and overawed by men of superior rank, and men invested with the ensigns of a sacred character, which she had been accustomed to revere, felt her spirit at last subdued; and those visionary dreams of inspiration, in which she had been buoyed up by the triumphs of success and the applauses of her own party, gave way to the terrors of that punishment to which she was sentenced. She publicly declared herself willing to recant; she acknowledged the illusion of those revelations which the church had rejected; and she promised never more to maintain them. Her sentence was then mitigated: she was condemned to perpetual imprisonment, and to be fed during life on bread and water.

Enough was now done to fulfil all political views, and to convince both the French and the English, that the opinion of divine influence, which had so much encouraged the one and daunted the other, was entirely without foundation. But the barbarous vengeance of Joan's enemies was not satisfied with this victory. Suspecting that the female dress, which she had now consented to wear, was disagreeable to her, they purposely placed in her apartment a suit of men's apparel; and watched for the effects of that temptation upon her. On the sight of a dress in which she had acquired so much renown, and which, she once believed, she wore by the particular appointment of Heaven, all her former ideas and passions revived; and she ventured in her solitude to clothe herself again in the forbidden garment. Her insidious enemies caught her in that situation: her fault was interpreted to be no less than a relapse into heresy; no recantation would now suffice, and no pardon could be granted her. She was condemned to be burned in the market-place of Rouen; and the infamous sentence was accordingly executed. This admirable heroine, to whom the more generous superstition of the ancients would have erected altars, was, on pretence of heresy and magic, delivered over alive to the flames, (14th June,) and expiated, by that dreadful punishment, the signal services which she had rendered to her prince and her native country.

1432. The affairs of the English, far from being advanced by this execution, went every day more and more to decay; the great abilities of the regent were unable to resist the strong inclination, which had seized the French, to return under the obedience of their rightful sovereign, and which that act of cruelty was ill fitted to remove. Chartres was surprised by a stratagem of the count of Dunois: a body of the English, under lord Willoughby, was defeated at St. Celerin upon the Sarte: the fair in the suburbs of Caen, seated in the midst of the English territories, was pillaged by de Lore, a French officer; the duke of Bedford himself was obliged by Dunois to raise the siege of Lagni, with some loss of reputation: and all these misfortunes, though light, yet being continued and uninterrupted, brought discredit on the English, and menaced them with an approaching revolution. But the chief detriment which the regent sustained, was by the death of his duchess, who had hitherto preserved some appearance of friendship between him and her brother, the duke of Burgundy: and his marriage soon afterwards, with Jacqueline of Luxembourg, was the beginning of a breach between them. Philip complained, that the regent had never had the civility to inform him of his intentions, and that so sudden a marriage was a slight on his sister's memory. The cardinal of Winchester mediated a reconciliation between these princes, and brought both of them to St. Omer's for that purpose. The duke of Bedford here expected the first visit, both as he was son, brother, and uncle to a king, and because he had already made such advances as to come into the duke of Burgundy's territories, in order to have an interview with him; but Philip, proud of his great power and independent dominions, refused to pay this compliment to the regent; and the two princes, unable to adjust the ceremonial, parted without seeing each other. A bad prognostic of their cordial intentions to renew past amity.

DEFECTION OF THE DUKE OF BURGUNDY.

Nothing could be more repugnant to the interests of the house of Burgundy, than to unite the crowns of France and England on the same head; an event which, had it taken place, would have reduced the duke to the rank of a petty prince, and have rendered his situation entirely dependent and precarious. The title also to the crown of France, which, after the faillure of the elder branches, might accrue to the duke or his posterity, had been sacrified by the treaty of Troye; and strangers and enemies were thereby irrevocably fixed upon the throne. Revenge alone had carried Philip into these impolitic measures; and a point of honour had hitherto induced him to maintain them. But as it is the nature of passion gradually to decay, while the sense of interest maintains a permanent influence and authority, the duke had, for some years, appeared, sensibly to relent in his animosity against Charles, and to hearken willingly to the apologies made by that prince for the murder of the late duke of Burgundy. His extreme youth was pleaded in his favour; his incapacity to judge for himself; the ascendant gained over him by his ministers; and his inability to resent a deed, which without his knowledge, had been perpetrated by those under whose guidance he was then placed. The more to flatter the pride of Philip, the king of France had banished from his court and presence Tanegui de Chatel, and all those who were concerned in that assassination; and had offered to make every other atonement which could be required of him. The distress which Charles had already suffered had tended to gratify the duke's revenge; the miseries to which France had been so long exposed had begun to move his compassion; and the cries of all Europe admonished him, that his resentment, which might hitherto be deemed pious, would, if carried further, be universally condemned as barbarous and unrelenting. While the duke was in this disposition, every disgust which he received from England, made a double impression upon him; the entreaties of the count of Richemont and the duke of Bourbon, who had married his two sisters, had weight; and he finally determined to unite himself to the royal family of France, from which his own was descended. For this purpose a congress was appointed [1435] at Arras, under the mediation of deputies from the pope, and the council of Basle; the duke of Burgundy came thither in person: the duke of Bourbon, the count of Richemont, and other persons of high rank, appeared as ambassadors from France: and the English having also been invited to attend, the cardinal of Winchester, the bishops of Norwich and St. David's, the earls of Huntingdon and Suffolk, with others, received from the protector and council a commission for that purpose.

The conferences were held in August in the abbey of St. Vaast; and began with discussing the proposals of the two crowns, which were so wide of each other as to admit of no hopes of accommodation. France offered to cede Normandy with Guienne, but both of them loaded with the usual homage and vassalage to the crown. As the claims of England upon France were universally unpopular in Europe, the mediators declared the offers of Charles very reasonable; and

the cardinal of Winchester, with the other English ambassadors, without giving a particular detail of their demands, immediately left the congress. There remained nothing but to discuss the mutual pretensions of Charles and Philip. These were easily adjusted: the vassal was in a situation to give law to his superior; and he exacted conditions, which, had it not been for the present necessity, would have been deemed, to the last degree, dishonourable and disadvantageous to the crown of France. Besides making repeated atonements and acknowledgments for the murder of the duke of Burgundy, Charles was obliged to cede all the towns of Picardy which lay between the Somme and the Low Countries; he yielded several other territories; he agreed, that these and all the other dominions of Philip should be held by him during his life, without doing any homage, or swearing fealty to the present king; and he freed his subjects from all obligations to allegiance if ever he infringed this treaty. Such were the conditions upon which France purchased the friendship of the duke of Burgundy.

The duke sent a herald to England with a letter, in which he notified the conclusion of the treaty of Arras, and apologised for his departure from that of Troye. The council received the herald with great coldness: they even assigned him his lodgings in a shoe-maker's house, by way of insult; and the populace was so incensed, that, if the duke of Gloucester had not given him guards, his life had been exposed to danger, when he appeared in the streets. The Flemings, and other subjects of Philip, were insulted, and some of them murdered by the Londoners; and everything seemed to tend towards a rupture between the two nations. These violences were not disagreeable to the duke of Burgundy; as they afforded him a pretence for the further measures which he intended to take against the English, whom he now regarded as implacable and dangerous enemies.

DEATH OF THE DUKE OF BEDFORD.

September 14.

A few days after the duke of Bedford received intelligence of this treaty, so fatal to the interests of England, he died at Roüen; a prince of great abilities, and of many virtues; and whose memory, except from the barbarous execution of the Maid of Orleans, was unsullied by any considerable blemish. Isabella, queen of France, died a little before him, despised by the English, detested by the French, and reduced in her later years to regard, with an unnatural horror, the progress and successes of her own son, in recovering possession of his kingdom. This period was also signalized by the death of the earl of Arundel, a great English general, who, though he commanded three thousand men, was foiled by Xaintrailles at the head of six hundred, and soon after expired of the wounds which he received in the action.

1436. The violent factions, which prevailed between the duke of Gloucester and the cardinal of Winchester, prevented the English from taking the proper measures for repairing these multiplied losses, and threw all their affairs into confusion. The popularity of the duke, and his near relation to the crown, gave him advantages in the contest, which he often lost by his open and unguarded temper, unfit to struggle with the politic and interested spirit of his rival. The balance, meanwhile, of these parties kept everything in suspense: foreign affairs were much neglected: and though the duke of York, son to that earl of Cambridge who was executed in the beginning of the last reign, was appointed successor to the duke of Bedford, it was seven months before his commission passed the seals; and the English remained so long in an enemy's country without a proper head or governor.

DECLINE OF THE ENGLISH IN FRANCE.

The new governor, on his arrival, found the capital already lost. The Parisians had always been more attached to the Burgundian than to the English interest; and after the conclusion of the treaty of Arras, their affections, without any further control, universally led them to return to their allegiance under their native sovereign. The constable, together with Lile-Adam, the same person who had before put Paris into the hands of the duke of Burgundy, was introduced in the night-time by intelligence with the citizens; lord Willoughby, who commanded only a small garrison of 1500 men, was expelled: this nobleman discovered valour and presence of mind on the occasion; but unable to guard so large a place against such multitudes, he retired into the Bastile, and being there invested, he delivered up that fortress, and was contented to stipulate for the safe retreat of his troops into Normandy.

In the same season the duke of Burgundy openly took part against England, and commenced hostilities by the siege of Calais, the only place which now gave the English any sure hold of France, and still rendered them dangerous. As he was beloved among his own subjects, and had acquired the epithet of *Good*, from his popular qualities, he was able to interest all the inhabitants of the Low Countries in the success of this enterprise; and he invested that place with an army formidable from its numbers, but without experience, discipline, or military spirit. On the first alarm of this siege, the duke of Gloucester assembled some forces, sent a defiance to Philip, and challenged him to wait the event of a battle, which he promised to give, as soon as the wind would permit him to reach Calais. The warlike genius of the English had at that time rendered them terrible to all the northern parts of Europe; especially to the Flemings, who were more expert in manufactures than in arms; and the duke of Burgundy, being already foiled in some attempts before Calais, and observing the discontent and terror of his own army, thought proper to raise the siege, (26th of June,) and to retreat before the arrival of the enemy.

The English were still masters of many fine provinces in France; but retained possession, more by the extreme weakness of Charles, than by the strength of their own garrisons, or the force of their armies. Nothing indeed can be more surprising than the feeble efforts made, during the course of several years, by these two potent nations against each other; while the one struggled for independence, and the other aspired to a total conquest of its rival. The general want of industry, commerce, and police, in that age, had rendered all the European nations, and France and England no less than the others, unfit for bearing the burdens of war, when it was prolonged beyond one season; and the continuance of hostilities had, long ere this time, exhausted the force and patience of both kingdoms. Scarcely could the appearance of an army be brought into the field on either side; and all the operations consisted in the surprisal of places, in the rencounter of detached parties, and in incursions upon the open country; which were performed by small bodies, assembled on a sudden from the neighbouring garrisons. In this method of conducting the war, the French king had much the advantage: the affections of the people were entirely on his side: intelligence was early brought him of the state and motions of the enemy: the inhabitants were ready to join in any attempts against the garrisons: and thus ground was continually, though slowly, gained upon the English. The duke of York, who was a prince of abilities, struggled against these difficulties during the course of five years; and being assisted by the valour of lord Talbot, soon after created earl of Shrewsbury, he performed actions which acquired him honour, but merit not the attention of posterity. It would have been well, had this feeble war, in sparing the blood of the people, prevented likewise all other oppressions; and had the fury of men, which reason and justice cannot

restrain, thus happily received a check from their impotence and inability. But the French and English, though they exerted such small force, were, however, stretching beyond their resources, which were still smaller; and the troops, destitute of pay, were obliged to subsist by plundering and oppressing the country, both of friends and enemies. The fields in all the north of France, which was the seat of war, [1440,] were laid waste and left uncultivated. The cities were gradually depopulated, not by the blood spilt in battle, but by the more destructive pillage of the garrisons:* and both parties, weary of hostilities which decided nothing, seemed at last desirous of peace, and they set on foot negociations for that purpose. But the proposals of France, and the demands of England, were still so wide of each other, that all hope of accommodation immediately vanished. The English ambassadors demanded restitution of all the provinces which had once been annexed to England, together with the final cession of Calais and its district; and required the possession of these extensive territories without the burden of any fealty or homage on the part of their prince: the French offered only part of Guienne, part of Normandy, and Calais, loaded with the usual burdens. It appeared in vain to continue the negociation, while there was so little prospect of agreement. The English were still too haughty to stoop from the vast hopes which they had formerly entertained, and to accept of terms more suitable to the present condition of the two kingdoms.

The duke of York soon after resigned his government to the earl of Warwick; a nobleman of reputation, whom death prevented from long enjoying this dignity. The duke, upon the demise of that nobleman, returned to his charge, and during his administration, a truce was concluded between the king of England and the duke of Burgundy, which had become necessary for the commercial interests of their subjects. The war with France continued in the same languid and feeble state as before.

The captivity of five princes of the blood, taken prisoners in the battle of Azincour, was a considerable advantage which England long enjoyed over its enemy; but this superiority was now entirely lost. Some of these princes had died; some had been ransomed; and the duke of Orleans, the most powerful among them, was the last that remained in the hands of the English. He offered the sum of 54,000 nobles † for his liberty; and when this proposal was laid before the council of England, as every question was there an object of faction, the party of the duke of Gloucester, and that of the cardinal of Winchester, were divided in their sentiments with regard to it. The duke reminded the council of the dying advice of the late king, that none of these prisoners should on any account be released, till his son should be of sufficient age to hold, himself, the reins of government. The cardinal insisted on the greatness of the sum offered, which, in reality, was near equal to two-thirds of all the extraordinary supplies that the parliament, during the course of seven years, granted for the support of the war. And he added, that the release of this prince was more likely to be advantageous than prejudicial to the English interests; by filling the court of France with faction and giving a head to those numerous malcontents whom Charles was at present able, with great difficulty, to restrain. The cardinal's party, as usual, prevailed: the duke of Orleans was released, after a melancholy captivity of twenty-five years: and the duke of Burgundy, as a pledge of his entire reconciliation with the family of Orleans, facilitated to that prince the payment of his ransom. It must be confessed, that the princes and nobility, in those ages, went to war on very disadvantageous terms. If they were taken prisoners, they either remained in captivity during life, or purchased their liberty at the price which the victors were pleased to impose, and which often reduced their families to want and beggary.

1443. The sentiments of the cardinal, some time after, prevailed in another point of still greater moment. That prelate had always encouraged every proposal of accommodation with France; and had represented the utter impossibility, in the present circumstances, of pushing further the conquests in that kingdom, and the great difficulty of even maintaining those that were already made. He insisted on the extreme reluctance of the parliament to grant supplies; the disorders in which the English affairs in Normandy were involved; the daily progress made by the French king; and the advantage of stopping his hand by a temporary accommodation, which might leave room for time and accidents to operate in favour of the English. The duke of Gloucester, high-spirited and haughty, and educated in the lofty pretensions which the first successes of his two brothers had rendered familiar to him, could not yet be induced to relinquish all hopes of prevailing over France; much less could he see with patience his own opinion thwarted and rejected by the influence of his rival in the English council. But, notwithstanding his opposition, the earl of Suffolk, a nobleman who adhered to the cardinal's party, was dispatched to Tours, in order to negociate with the French ministers.

TRUCE WITH FRANCE. *May* 28.

It was found impossible to adjust the terms of a lasting peace; but a truce for twenty-two months was concluded, which left everything on the present footing between the parties. The numerous disorders under which the French government laboured, and which time alone could remedy, induced Charles to assent to this truce; and the same motives engaged him afterwards to prolong it. But Suffolk, not content with executing this object of his commission, proceeded also to finish another business; which seems rather to have been implied than expressed in the powers that had been granted him.

In proportion as Henry advanced in years, his character became fully known in the court, and was no longer ambiguous to either faction. Of the most harmless, inoffensive, simple manners; but of the most slender capacity; he was fitted, both by the softness of his temper and the weakness of his understanding, to be perpetually governed by those who surrounded him; and it was easy to foresee that his reign would prove a perpetual minority. As he had now reached the twenty-third year of his age, it was natural to think of choosing him a queen; and each party was ambitious of having him receive one from their hand; as it was probable that this circumstance would decide, for ever, the victory between them. The duke of Gloucester proposed a daughter of the count of Armagnac; but had not credit to effect his purpose. The cardinal and his friends had cast their eye on Margaret of Anjou, daughter of Regnier, titular king of Sicily, Naples, and Jerusalem, descended from the count of Anjou, brother of Charles V., who had left these magnificent titles, but without any real power or possessions, to his posterity. This princess herself was the most accomplished of her age, both in body and mind; and seemed to possess those qualities which would equally qualify her to acquire the ascendant over Henry, and to supply all his defects and weaknesses. Of a masculine, courageous spirit, of an enterprising temper, endowed with solidity as well as vivacity of understanding, she had not been able to

* Fortescue, who soon after this period visited France in the train of prince Henry, speaks of that kingdom as a desert in comparison of England. See his treatise *De laudibus Angliæ*. Though we make allowance for the partialities of Fortescue, there must have been some foundation for his account; and these destructive wars are the most likely reason to be assigned for the difference remarked by this author.

† This sum was equal to 36,000 pounds sterling of our present money. A subsidy of a tenth and fifteenth was fixed by Edward III. at 29,000 pounds, which, in the reign of Henry VI. made only 58,000 pounds of our present money. The parliament granted only one subsidy during the course of seven years, from 1437 to 1444.

conceal these great talents even in the privacy of her father's family; and it was reasonable to expect, that when she should mount the throne, they would break out with still superior lustre.

MARRIAGE OF THE KING WITH MARGARET OF ANJOU.

The earl of Suffolk, therefore, in concert with his associates of the English council, made proposals of marriage to Margaret, which were accepted. But this nobleman, besides pre-occupying the princess's favour, by being the chief means of her advancement, endeavoured to ingratiate himself with her and her family, by very extraordinary concessions: though Margaret brought no dowry with her, he ventured, of himself, without any direct authority from the council, but probably with the approbation of the cardinal and the ruling members, to engage, by a secret article, that the province of Maine, which was at that time in the hands of the English, should be ceded to Charles of Anjou, her uncle, who was prime minister and favourite of the French king, and who had already received from his master the grant of that province as his appanage.

The treaty of marriage was ratified in England: Suffolk obtained first the title of marquis, then that of duke; and even received the thanks of parliament for his services in concluding it. The princess fell immediately into close connexions with the cardinal and his party, the dukes of Somerset, Suffolk, and Buckingham; who, fortified by her powerful patronage, resolved on the final ruin of the duke of Gloucester.

1447. This generous prince, worsted in all court intrigues, for which his temper was not suited, but possessing in a high degree the favour of the public, had already received from his rivals a cruel mortification, which he had hitherto borne without violating public peace, but which it was impossible that a person of his spirit and humanity could ever forgive. His duchess, the daughter of Reginald lord Cobham, had been accused of the crime of witchcraft; and it was pretended that there was found in her possession a waxen figure of the king, which she and her associates, sir Roger Bolingbroke, a priest, and one Margery Jordan, of Eye, melted in a magical manner before a slow fire, with an intention of making Henry's force and vigour waste away by like insensible degrees. The accusation was well calculated to affect the weak and credulous mind of the king, and to gain belief in an ignorant age; and the duchess was brought to trial with her confederates. The nature of this crime, so opposite to all common sense, seems always to exempt the accusers from observing the rules of common sense in their evidence: the prisoners were pronounced guilty; the duchess was condemned to do public penance, and to suffer perpetual imprisonment; the others were executed. But, as these violent proceedings were ascribed solely to the malice of the duke's enemies, the people, contrary to their usual practice in such marvellous trials, acquitted the unhappy sufferers; and increased their esteem and affection towards a prince, who was thus exposed, without protection, to those mortal injuries.

MURDER OF THE DUKE OF GLOUCESTER.

February 28.

These sentiments of the public made the cardinal of Winchester and his party sensible that it was necessary to destroy a man whose popularity might become dangerous, and whose resentment they had so much cause to apprehend. In order to effect their purpose, a parliament was summoned to meet, not at London, which was supposed to be too well affected to the duke, but at St. Edmondsbury, where they expected that he would lie entirely at their mercy. As soon as he appeared, he was accused of treason, and thrown into prison. He was soon after found dead in his bed; and though it was pretended that his death was natural, and though his body, which was exposed to public view, bore no marks of outward violence, no one doubted but he had fallen a victim to the vengeance of his enemies. An artifice, formerly practised in the case of Edward II., Richard II., and Thomas of Woodstock, duke of Gloucester, could deceive nobody. The reason of this assassination of the duke seems not, that the ruling party apprehended his acquittal in parliament on account of his innocence, which, in such times, was seldom much regarded; but that they imagined his public trial and execution would have been more invidious than his private murder, which they pretended to deny. Some gentlemen of his retinue were afterwards tried as accomplices in his treasons, and were condemned to be hanged, drawn, and quartered. They were hanged and cut down; but just as the executioner was proceeding to quarter them, their pardon was produced, and they were recovered to life. The most barbarous kind of mercy that can possibly be imagined.

This prince is said to have received a better education than was usual in his age, to have founded one of the first public libraries in England, and to have been a great patron of learned men. Among other advantages which he reaped from this turn of mind, it tended much to cure him of credulity; of which the following instance is given by sir Thomas More. There was a man who pretended, that, though he was born blind, he had recovered his sight by touching the shrine of St. Albans. The duke, happening soon after to pass that way, questioned the man, and, seeming to doubt of his sight, asked him the colours of several cloaks, worn by persons in his retinue. The man told them very readily. "You are a knave," cried the prince; "had you been born blind, you could not so soon have learned to distinguish colours;" and immediately ordered him to be set in the stocks as an imposter.

The cardinal of Winchester died six weeks after his nephew, whose murder was universally ascribed to him as well as to the duke of Suffolk, and which, it is said, gave him more remorse in his last moments, than could naturally be expected from a man hardened, during the course of a long life, in falsehood and in politics. What share the queen had in this guilt is uncertain; her usual activity and spirit made the public conclude, with some reason, that the duke's enemies durst not have ventured on such a deed without her privity. But there happened, soon after, an event of which she and her favourite, the duke of Suffolk, bore incontestably the whole odium. That article of the marriage treaty, by which the province of Maine was to be ceded to Charles of Anjou, the queen's uncle, had probably been hitherto kept secret; and, during the lifetime of the duke of Gloucester, it might have been dangerous to venture on the execution of it. But, as the court of France strenuously insisted on performance, orders were now dispatched, under Henry's hand, to sir Francis Surienne, governor of Mans, commanding him to surrender that place to Charles of Anjou. Surienne, either questioning the authenticity of the order, or regarding his government as his sole fortune, refused compliance; and it became necessary for a French army, under the count of Dunois, to lay siege to the city. The governor made as good a defence as his situation could permit; but, receiving no relief from Edmund, duke of Somerset, who was at that time governor of Normandy, he was at last obliged to capitulate, and to surrender not only Mans, but all the other fortresses of that province, which was thus entirely alienated from the crown of England.

1448. The bad effects of this measure stopped not here. Surienne, at the head of all his garrisons, amounting to two thousand five hundred men, retired into Normandy, in expectation of being taken into pay, and of being quartered in some towns of that

province. But Somerset, who had no means of subsisting such a multitude, and who was probably incensed at Surienne's disobedience, refused to admit him; and this adventurer, not daring to commit depredations on the territories either of the king of France or of England, marched into Britanny, seized the town of Fougeres, repaired the fortifications of Pontorson and St. James de Beuvron, and subsisted his troops by the ravages which he exercised on that whole province. The duke of Britanny complained of this violence to the king of France, his liege lord: Charles remonstrated with the duke of Somerset: that nobleman replied, that the injury was done without his privity, and that he had no authority over Surienne and his companions. Though this answer ought to have appeared satisfactory to Charles, who had often felt severely the licentious, independent spirit of such mercenary soldiers, he never would admit of the apology. He still insisted that these plunderers should be recalled, and that reparation should be made to the duke of Britanny for all the damages which he had sustained: and, in order to render an accommodation absolutely impracticable, he made the estimation of damages amount to no less a sum than 1,600,000 crowns. He was sensible of the superiority which the present state of his affairs gave him over England; and he determined to take advantage of it.

STATE OF FRANCE.

No sooner was the truce concluded between the two kingdoms, than Charles employed himself, with great industry and judgment, in repairing those numberless ills to which France, from the continuance of wars both foreign and domestic, had so long been exposed. He restored the course of public justice; he introduced order into the finances; he established discipline in his troops; he repressed faction in his court; he revived the languid state of agriculture and the arts; and, in the course a few years, he rendered his kingdom flourishing within itself, and formidable to its neighbours. Meanwhile, affairs in England had taken a very different turn. The court was divided into parties, which were enraged against each other: the people were discontented with the government: conquests in France, which were an object more of glory than of interest, were overlooked amidst domestic incidents, which engrossed the attention of all men: the governor of Normandy, ill-supplied with money, was obliged to dismiss the greater part of his troops, and to allow the fortifications of the towns and castles to become ruinous: and the nobility and people of that province had, during the late open communication with France, enjoyed frequent opportunities of renewing connexions with their ancient master, and of concerting the means for expelling the English. The occasion, therefore, seemed favourable to Charles for breaking the truce. [1449.]

RENEWAL OF THE WAR WITH FRANCE.

Normandy was at once invaded by four powerful armies; one commanded by the king himself, a second by the duke of Britanny, a third by the duke of Alençon, and a fourth by the count of Dunois. The places opened their gates almost as soon as the French appeared before them: Verneüil, Nugent, Chateau Gaillard, Ponteau de Mer, Gisors, Mante, Vernon, Argentan, Lisieux, Fecamp, Coutances, Belesme, Pont de l'Arche, fell in an instant into the hands of the enemy. The duke of Somerset, so far from having an army which could take the field, and relieve these places, was not able to supply them with the necessary garrisons and provisions. He retired, with the few troops of which he was master, into Roüen; and thought it sufficient, if till the arrival of succours from England, he could save that capital from the general fate of the province. The king of France, at the head of a formidable army fifty thousand strong, presented himself before the gates: the dangerous example of revolt had infected the inhabitants, and they called aloud for a capitulation. Somerset, unable to resist at once both the enemies within and from without, retired with his garrison into the palace and castle, which, being places not tenable, he was obliged to surrender: he purchased a retreat to Harfleur (4th November) by the payment of 56,000 crowns, by engaging to surrender Arques, Tancarville, Caudebec, Honfleur, and other places in the higher Normandy, and by delivering hostages for the performance of articles.....1450. The governor of Honfleur refused to obey his orders; upon which the earl of Shrewsbury, who was one of the hostages, was detained prisoner; and the English were thus deprived of the only general capable of recovering them from their present distressed situation. Harfleur made a better defence under sir Thomas Curson, the governor; but was finally obliged to open its gates to Dunois. Succours at last appeared from England, under sir Thomas Kyriel, and landed at Cherbourgh: but these came very late, amounted only to 4000 men, and were soon after put to rout at Fourmigni by the count of Clermont. This battle, or rather skirmish, was the only action fought by the English for the defence of their dominions in France, which they had purchased at such an expense of blood and treasure. Somerset, shut up in Caen without any prospect of relief, found it necessary to capitulate: Falaise opened its gates, on condition that the earl of Shrewsbury should be restored to liberty: and Cherbourgh, the last place of Normandy which remained in the hands of the English, being delivered up, the conquest of that important province was finished in a twelvemonth by Charles, to the great joy of the inhabitants and of his whole kingdom.

THE ENGLISH EXPELLED FRANCE.

A like rapid success attended the French arms in Guienne; though the inhabitants of that province were, from long custom, better inclined to the English government. Dunois was dispatched thither, and met with no resistance in the field, and very little from the towns. Great improvements had been made, during this age, in the structure and management of artillery, and none in fortification; and the art of defence was by that means more unequal, than either before or since, to the art of attack. After all the small places about Bourdeaux were reduced, that city agreed to submit, if not relieved by a certain time; and as no one in England thought seriously of these distant concerns, no relief appeared; the place surrendered; and Bayonne being taken soon after, this whole province, which had remained united to England since the accession of Henry II., was, after a period of three centuries, finally swallowed up in the French monarchy.

Though no peace or truce was concluded between France and England, the war was, in a manner, at an end. The English, torn in pieces by the civil dissentions which ensued, made but one feeble effort more for the recovery of Guienne; and Charles, occupied at home in regulating the government, and fencing against the intrigues of his factious son, Louis the Dauphin, scarcely ever attempted to invade them in their island, or to retaliate upon them, by availing himself of their intestine confusions.

CHAPTER XXI.

HENRY VI.

Claim of the Duke of York to the Crown — The Earl of Warwick — Impeachment of the Duke of Suffolk — His Banishment and Death — Popular Insurrection — The parties of York and Lancaster — First

Armament of the Duke of York — First Battle of St. Albans — Battle of Bloreheath — of Northampton — A Parliament — Battle of Wakefield — Death of the Duke of York — Battle of Mortimer's Cross — Second Battle of St. Albans — Edward IV. assumes the Crown — Miscellaneous Transactions of this Reign.

A WEAK prince, seated on the throne of England, had never failed, how gentle soever and innocent, to be infested with faction, discontent, rebellion, and civil commotions; and as the incapacity of Henry appeared every day in a fuller light, these dangerous consequences began, from past experience, to be universally and justly apprehended. Men also of unquiet spirits, no longer employed in foreign wars, whence they were now excluded by the situation of the neighbouring states, were the more likely to excite intestine disorders, and by their emulation, rivalship, and animosities, to tear the bowels of their native country. But though these causes alone were sufficient to breed confusion, there concurred another circumstance of the most dangerous nature: a pretender to the crown appeared: the title itself of the weak prince, who enjoyed the name of sovereignty, was disputed; and the English were now to pay the severe, though late, penalty of their turbulence under Richard II., and of their levity in violating, without any necessity or just reason, the lineal succession of their monarchs.

CLAIM OF THE DUKE OF YORK TO THE CROWN.

All the males of the house of Mortimer were extinct; but Anne, the sister of the last earl of Marche, having espoused the earl of Cambridge, beheaded in the reign of Henry V., had transmitted her latent, but not yet forgotten, claim to her son Richard, duke of York. This prince, thus descended by his mother from Philippa, only daughter of the duke of Clarence, second son of Edward III., stood plainly in the order of succession before the king, who derived his descent from the duke of Lancaster, third son of that monarch; and that claim could not, in many respects, have fallen into more dangerous hands than those of the duke of York. Richard was a man of valour and abilities, of a prudent conduct and mild dispositions: he had enjoyed an opportunity of displaying these virtues in his government of France: and though recalled from that command by the intrigues and superior interest of the duke of Somerset, he had been sent to suppress a rebellion in Ireland; had succeeded much better in that enterprise than his rival in the defence of Normandy; and had even been able to attach to his person and family the whole Irish nation, whom he was sent to subdue. In the right of his father, he bore the rank of first prince of the blood; and by this station he gave a lustre to his title derived from the family of Mortimer, which, though of great nobility, was equalled by other families in the kingdom, and had been eclipsed by the royal descent of the house of Lancaster. He possessed an immense fortune from the union of so many successions, those of Cambridge and York on the one hand, with those of Mortimer on the other; which last inheritance had before been augmented by an union of the estates of Clarence and Ulster with the patrimonial possessions of the family of Marche. The alliances too of Richard, by his marrying the daughter of Ralph Nevil, earl of Westmoreland, had widely extended his interest among the nobility; and had procured him many connexions in that formidable order.

The family of Nevil was, perhaps, at this time the most potent, both from their opulent possessions and from the characters of the men, that has ever appeared in England. For, besides the earl of Westmoreland, and the lords Latimer, Fauconberg, and Abergavenny; the earls of Salisbury and Warwick were of that family, and were themselves, on many accounts, the greatest noblemen in the kingdom. The earl of Salisbury, brother-in-law to the duke of York, was the eldest son by a second marriage of the earl of Westmoreland; and inherited by his wife, daughter and heir of Montacute, earl of Salisbury, killed before Orleans, the possessions and title of that great family. His eldest son, Richard, had married Anne, the daughter and heir of Beauchamp, earl of Warwick, who died governor of France; and by this alliance he enjoyed the possessions and had acquired the title of that other family, one of the most opulent, most ancient, and most illustrious in England. The personal qualities also of these two earls, especially of Warwick, enhanced the splendour of their nobility and increased their influence over the people. This latter nobleman, commonly known from the subsequent events, by the appellation of the *King-maker*, had distinguished himself by his gallantry in the field, by the hospitality of his table, by the magnificence, and still more by the generosity of his expense, and by the spirited and bold manner which attended him in all his actions. The undesigning frankness and openness of his character rendered his conquest over men's affections the more certain and infallible; his presents were regarded as sure testimonies of esteem and friendship; and his professions as the overflowings of his genuine sentiments. No less than 30,000 persons are said to have daily lived at his board in the different manors and castles which he possessed in England: the military men, allured by his munificence and hospitality, as well as by his bravery, were zealously attached to his interests: the people in general bore him unlimited affection: his numerous retainers were more devoted to his will than to the prince or to the laws: and he was the greatest, as well at the last, of those mighty barons, who formerly overawed the crown, and rendered the people incapable of any regular system of civil government.

But the duke of York, besides the family of Nevil, had many other partisans among the great nobility. Courtney, earl of Devonshire, descended from a very noble family of that name in France, was attached to his interests: Moubray, duke of Norfolk, had, from his hereditary hatred to the family of Lancaster, embraced the same party: and the discontents which universally prevailed among the people, rendered every combination of the great the more dangerous to the established government.

Though the people were never willing to grant the supplies necessary for keeping possession of the conquered provinces in France, they repined extremely at the loss of these boasted acquisitions; and fancied, because a sudden irruption could make conquests, that without steady counsels and a uniform expense, it was possible to maintain them. The voluntary cession of Maine to the queen's uncle had made them suspect treachery in the loss of Normandy and Guienne. They still considered Margaret as a French woman and a latent enemy of the kingdom. And when they saw her father and all her relations active in promoting the success of the French, they could not be persuaded that she, who was all powerful in the English council, would very zealously oppose them in their enterprises.

But the most fatal blow given to the popularity of the crown, and to the interests of the house of Lancaster, was by the assassination of the virtuous duke of Gloucester, whose character, had he been alive, would have intimidated the partisans of York; but whose memory, being extremely cherished by the people, served to throw an odium on all his murderers. By this crime the reigning family suffered a double prejudice; it was deprived of its firmest support; and it was loaded with all the infamy of that imprudent and barbarous assassination.

As the duke of Suffolk was known to have had an active hand in the crime, he partook deeply in the hatred attending it; and the clamours which necessarily rose against him, as prime-minist erand declared favourite of the queen, were thereby augmented to a tenfold pitch, and became absolutely uncontrollable. The great nobility could ill brook to see a subject ex-

alted above them; much more one who was only great-grandson to a merchant, and who was of a birth so much inferior to theirs. The people complained of his arbitrary measures; which were, in some degree, a necessary consequence of the irregular power then possessed by the prince, but which the least disaffection easily magnified into tyranny. The great acquisitions which he daily made were the object of envy; and as they were gained at the expense of the crown, which was itself reduced to poverty, they appeared, on that account, to all indifferent persons, the more exceptionable and invidious.

The revenues of the crown which had long been disproportioned to its power and dignity, had been extremely dilapidated during the minority of Henry; both by the rapacity of the courtiers, which the king's uncles could not control, and by the necessary expenses of the French war, which had always been very ill supplied by the grants of parliament. The royal demesnes were dissipated; and at the same time the king was loaded with a debt of 372,000 pounds, a sum so great, that the parliament could never think of discharging it. This unhappy situation forced the ministers upon many arbitrary measures: the household itself could not be supported without stretching to the utmost the right of purveyance, and rendering it a kind of universal robbery upon the people: the public clamour rose high upon this occasion, and no one had the equity to make allowance for the necessity of the king's situation. Suffolk, once become odious, bore the blame of the whole; and every grievance in every part of the administration, was universally imputed to his tyranny and injustice.

IMPEACHMENT OF THE DUKE OF SUFFOLK.

This nobleman, sensible of the public hatred under which he laboured, and foreseeing an attack from the commons, endeavoured to overawe his enemies by boldly presenting himself to the charge, and by insisting upon his own innocence, and even upon his merits and those of his family in the public service. He rose in the house of peers; took notice of the clamours propagated against him; and complained, that after serving the crown in thirty-four campaigns; after living abroad seventeen years without once returning to his native country; after losing a father and three brothers in the wars with France; after being himself a prisoner, and purchasing his liberty by a great ransom, it should yet be suspected that he had been debauched from his allegiance by that enemy whom he had ever opposed with zeal and fortitude, and that he had betrayed his prince who had rewarded his services by the highest honours and greatest offices that it was in his power to confer. This speech did not answer the purpose intended. The commons, rather provoked at this challenge, opened their charge against him, and sent up to the peers an accusation of high-treason, divided into several articles. They insisted that he had persuaded the French king to invade England with an armed force, in order to depose the king and to place on the throne his own son, John de la Pole, whom he intended to marry to Margaret, the only daughter of the late John, duke of Somerset, and to whom, he imagined, he would by that means acquire a title to the crown: that he had contributed to the release of the duke of Orleans, in hopes that that prince would assist king Charles in expelling the English from France, and recovering full possession of his kingdom: that he had afterwards encouraged that monarch to make open war on Normandy and Guienne, and had promoted his conquests by betraying the secrets of England, and obstructing the succours intended to be sent to those provinces: and that he had, without any powers or commission, promised by treaty to cede the province of Maine to Charles of Anjou, and had accordingly ceded it; which proved in the issue the chief cause of the loss of Normandy.

It is evident, from a review of these articles, that the commons adopted, without inquiry, all the popular clamours against the duke of Suffolk, and charged him with crimes of which none but the vulgar could seriously believe him guilty. Nothing can be more incredible, than that a nobleman, so little eminent by his birth and character, could think of acquiring the crown to his family, and of deposing Henry by foreign force, and, together with him, Margaret, his patron, a princess of so much spirit and penetration. Suffolk appealed to many noblemen in the house, who knew that he had intended to marry his son to one of the coheirs of the earl of Warwick, and was disappointed in his views only by the death of that lady: and he observed, that Margaret of Somerset could bring to her husband no title to the crown; because she herself was not so much as comprehended in the entail settled by act of parliament. It is easy to account for the loss of Normandy and Guienne, from the situation of affairs in the two kingdoms, without supposing any treachery in the English ministers; and it may safely be affirmed that greater vigour was requisite to defend these provinces from the arms of Charles VII. than to conquer them at first from his predecessor. It could never be the interest of any English minister to betray and abandon such acquisitions; much less of one who was so well established in his master's favour, who enjoyed such high honours and ample possessions in his own country, who had nothing to dread but the effects of popular hatred, and who could never think, without the most extreme reluctance, of becoming a fugitive and exile in a foreign land. The only article which carries any face of probability is his engagement for the delivery of Maine to the queen's uncle: but Suffolk maintained, with great appearance of truth, that this measure was approved of by several at the council-table; and it seems hard to ascribe to it, as is done by the commons, the subsequent loss of Normandy and expulsion of the English. Normandy lay open on every side to the invasion of the French: Maine, an inland province, must soon after have fallen without any attack: and as the English possessed in other parts more fortresses than they could garrison or provide for, it seemed no bad policy to contract their force, and to render the defence practicable by reducing it within a narrower compass.

The commons were probably sensible that this charge of treason against Suffolk would not bear a strict scrutiny; and they therefore, soon after, sent up against him a new charge of misdemeanors, which they also divided into several articles. They affirmed, among other imputations, that he had procured exorbitant grants from the crown, had embezzled the public money, had conferred offices on improper persons, had perverted justice by maintaining iniquitous causes, and had procured pardons for notorious offenders. The articles are mostly general; but are not improbable; and as Suffolk seems to have been a bad man and a bad minister, it will not be rash in us to think that he was guilty, and that many of these articles could have been proved against him. The court was alarmed at the prosecution of a favourite minister, who lay under such a load of popular prejudices; and an expedient was fallen upon to save him from present ruin. The king summoned all the lords, spiritual and temporal, to his apartment: the prisoner was produced before them, and asked what he could say in his own defence? He denied the charge; but submitted to the king's mercy: Henry expressed himself not satisfied with regard to the first impeachment for treason; but in consideration of the second, for misdemeanors, he declared that, by virtue of Suffolk's own submission, not by any judicial authority, he banished him the kingdom during five years. The lords remained silent; but as soon as they returned to their own house, they entered a protest, that this sentence should nowise infringe their privileges; and that, if Suffolk had insisted upon his right, and had not voluntarily submitted to the king's

commands, he was entitled to a trial by his peers in parliament.

It was easy to see that these irregular proceedings were meant to favour Suffolk, and that, as he still possessed the queen's confidence, he would, on the first favourable opportunity, be restored to his country, and be reinstated in his former power and credit. A captain of a vessel was therefore employed by his enemies to intercept him in his passage to France: he was seized near Dover; his head struck off on the side of a long-boat, and his body thrown into the sea. No inquiry was made after the actors and accomplices in this atrocious deed of violence.

The duke of Somerset succeeded to Suffolk's power in the ministry and credit with the queen; and as he was the person under whose government the French provinces had been lost, the public, who always judge by the event, soon made him equally the object of their animosity and hatred. The duke of York was absent in Ireland during all these transactions; and however it might be suspected that his partisans had excited and supported the prosecution against Suffolk, no immediate ground of complaint could, on that account, lie against him. But there happened, soon after, an incident which roused the jealousy of the court, and discovered to them the extreme danger to which they were exposed from the pretensions of that popular prince.

POPULAR INSURRECTIONS.

The humours of the people, set afloat by the parliamentary impeachment, and by the fall of so great a favourite as Suffolk, broke out in various commotions, which were soon suppressed; but there arose one in Kent, which was attended with more dangerous consequences. A man of low condition, one John Cade, a native of Ireland, who had been obliged to fly into France, for crimes, observed, on his return to England, the discontents of the people; and he laid on them the foundation of projects which were at first crowned with surprising success. He took the name of John Mortimer; intending, as is supposed, to pass himself for a son of that sir John Mortimer who had been sentenced to death by parliament, and executed, in the beginning of this reign, without any trial or evidence, merely upon an indictment of high-treason given in against him.* On the first mention of that popular name, the common people of Kent, to the number of 20,000, flocked to Cade's standard, and he excited their zeal by publishing complaints against the numerous abuses in government, and demanding a redress of grievances. The court, not yet fully sensible of the danger, sent a small force against the rioters, under the command of sir Humphrey Stafford, who was defeated and slain in an action near Sevenoke; and Cade, advancing with his followers towards London, encamped on Blackheath. Though elated by his victory, he still maintained the appearance of moderation; and sending to the court a plausible list of grievances, he promised, that when these should be redressed, and when lord Say, the treasurer, and Cromer, sheriff of Kent, should be punished for their malversations, he would immediately lay down his arms. The council, who observed that nobody was willing to fight against men so reasonable in their pretensions, carried the king, for present safety, to Kenilworth; and the city immediately opened its gates to Cade, who maintained during some time, great order and discipline among his followers. He always led them into the fields during the night-time; and published severe edicts against plunder and violence of every kind: but being obliged, in order to gratify their malevolence against Say and Cromer, to put these men to death without a legal trial, he found that, after the commission of this crime, he was no longer master of their riotous disposition, and that all his orders were neglected. They broke into a rich house, which they plundered; and the citizens, alarmed at this act of violence, shut their gates against them; and being seconded by a detachment of soldiers sent them by lord Scales, governor of the Tower, they repulsed the rebels with great slaughter. The Kentishmen were so discouraged by the blow, that, upon receiving a general pardon from the primate, then chancellor, they retreated towards Rochester, and there dispersed. The pardon was soon after annulled, as extorted by violence: a price was set on Cade's head, who was killed by one Iden, a gentleman of Sussex; and many of his followers were capitally punished for their rebellion.

It was imagined by the court, that the duke of York had secretly instigated Cade to this attempt, in order to try, by that experiment, the dispositions of the people towards his title and family: and as the event had so far succeeded to his wish, the ruling party had greater reason than ever to apprehend the future consequences of his pretensions. At the same time they heard that he intended to return from Ireland; and fearing that he meant to bring an armed force along with him, they issued orders, in the king's name, for opposing him, and for debarring him entrance into England. But he refuted his enemies by coming attended with no more than his ordinary retinue: the precautions of the ministers served only to show him their jealousy and malignity against him: he was sensible that his title, by being dangerous to the king, was also become dangerous to himself: he now saw the impossibility of remaining in his present situation, and the necessity of proceeding forward in support of his claim. His partisans, therefore, were instructed to maintain, in all companies, his right by succession, and by the established laws and constitution of the kingdom: these questions became every day more and more the subject of conversation: the minds of men were insensibly sharpened against each other by disputes, before they came to more dangerous extremities: and various topics were pleaded in support of the pretensions of each party.

THE PARTIES OF LANCASTER AND YORK.

The partisans of the house of Lancaster maintained, that though the elevation of Henry IV. might at first be deemed somewhat irregular, and could not be justified by any of those principles on which that prince chose to rest his title, it was yet founded on general consent, was a national act, and was derived from the voluntary approbation of a free people, who, being loosened from their allegiance by the tyranny of the preceding government, were moved by gratitude, as well as by a sense of public interest, to entrust the sceptre in the hands of their deliverer: that, even if that establishment were allowed to be at first invalid, it had acquired solidity by time; the only principle which ultimately gives authority to government, and removes those scruples which the irregular steps attending almost all revolutions naturally excite in the minds of the people: that the right of succession was a rule admitted only for general good, and for the maintenance of public order; and could never be pleaded to the overthrow of national tranquillity, and the subversion of regular establishments: that the principles of liberty, no less than the maxims of internal peace, were injured by these pretensions of the house of York; and if so many reiterated acts of the legislature, by which the crown was entailed on the present family, were now invalidated, the English must be considered, not as a free people, who could dispose of their own government, but as a troop of slaves, who were implicitly transmitted by succession from one master to

* Stowe, p. 346. Cotton, p. 564. This author admires that such a piece of injustice should have been committed in peaceable times; he might have added, and by such virtuous princes as Bedford and Gloucester. But it is to be presumed that Mortimer was guilty; though his condemnation was highly irregular and illegal. The people had at this time a very feeble sense of law and a constitution, and power was very imperfectly restrained by these limits. When the proceedings of parliament were so irregular, it is easy to imagine that those of a king would be more so.

another: that the nation was bound to allegiance under the house of Lancaster by moral, no less than by political duty; and were they to infringe those numerous oaths of fealty which they had sworn to Henry and his predecessors, they would thenceforth be thrown loose from all principles, and it would be found difficult ever after to fix and restrain them: that the duke of York himself had frequently done homage to the king as his lawful sovereign, and had thereby, in the most solemn manner, made an indirect renunciation of those claims with which he now dares to disturb the tranquillity of the public: that, even though the violation of the rights of blood, made on the deposition of Richard, was perhaps rash and imprudent, it was too late to remedy the mischief; the danger of a disputed succession could no longer be obviated; the people, accustomed to a government, which, in the hands of the late king, had been so glorious, and in that of his predecessor so prudent and salutary, would still ascribe a right to it; by causing multiplied disorders, and by shedding an inundation of blood, the advantage would only be obtained of exchanging one pretender for another; and the house of York itself, if established on the throne, would, on the first opportunity, be exposed to those revolutions which the giddy spirit excited in the people gave so much reason to apprehend: and that though the present king enjoyed not the shining talents which had appeared in his father and grandfather, he might still have a son who should be endowed with them; he is himself eminent for the most harmless and inoffensive manners; and if active princes were dethroned on pretence of tyranny, and indolent ones on the plea of incapacity, there would thenceforth remain, in the constitution, no established rule of obedience to any sovereign.

These strong topics, in favour of the house of Lancaster, were opposed by arguments no less convincing on the side of the house of York. The partisans of this latter family asserted, that the maintenance of order in the succession of princes, far from doing injury to the people, or invalidating their fundamental title to good government, was established only for the purposes of government, and served to prevent those numberless confusions which must ensue, if no rule were followed but the uncertain and disputed views of present convenience and advantage: that the same maxims which insured public peace, were also salutary to national liberty; the privileges of the people could only be maintained by the observance of laws; and if no account were made of the rights of the sovereign, it could less be expected that any regard would be paid to the property and freedom of the subject: that it was never too late to correct any pernicious precedent; an unjust establishment, the longer it stood, acquired the greater sanction and validity; it could, with more appearance of reason, be pleaded as an authority for a like injustice; and the maintenance of it, instead of favouring public tranquillity, tended to disjoint every principle by which human society was supported: that usurpers would be happy, if their present possession of power, or their continuance for a few years, could convert them into legal princes; but nothing could be more miserable than the people, if all restraints on violence and ambition were thus removed, and a full scope given to the attempts of every turbulent innovator: that time, indeed, might bestow solidity on a government whose first foundations were the most infirm; but it required both a long course of time to produce this effect, and the total extinction of those claimants whose title was built on the original principles of the constitution: that the deposition of Richard II., and the advancement of Henry IV., were not deliberate national acts, but the result of the levity and violence of the people, and proceeded from those very defects in human nature which the establishment of political society, and of an order in succession, was calculated to prevent: that the subsequent entails of the crown were a continuance of the same violence and usurpation; they were not ratified by the legislature, since the consent of the rightful king was still wanting; and the acquiescence, first of the family of Mortimer, then of the family of York, proceeded from present necessity, and implied no renunciation of their pretensions: that the restoration of the true order of succession could not be considered as a change which familiarised the people to revolutions; but as the correction of a former abuse, which had itself encouraged the giddy spirit of innovations, rebellion, and disobedience: and that, as the original title of Lancaster stood only in the person of Henry IV. on present convenience, even this principle, unjustifiable as it was, when not supported by laws, and warranted by the constitution, had now entirely gone over to the other side; nor was there any comparison between a prince utterly unable to sway the sceptre, and blindly governed by corrupt ministers, or by an imperious queen, engaged in foreign and hostile interests; and a prince of mature years, of approved wisdom and experience, a native of England, the lineal heir of the crown, who, by his restoration, would replace everything on ancient foundations.

So many plausible arguments could be urged on both sides of this interesting question, that the people were extremely divided in their sentiments; and though the noblemen of greatest power and influence seem to have espoused the party of York, the opposite cause had the advantage of being supported by the present laws, and by the immediate possession of royal authority. There were also many great noblemen in the Lancastrian party, who balanced the power of their antagonists, and kept the nation in suspense between them. The earl of Northumberland adhered to the present government: the earl of Westmoreland, in spite of his connexions with the duke of York, and with the family of Nevil, of which he was the head, was brought over to the same party; and the whole north of England, the most warlike part of the kingdom, was, by means of these two potent noblemen, warmly engaged in the interests of Lancaster. Edmund Beaufort, duke of Somerset, and his brother Henry, were great supports of that cause; as were also Henry Holland, duke of Exeter, Stafford, duke of Buckingham, the earl of Shrewsbury, the lords Clifford, Dudley, Scales, Audley, and other noblemen.

While the kingdom was in this situation, it might naturally be expected that so many turbulent barons, possessed of so much independent authority, would immediately have flown to arms, and have decided the quarrel after their usual manner, by war and battle, under the standards of the contending princes. But there still were many causes which retarded these desperate extremities, and made a long train of faction, intrigue, and cabal, precede the military operations. By the gradual progress of arts in England, as well as in other parts of Europe, the people were now become of some importance; laws were beginning to be respected by them; and it was requisite, by various pretences, previously to reconcile their minds to the overthrow of such an ancient establishment as that of the house of Lancaster, ere their concurrence could reasonably be expected. The duke of York himself, the new claimant, was of a moderate and cautious character, an enemy to violence, and disposed to trust rather to time and policy, than to sanguinary measures, for the success of his pretensions. The very imbecility itself of Henry, tended to keep the factions in suspense, and make them stand long in awe of each other; it rendered the Lancastrian party unable to strike any violent blow against their enemies; it encouraged the Yorkists to hope, that, after banishing the king's ministers, and getting possession of his person, they might gradually undermine his authority, and be able, without the perilous expedient of a civil war, to change the succession by parliamentary and legal authority.

1451. The dispositions which appeared in a parlia-

ment, assembled (6th November) soon after the arrival of the duke of York from Ireland, favoured these expectations of his partisans, and both discovered an unusual boldness in the commons, and were a proof of the general discontents which prevailed against the administration. The lower house, without any previous inquiry or examination, without alleging any other ground of complaint than common fame, ventured to present a petition against the duke of Somerset, the duchess of Suffolk, the bishop of Chester, sir John Sutton, Lord Dudley, and several others of inferior rank; and they prayed the king to remove them for ever from his person and councils, and to prohibit them from approaching within twelve miles of the court. This was a violent attack, somewhat arbitrary, and supported but by few precedents, against the ministry; yet the king durst not openly oppose it: he replied, that, except the lords, he would banish all the others from court during a year, unless he should have occasion for their services in suppressing any rebellion. At the same time he rejected a bill which had passed both houses, for attainting the late duke of Suffolk, and which, in several of its clauses, discovered a very general prejudice against the measures of the court.

THE FIRST ARMAMENT OF THE DUKE OF YORK. 1452.

The duke of York, trusting to these symptoms, raised an army of 10,000 men, with which he marched towards London; demanding a reformation of the government, and the removal of the duke of Somerset from all power and authority. He unexpectedly found the gates of the city shut against him; and, on his retreating into Kent, he was followed by the king at the head of a superior army; in which several of Richard's friends, particularly Salisbury and Warwick, appeared; probably with a view of mediating between the parties, and of seconding, on occasion the duke of York's pretensions. A parley ensued; Richard still insisted upon the removal of Somerset, and his submitting to a trial in parliament: the court pretended to comply with this demand; and that nobleman was put in arrest: the duke of York was then persuaded to pay his respects to the king in his tent; and, on repeating his charge against the duke of Somerset, he was surprised to see that minister step from behind the curtain and offer to maintain his innocence. Richard now found that he had been betrayed; that he was in the hands of his enemies; and that it was become necessary, for his own safety, to lower his pretensions. No violence, however, was attempted against him: the nation was not in a disposition to bear the destruction of so popular a prince: he had many friends in Henry's camp; and his son, who was not in the power of the court, might still be able to revenge his death on all his enemies: he was therefore dismissed; and he retired to his seat of Wigmore, on the borders of Wales.

While the duke of York lived in this retreat, there happened an accident, which, by increasing the public discontents, proved favourable to his pretensions. Several Gascon lords, affectionate to the English government, and disgusted at the new dominion of the French, came to London, and offered to return to their allegiance under Henry.....1453. The earl of Shrewsbury, with a body of 8000 men, was sent over to support them. Bourdeaux opened its gates to him: (20th July:) he made himself master of Fronsac, Castillon, and some other places: affairs began to wear a favourable aspect: but, as Charles hastened to resist this dangerous invasion, the fortunes of the English were soon reversed: Shrewsbury, a venerable warrior, above four score years of age, fell in battle: his conquests were lost; Bourdeaux was again obliged to submit to the French king; and all hopes of recovering the province of Gascony were for ever extinguished.

Though the English might deem themselves happy to be fairly rid of distant dominions which were of no use to them, and which they never could defend against the growing power of France, they expressed great discontent on the occasion; and they threw all the blame on the ministry, who had not been able to effect impossibilities. While they were in this disposition, the queen's delivery of a son, (13th October,) who received the name of Edward, was deemed no joyful incident; and as it removed all hopes of the peaceable succession of the duke of York, who was otherwise in the right of his father, and, by the laws enacted since the accession of the house of Lancaster, next heir to the crown, it had rather a tendency to inflame the quarrel between the parties. But the duke was incapable of violent councils; and even when no visible obstacle lay between him and the throne, he was prevented by his own scruples from mounting it.....1454. Henry, always unfit to exercise the government, fell at this time into a distemper, which so far increased his natural imbecility, that it rendered him incapable of maintaining even the appearance of royalty. The queen and the council, destitute of this support, found themselves unable to resist the York party; and they were obliged to yield to the torrent. They sent Somerset to the Tower; and appointed Richard lieutenant of the kingdom, with powers to open and hold a session of parliament. That assembly also, taking into consideration the state of the kingdom, created him protector during pleasure. Men who thus entrusted sovereign authority to one that had such evident and strong pretensions to the crown, were not surely averse to his taking immediate and full possession of it; yet the duke, instead of pushing them to make further concessions, appeared somewhat timid and irresolute, even in receiving the power which was tendered to him. He desired that it might be recorded in parliament, that this authority was conferred on him from their own free motion, without any application on his part: he expressed his hopes that they would assist him in the exercise of it: he made it a condition of acceptance, that the other lords, who were appointed to be of his council, should also accept of the trust and should exercise it: and he required that all the powers of his office should be specified and defined by act of parliament. This moderation of Richard was certainly very unusual and very amiable; yet was it attended with bad consequences in the present juncture, and, by giving time to the animosities of faction to rise and ferment, it proved the source of all those furious wars and commotions which ensued.

The enemies of the duke of York soon found it in their power to make advantage of his excessive caution. Henry, being so far recovered from his distemper as to carry the appearance of exercising the royal power; they moved him to resume his authority, [1455,] to annul the protectorship of the duke, to release Somerset from the Tower, and to commit the administration into the hands of that nobleman. Richard, sensible of the dangers which might attend his former acceptance of the parliamentary commission, should he submit to the annulling of it, levied an army; but still without advancing any pretensions to the crown. He complained only of the king's ministers, and demanded a reformation of the government.

FIRST BATTLE OF ST. ALBANS. *May* 22.

A battle was fought at St. Albans, in which the Yorkists were superior, and, without suffering any material loss, slew about 5000 of their enemies; among whom were the duke of Somerset, the earl of Northumberland, the earl of Stafford, eldest son of the duke of Buckingham, lord Clifford, and many other persons of distinction. The king himself fell into the

hands of the duke of York, who treated him with great respect and tenderness: he was only obliged (which he regarded as no hardship) to commit the whole authority of the crown into the hands of his rival.

This was the first blood spilt in that fatal quarrel, which was not finished in less than a course of thirty years, which was signalized by twelve pitched battles, which opened a scene of extraordinary fierceness and cruelty, is computed to have cost the lives of eighty princes of the blood, and almost entirely annihilated the ancient nobility of England. The strong attachments which at that time, men of the same kindred bore to each other, and the vindictive spirit, which was considered as a point of honour, rendered the great families implacable in their resentments, and every moment widened the breach between the parties. Yet affairs did not immediately proceed to the last extremities: the nation was kept some time in suspense: the vigour and spirit of queen Margaret, supporting her small power, still proved a balance to the great authority of Richard, which was checked by his irresolute temper. A parliament, which was soon after assembled, (9th July,) plainly discovered, by the contrariety of their proceedings, the contrariety of the motives by which they were actuated. They granted the Yorkists a general indemnity; and they restored the protectorship to the duke, who, in accepting it, still persevered in all his former precautions: but at the same time they renewed their oaths of fealty to Henry, and fixed the continuance of the protectorship to the majority of his son Edward, who was vested with the usual dignities of prince of Wales, duke of Cornwall, and earl of Chester. The only decisive act, passed in this parliament, was a full resumption of all the grants which had been made since the death of Henry V., and which had reduced the crown to great poverty.

1456. It was not found difficult to wrest power from hands so little tenacious as those of the duke of York. Margaret, availing herself of that prince's absence, produced her husband before the house of lords; and as his state of health permitted him at that time to act his part with some tolerable decency, he declared his intentions of resuming the government, and of putting an end to Richard's authority. This measure being unexpected, was not opposed by the contrary party: the house of lords, who were many of them disgusted with the late act of resumption, assented to Henry's proposal; and the king was declared to be reinstated in sovereign authority. Even the duke of York acquiesced in this irregular act of the peers; and no disturbance ensued. But that prince's claim to the crown was too well known, and the steps which he had taken to promote it, were too evident, ever to allow sincere trust and confidence to have place between the parties. The court retired to Coventry, [1457,] and invited the duke of York and the earls of Salisbury and Warwick to attend the king's person. When they were on the road they received intelligence that designs were formed against their liberties and lives. They immediately separated themselves: Richard withdrew to the castle of Wigmore; Salisbury to Middleham in Yorkshire; and Warwick to his government of Calais, which had been committed to him after the battle of St. Albans, and which, as it gave him the command of the only regular military force maintained by England, was of the utmost importance in the present juncture. Still, men of peaceable dispositions, and among the rest, Bourchier, archbishop of Canterbury, thought it not too late to interpose with their good offices, in order to prevent that effusion of blood with which the kingdom was threatened; and the awe in which each party stood of the other, rendered the mediation for some time successful. It was agreed that all the great leaders on both sides should meet in London, and be solemnly reconciled [1458]. The duke of York and his partisans came thither with numerous retinues, and took up their quarters near each other for mutual security. The leaders of the Lancastrian party used the same precaution. The mayor, at the head of 5000 men, kept a strict watch night and day; and was extremely vigilant in maintaining peace between them.* Terms were adjusted, which removed not the grounds of difference. An outward reconciliation only was procured; and in order to notify this accord to the whole people, a solemn procession to St. Paul's was appointed, where the duke of York led queen Margaret, and a leader of one party marched hand in hand with a leader of the opposite. The less real cordiality prevailed, the more were the exterior demonstrations of amity redoubled. But it was evident, that a contest for a crown could not thus be peaceably accommodated; that each party watched only for an opportunity of subverting the other; and that much blood must yet be spilt, ere the nation could be restored to perfect tranquillity, or enjoy a settled and established government.

1459. Even the smallest accident, without any formed design, was sufficient, in the present disposition of men's minds, to dissolve the seeming harmony between the parties; and had the intentions of the leaders been ever so amicable, they would have found it difficult to restrain the animosity of their followers. One of the king's retinue insulted one of the earl of Warwick's; their companions on both sides took part in the quarrel; a fierce combat ensued; the earl apprehended his life to be aimed at; he fled to his government of Calais; and both parties in every county of England openly made preparations for deciding the contest by war and arms.

BATTLE OF BLORE-HEATH. *September* 23.

The earl of Salisbury, marching to join the duke of York, was overtaken at Blore-heath, on the borders of Staffordshire, by lord Audley, who commanded much superior forces; and a small rivulet ran between the armies. Salisbury here supplied his defect in numbers by stratagem; a refinement, of which there occur few instances in the English civil wars, where a headlong courage, more than military conduct, is commonly to be remarked. He feigned a retreat, and allured Audley to follow him with precipitation; but when the van of the royal army had passed the brook, Salisbury suddenly returned upon them; and partly by the surprise, partly by the division of the enemy's forces, put this body to rout: the example of flight was followed by the rest of the army, and Salisbury obtaining a complete victory, reached the general rendezvous of the Yorkists at Ludlow.

The earl of Warwick brought over to this rendezvous a choice body of veterans from Calais, on whom it was thought the fortune of the war would much depend; but this re-enforcement occasioned, in the issue, the immediate ruin of the duke of York's party. When the royal army approached, and a general action was every hour expected, sir Andrew Trollop, who commanded the veterans, deserted to the king in the night-time; and the Yorkists were so dismayed at this instance of treachery, which made every man suspicious of his fellow, that they separated next day without striking a stroke: the duke fled to Ireland; the earl of Warwick, attended by many of the other leaders, escaped to Calais, where his great popularity among all orders of men, particularly among the military, soon drew to him partisans, and rendered his power very formidable. The friends of the house of York, in England, kept themselves everywhere in readiness to rise on the first summons from their leaders.

BATTLE OF NORTHAMPTON. *July* 10, 1460.

After meeting with some successes at sea, Warwick

* Fabian Chron. anno 1458. The author says, that some lords brought 900 retainers, some 600, none less than 400. See also Grafton, p. 633.

landed in Kent, with the earl of Salisbury, and the earl of Marche, eldest son of the duke of York; and being met by the primate, by lord Cobham, and other persons of distinction, he marched, amidst the acclamations of the people, to London. The city immediately opened its gates to him; and his troops increasing on every day's march, he soon found himself in a condition to face the royal army, which hastened from Coventry to attack him. The battle was fought at Northampton, and was soon decided against the royalists by the infidelity of lord Gray, of Ruthin, who, commanding Henry's van, deserted to the enemy during the heat of action, and spread a consternation through the troops. The duke of Buckingham, the earl of Shrewsbury, the lords Beaumont and Egremont, and sir William Lucie, were killed in the action or pursuit: the slaughter fell chiefly on the gentry and nobility; the common people were spared by orders of the earls of Warwick and Marche. Henry himself, that empty shadow of a king, was again taken prisoner; and as the innocence and simplicity of his manners, which bore the appearance of sanctity, had procured him the tender regard of the people, the earl of Warwick and the other leaders took care to distinguish themselves by their respectful demeanour towards him.

A PARLIAMENT. *October* 7.

A parliament was summoned in the king's name, and met at Westminster, where the duke soon after appeared from Ireland. This prince had never hitherto advanced openly any claim to the crown: he had only complained of ill ministers, and demanded a redress of grievances; and even in the present crisis, when the parliament was surrounded by his victorious army, he showed such a regard to law and liberty, as is unusual during the prevalence of a party in any civil dissensions; and was still less to be expected in those violent and licentious times. He advanced towards the throne; and being met by the archbishop of Canterbury, who asked him, whether he had yet paid his respects to the king? he replied, that he knew of none to whom he owed that title. He then stood near the throne, and addressing himself to the house of peers, he gave them a deduction of his title by descent, mentioned the cruelties by which the house of Lancaster had paved their way to sovereign power, insisted on the calamities which had attended the government of Henry, exhorted them to turn into the right path, by doing justice to the lineal successor, and thus pleaded his cause before them as his natural and legal judges. This cool and moderate manner of demanding a crown, intimidated his friends and encouraged his enemies; the lords remained in suspense, and no one ventured to utter a word on the occasion. Richard, who had probably expected that the peers would have invited him to place himself on the throne, was much disappointed at their silence; but desiring them to reflect on what he had proposed to them, he departed the house. The peers took the matter into consideration with as much tranquillity as if it had been a common subject of debate: they desired the assistance of some considerable members among the commons in their deliberations: they heard, in several successive days, the reasons alleged for the duke of York: they even ventured to propose objections to his claim, founded on former entails of the crown, and on the oaths of fealty sworn to the house of Lancaster: they also observed, that as Richard had all along borne the arms of York, not those of Clarence, he could not claim as successor to the latter family: and after receiving answers to these objections, derived from the violence and power by which the house of Lancaster supported their present possession of the crown, they proceeded to give a decision. Their sentence was calculated, as far as possible, to please both parties: they declared the title of the duke of York to be certain and indefeasible; but in consideration that Henry had enjoyed the crown, without dispute or controversy, during the course of thirty-eight years, they determined, that he should continue to possess the title and dignity during the remainder of his life; that the administration of the government, meanwhile, should remain with Richard; that he should be acknowledged the true and lawful heir of the monarchy; that every one should swear to maintain his succession, and it should be treason to attempt his life; and that all former settlements of the crown, in this and the two last reigns, should be abrogated and rescinded. The duke acquiesced in this decision: Henry himself, being a prisoner, could not oppose it: even if he had enjoyed his liberty, he would not probably have felt any violent reluctance against it; and the act thus passed with the unanimous consent of the whole legislative body. Though the mildness of this compromise is chiefly to be ascribed to the moderation of the duke of York, it is impossible not to observe in those transactions visible marks of a higher regard to law, and of a more fixed authority, enjoyed by parliament, than has appeared in any former period of English history.

It is probable that the duke, without employing either menaces or violence, could have obtained from the commons a settlement more consistent and uniform: but as many, if not all the members of the upper house had received grants, concessions, or dignities, during the last sixty years, when the house of Lancaster was possessed of the government; they were afraid of invalidating their own titles by too sudden and violent an overthrow of that family; and in thus temporising between the parties, they fixed the throne on a basis upon which it could not possibly stand. The duke, apprehending his chief danger to arise from the genius and spirit of queen Margaret, sought a pretence for banishing her the kingdom: he sent her, in the king's name, a summons to come immediately to London; intending, in case of her disobedience, to proceed to extremities against her. But the queen needed not this menace to excite her activity in defending the rights of her family. After the defeat at Northampton, she fled with her infant son to Durham, thence to Scotland; but soon returning, she applied to the northern barons, and employed every motive to procure their assistance. Her affability, insinuation, and address, qualities in which she excelled; her caresses, her promises, wrought a powerful effect on every one who approached her: the admiration of her great qualities was succeeded by compassion towards her helpless condition: the nobility of that quarter, who regarded themselves as the most warlike in the kingdom, were moved by indignation to find the southern barons pretend to dispose of the crown and settle the government: and that they might allure the people to their standard, they promised them the spoils of all the provinces on the other side of the Trent. By these means, the queen had collected an army twenty thousand strong, with a celerity which was neither expected by her friends, nor apprehended by her enemies.

BATTLE OF WAKEFIELD, AND DEATH OF THE DUKE OF YORK.

The duke of York, informed of her appearance in the north, hastened thither with a body of 5000 men, to suppress, as he imagined, the beginnings of an insurrection; when, on his arrival at Wakefield, he found himself so much outnumbered by the enemy. He threw himself into Sandal castle, which was situated in the neighbourhood; and he was advised by the earl of Salisbury, and other prudent counsellors, to remain in that fortress, till his son, the earl of Marche, who was levying forces in the borders of Wales, could advance to his assistance. But the duke, though deficient in political courage, possessed personal bravery in an eminent degree; and, notwithstanding his wisdom and experience, he thought that he should be for ever

disgraced, if, by taking shelter behind walls, he should for a moment resign the victory to a woman. He descended into the plain, and offered battle to the enemy, (24th December,) which was instantly accepted. The great inequality of numbers was sufficient alone to decide the victory; but the queen, by sending a detachment, who fell on the back of the duke's army, rendered her advantage still more certain and undisputed. The duke himself was killed in the action; and as his body was found among the slain, the head was cut off by Margaret's orders, and fixed on the gates of York, with a paper crown upon it, in derision of his pretended title. His son, the earl of Rutland, a youth of seventeen, was brought to lord Clifford; and that barbarian, in revenge of his father's death, who had perished in the battle of St. Albans, murdered in cool blood, and with his own hands, this innocent prince, whose exterior figure, as well as other accomplishments, are represented by historians as extremely amiable. The earl of Salisbury was wounded and taken prisoner, and immediately beheaded, with several other persons of distinction, by martial law at Pomfret. There fell near three thousand Yorkists in this battle: the duke himself was greatly and justly lamented by his own party; a prince who merited a better fate, and whose errors in conduct proceeded entirely from such qualities as render him the more an object of esteem and affection. He perished in the fiftieth year of his age, and left three sons, Edward, George, and Richard, with three daughters, Anne, Elizabeth, and Margaret.

BATTLE OF MORTIMER'S CROSS. 1461.

The queen after this important victory, divided her army. She sent the smaller division, under Jasper Tudor, earl of Pembroke, half-brother to the king, against Edward, the new duke of York. She herself marched with the larger division towards London, where the earl of Warwick had been left with the command of the Yorkists. Pembroke was defeated by Edward at Mortimer's Cross, in Herefordshire, with the loss of near 4000 men: his army was dispersed; he himself escaped by flight; but his father, sir Owen Tudor, was taken prisoner, and immediately beheaded by Edward's orders. This barbarous practice, being once begun, was continued by both parties, from a spirit of revenge, which covered itself under the pretence of retaliation.

SECOND BATTLE OF ST. ALBANS.

Margaret compensated this defeat by a victory which she obtained over the earl of Warwick. That nobleman, on the approach of the Lancastrians, led out his army, re-enforced by a strong body of the Londoners, who were affectionate to his cause; and he gave battle to the queen at St. Albans. While the armies were warmly engaged, Lovelace, who commanded a considerable body of the Yorkists, withdrew from the combat; and this treacherous conduct, of which there are many instances in those civil wars, decided the victory in favour of the queen. About 2300 of the vanquished perished in the battle and pursuit; and the person of the king fell again into the hands of his own party. This weak prince was sure to be almost equally a prisoner whichever faction had the keeping of him; and scarcely any more decorum was observed by one than by the other, in their method of treating him. Lord Bonville, to whose care he had been entrusted by the Yorkists, remained with him after the defeat, on assurances of pardon given him by Henry: but Margaret, regardless of her husband's promise, immediately ordered the head of that nobleman to be struck off by the executioner. Sir Thomas Kyriel, a brave warrior, who had signalized himself in the French wars, was treated in the same manner.

EDWARD IV. ASSUMES THE CROWN.

March 5.

The queen made no great advantage of this victory. young Edward advanced upon her from the other side; and collecting the remains of Warwick's army, was soon in a condition of giving her battle with superior forces. She was sensible of her danger, while she lay between the enemy and the city of London; and she found it necessary to retreat with her army to the north. Edward entered the capital amidst the acclamations of the citizens, and immediately opened a new scene to his party. This prince, in the bloom of youth, remarkable for the beauty of his person, for his bravery, his activity, his affability, and every popular quality, found himself so much possessed of public favour, that, elated with the spirit natural to his age, he resolved no longer to confine himself within those narrow limits which his father had prescribed to himself, and which had been found by experience so prejudicial to his cause. He determined to assume the name and dignity of king; to insist openly on his claim; and thenceforth to treat the opposite party as traitors and rebels to his lawful authority. But as a national consent, or the appearance of it, still seemed, notwithstanding his plausible title, requisite to precede this bold measure, and as the assembling of a parliament might occasion too many delays, and be attended with other inconveniences, he ventured to proceed in a less regular manner, and to put it out of the power of his enemies to throw obstacles in the way of his elevation. His army was ordered to assemble in St. John's Fields; great numbers of people surrounded them; an harangue was pronounced to this mixed multitude, setting forth the title of Edward, and inveighing against the tyranny and usurpation of the rival family; and the people were then asked, whether they would have Henry of Lancaster for king? They unanimously exclaimed against the proposal. It was then demanded, whether they would accept of Edward, eldest son of the late duke of York? They expressed their assent by loud and joyful acclamations. A great number of bishops, lords, magistrates, and other persons of distinction, were next assembled at Baynard's castle, who ratified the popular election; and the new king was on the subsequent day proclaimed in London, by the title of Edward IV.

In this manner ended the reign of Henry VI., a monarch who, while in his cradle, had been proclaimed king, both of France and England, and who began his life with the most splendid prospects that any prince in Europe had ever enjoyed. The revolution was unhappy for his people, as it was the source of civil wars; but was almost entirely indifferent to Henry himself, who was utterly incapable of exercising his authority, and who, provided he personally met with good usage, was equally easy, as he was equally enslaved in the hands of his enemies and of his friends. His weakness and his disputed title were the chief causes of the public calamities; but whether his queen, and his ministers, were not also guilty of some great abuses of power, it is not easy for us at this distance of time to determine: there remains no proofs on record of any considerable violation of the laws, except in the assassination of the duke of Gloucester, which was a private crime, formed no precedent, and was but too much of a piece with the usual ferocity and cruelty of the times.

MISCELLANEOUS TRANSACTIONS OF THIS REIGN.

The most remarkable law, which passed in this reign, was that for the due election of members of parliament in counties. After the fall of the feudal system, the distinction of tenures was in some measure lost; and every freeholder, as well those who held of mesne lords, as the immediate tenants of the crown, were by degrees

admitted to give their votes at elections. This innovation (for such it may probably be esteemed) was indirectly confirmed by a law of Henry IV., which gave right to such a multitude of electors as was the occasion of great disorder. In the eighth and tenth of this king, therefore, laws were enacted, limiting the electors to such as possessed forty shillings a year in land, free from all burdens, within the county. This sum was equivalent to near twenty pounds a year of our present money; and it were to be wished, that the spirit, as well as letter of this law, had been maintained.

The preamble of the statute is remarkable:—"Whereas the elections of knights have of late, in many counties of England, been made by outrages and excessive numbers of people, many of them of small substance and value, yet pretending to a right equal to the best knights and esquires; whereby manslaughters, riots, batteries, and divisions among the gentlemen and other people of the same counties, shall very likely rise and be, unless due remedy be provided in this behalf, &c." We may learn from these expressions, what an important matter the election of a member of parliament was now become in England: that assembly was beginning in this period to assume great authority: the commons had it much in their power to enforce the execution of the laws; and if they failed of success in this particular, it proceeded less from any exorbitant power of the crown, than from the licentious spirit of the aristocracy, and perhaps from the rude education of the age, and their own ignorance of the advantages resulting from a regular administration of justice.

When the duke of York, the earls of Salisbury and Warwick, fled the kingdom upon the desertion of their troops, a parliament was summoned at Coventry in 1460, by which they were all attainted. This parliament seems to have been very irregularly constituted, and scarcely deserves the name: insomuch that an act passed in it, "that all such knights of any county as were returned by virtue of the king's letters, without any other election, should be valid, and that no sheriff should, for returning them, incur the penalty of the statute of Henry IV." All the acts of that parliament were afterwards reversed; "because it was unlawfully summoned, and the knights and barons not duly chosen."

The parliaments in this reign, instead of relaxing their vigilance against the usurpations of the court of Rome, endeavoured to enforce the former statutes enacted for that purpose. The commons petitioned, that no foreigner should be capable of any church preferment, and that the patron might be allowed to present anew upon the non-residence of any incumbent: but the king eluded these petitions. Pope Martin wrote him a severe letter against the statute of provisors; which he calls an abominable law, that would infallibly damn every one who observed it. The cardinal of Winchester was legate; and as he was also a kind of prime-minister, and immensely rich from the profits of his clerical dignities, the parliament became jealous lest he should extend the papal power; and they protested, that the cardinal should absent himself in all affairs and councils of the king, whenever the pope or see of Rome was touched upon.

Permission was given by parliament to export corn when it was at low prices; wheat at six and eightpence a quarter, money of that age; barley at three shillings and fourpence. It appears from these prices, that corn still remained at near half its present value; though other commodities were much cheaper. The inland commerce of corn was also opened in the eighteenth of the king, by allowing any collector of the customs to grant a licence for carrying it from one county to another. The same year a kind of navigation act was proposed with regard to all places within the Straits; but the king rejected it.

The first instance of debt contracted upon parliamentary security occurs in this reign. The commencement of this pernicious practice deserves to be noted; a practice the more likely to become pernicious, the more a nation advances in opulence and credit. The ruinous effects of it are now become but too apparent, and threaten the very existence of the nation

CHAPTER XXII.

EDWARD IV.

Battle of Touton—Henry escapes into Scotland—A Parliament—Battle of Hexham—Henry taken Prisoner, and confined in the Tower—King's Marriage with Lady Elizabeth Gray—Warwick disgusted—Alliance with Burgundy—Insurrection in Yorkshire—Battle of Banbury—Warwick and Clarence banished—Warwick and Clarence return—Edward IV. expelled—Henry VI. restored—Edward IV. returns—Battle of Barnet, and Death of Warwick—Battle of Tewkesbury, and murder of Prince Edward—Death of Henry VI.—Invasion of France—Peace of Pecquigni—Trial and Execution of the Duke of Clarence—Death and Character of Edward IV.

1461. YOUNG Edward, now in his twentieth year, was of a temper well fitted to make his way through such a scene of war, havoc, and devastation, as must conduct him to the full possession of that crown, which he claimed from hereditary right, but which he had assumed from the tumultuary election of his own party. He was bold, active, enterprising; and his hardness of heart and severity of character rendered him impregnable to all those movements of compassion, which might relax his vigour in the prosecution of the most bloody revenges upon his enemies. The very commencement of his reign gave symptoms of his sanguinary disposition. A tradesman of London, who kept a shop at the sign of the Crown, having said that he would make his son heir to the crown; this harmless pleasantry was interpreted to be spoken in derision of Edward's assumed title; and he was condemned and executed for the offence. Such an act of tyranny was a proper prelude to the events which ensued. The scaffold, as well as the field, incessantly streamed with the noblest blood of England, spilt in the quarrel between the two contending families, whose animosity was now become implacable. The people, divided in their affections, took different symbols of party: the partisans of the house of Lancaster chose the red rose as their mark of distinction; those of York were denominated from the white; and these civil wars were thus known, over Europe, by the name of the quarrel between the two roses.

The licence, in which queen Margaret had been obliged to indulge her troops, infused great terror and aversion into the city of London, and all the southern parts of the kingdom; and as she there expected an obstinate resistance, she had prudently retired northwards among her own partisans. The same licence, joined to the zeal of faction, soon brought great multitudes to her standard; and she was able, in a few days, to assemble an army, sixty thousand strong, in Yorkshire. The king and the earl of Warwick hastened with an army of forty thousand men, to check her progress; and when they reached Pomfret, they dispatched a body of troops, under the command of lord Fitzwalter, to secure the passage of Ferrybridge over the river Ayre, which lay between them and the enemy. Fitzwalter took possession of the post assigned him; but was not able to maintain it against lord Clifford, who attacked him with superior numbers. The Yorkists were chased back with great slaughter; and lord Fitzwalter himself was slain in the action.

The earl of Warwick, dreading the consequences of this disaster, at a time when a decisive action was every hour expected, immediately ordered his horse to be brought him, which he stabbed before the whole army; and, kissing the hilt of his sword, swore that he

was determined to share the fate of the meanest soldier. And, to show the greater security, a proclamation was at the same time issued, giving to every one full liberty to retire; but menacing the severest punishment to those who should discover any symptoms of cowardice in the ensuing battle. Lord Falconberg was sent to recover the post which had been lost: he passed the river some miles above Ferrybridge, and, falling unexpectedly on lord Clifford, revenged the former disaster by the defeat of the party and the death of their leader.

BATTLE OF TOUTON. *March* 29.

The hostile armies met at Touton; and a fierce and bloody battle ensued. While the Yorkists were advancing to the charge, there happened a great fall of snow, which driving full in the faces of their enemies, blinded them; and this advantage was improved by a stratagem of lord Falconberg's. That nobleman ordered some infantry to advance before the line, and after having sent a volley of flight arrows, as they were called, amidst the enemy, immediately to retire. The Lancastrians, imagining that they were gotten within reach of the opposite army, discharged all their arrows, which thus fell short of the Yorkists. After the quivers of the enemy were emptied, Edward advanced his line, and did execution with impunity on the dismayed Lancastrians: the bow, however, was soon laid aside, and the sword decided the combat, which ended in a total victory on the side of the Yorkists. Edward issued orders to give no quarter. The routed army was pursued to Tadcaster with great bloodshed and confusion; and above thirty-six thousand men are computed to have fallen in the battle and pursuit: among these were the earl of Westmoreland, and his brother, sir John Nevil, the earl of Northumberland, the lords Dacres and Welles, and sir Andrew Trollop. The earl of Devonshire, who was now engaged in Henry's party, was brought a prisoner to Edward; and was, soon after, beheaded by martial law at York. His head was fixed on a pole erected over a gate of that city; and the head of duke Richard, and that of the earl of Salisbury, were taken down, and buried with their bodies. Henry and Margaret had remained at York during the action; but learning the defeat of their army, and being sensible that no place in England could now afford them shelter, they fled with great precipitation into Scotland. They were accompanied by the duke of Exeter, who, though he had married Edward's sister, had taken part with the Lancastrians, and by Henry, duke of Somerset, who had commanded in the unfortunate battle of Touton, and who was the son of that nobleman killed in the first battle of St. Albans.

HENRY ESCAPES INTO SCOTLAND.

Notwithstanding the great animosity which prevailed between the kingdoms, Scotland had never exerted itself with vigour, to take advantage, either of the wars which England carried on with France, or of the civil commotions which arose between the contending families. James I., more laudably employed, in civilizing his subjects, and taming them to the salutary yoke of law and justice, avoided all hostilities with foreign nations; and though he seemed interested to maintain a balance between France and England, he gave no further assistance to the former kingdom in its greatest distresses, than permitting, and perhaps encouraging, his subjects to enlist in the French service. After the murder of that excellent prince, the minority of his son and successor, James II., and the distractions incident to it, retained the Scots in the same state of neutrality; and the superiority, visibly acquired by France, rendered it then unnecessary for her ally to interpose in her defence. But, when the quarrel commenced between the houses of York and Lancaster, and became absolutely incurable but by the total extinction of one party, James, who had now risen to man's estate, was tempted to seize the opportunity, and he endeavoured to recover those places which the English had formerly conquered from his ancestors. He laid siege to the castle of Roxborough in 1460, and had provided himself with a small train of artillery for that enterprise: but his cannon were so ill framed, that one of them burst as he was firing it, and put an end to his life in the flower of his age. His son and successor, James III., was also a minor on his accession: the usual distractions ensued in the government: the queen-dowager, Ann of Gueldres, aspired to the regency: the family of Douglas opposed her pretensions: and queen Margaret, when she fled into Scotland, found there a people little less divided by faction, than those by whom she had been expelled. Though she pleaded the connexions between the royal family of Scotland and the house of Lancaster, by the young king's grandmother, a daughter of the earl of Somerset: she could engage the Scottish council to go no further than to express their good wishes in her favour: but on her offer to deliver to them immediately the important fortress of Berwick, and to contract her son in marriage with a sister of king James, she found a better reception; and the Scots promised the assistance of their arms to reinstate her family upon the throne. But, as the danger from that quarter seemed not very urgent to Edward, he did not pursue the fugitive king and queen into their retreat; but returned to London, where a parliament was summoned for settling the government.

On the meeting of this assembly (4th November,) Edward found the good effects of his vigorous measure in assuming the crown, as well as of his victory at Touton, by which he had secured it: the parliament no longer hesitated between the two families, or proposed any of those ambiguous decisions, which could only serve to perpetuate and inflame the animosites of party. They recognised the title of Edward by hereditary descent, through the family of Mortimer; and declared that he was king by right, from the death of his father, who had also the same lawful title; and that he was in possession of the crown from the day that he assumed the government, tendered to him by the acclamations of the people. They expressed their abhorrence of the usurpation and intrusion of the house of Lancaster, particularly that of the earl of Derby, otherwise called Henry IV., which, they said, had been attended with every kind of disorder, the murder of the sovereign and the oppression of the subject. They annulled every grant which had passed in those reigns; they reinstated the king in all the possessions which had belonged to the crown at the pretended deposition of Richard II.; and though they confirmed judicial deeds, and the decrees of inferior courts, they reversed all attainders passed in any pretended parliament; particularly the attainder of the earl of Cambridge, the king's grandfather; as well as that of the earls of Salisbury and Gloucester, and of lord Lumley, who had been forfeited for adhering to Richard II.

Many of these votes were the result of the usual violence of party: the common sense of mankind, in more peaceable times, repealed them: and the statutes of the house of Lancaster, being the deeds of an established government, and enacted by princes long possessed of authority, have always been held as valid and obligatory. The parliament, however, in subverting such deep foundations, had still the pretence of replacing the government on its ancient and natural basis: but, in their subsequent measures, they were more guided by revenge, at least by the views of convenience, than by the maxims of equity and justice. They passed an act of forfeiture and attainder against Henry VI. and queen Margaret, and their infant son, prince Edward: the same act was extended to the dukes of Somerset and Exeter; to the earls of North-

umberland, Devonshire, Pembroke, Wilts; to the viscount Beaumont; the lords Roos, Nevil, Clifford, Welles, Dacre, Grey of Rugemont, Hungerford: to Alexander Hedie, Nicholas Latimer, Edmond Mountfort, John Heron, and many other persons of distinction. The parliament vested the estates of all these attainted persons in the crown: though their sole crime was the adhering to a prince whom every individual of the parliament had long recognised, and whom that very king himself, who was now seated on the throne, had acknowledged and obeyed as his lawful sovereign.

The necessity of supporting the government established will more fully justify some other acts of violence; though the method of conducting them may still appear exceptionable. John, earl of Oxford, and his son, Aubrey de Vere, were detected in corresponding with Margaret, were tried by martial law before the constable, were condemned and executed. Sir William Tyrrel, sir Thomas Tudenham, and John Montgomery, were convicted in the same arbitrary court, were executed, and their estates forfeited. This introduction of martial law into civil government was a high strain of prerogative; which, were it not for the violence of the times, would probably have appeared exceptionable to a nation so jealous of their liberties as the English were now become. [*See note* 2 K, *at the end of this Vol.*] It was impossible but such a great and sudden revolution must leave the roots of discontent and dissatisfaction in the subject, which would require great art, or in lieu of it, great violence, to extirpate them. The latter was more suitable to the genius of the nation in that uncultivated age.

But the new establishment still seemed precarious and uncertain; not only from the domestic discontents of the people, but from the efforts of foreign powers. Lewis, the eleventh of the name, had succeeded to his father Charles in 1460; and was led, from the obvious motives of national interest, to feed the flames of civil discord among such dangerous neighbours, by giving support to the weaker party. But the intriguing and politic genius of this prince was here checked by itself: having attempted to subdue the independent spirit of his own vassals, he had excited such an opposition at home, as prevented him from making all the advantage which the opportunity afforded, of the dissensions among the English. He sent, however, a small body to Henry's assistance [1462] under Varenne, seneschal of Normandy; who landed in Northumberland and got possession of the castle of Alnwick: but as the indefatigable Margaret went in person to France, where she solicited large supplies, and promised Louis to deliver up Calais, if her family should by his means be restored to the throne of England; he was induced to send along with her a body of 2000 men-at-arms, which enabled her to take the field, and to make an inroad into England.

BATTLE OF HEXHAM. *May* 15, 1464.

Though re-enforced by a numerous train of adventurers from Scotland, and by many partisans of the family of Lancaster; she received a check at Hedgley-more from lord Montacute, or Montague, brother to the earl of Warwick, and warden of the east marshes between Scotland and England. Montague was so encouraged with this success, that, while a numerous re-enforcement was on their march to join him by orders from Edward, he yet ventured, with his own troops alone, to attack the Lancastrians at Hexham; and he obtained a complete victory over them. The duke of Somerset, the lords Roos and Hungerford, were taken in the pursuit, and immediately beheaded by martial law at Hexham. Summary justice was in like manner executed at Newcastle on sir Humphrey Nevil and several other gentlemen. All those who were spared in the field suffered on the scaffold; and the utter extermination of their adversaries was now become the plain object of the York party; a conduct which received but too plausible an apology from the preceding practice of the Lancastrians.

The fate of the unfortunate royal family, after this defeat, was singular. Margaret, flying with her son into a forest, where she endeavoured to conceal herself, was beset, during the darkness of the night, by robbers, who, either ignorant or regardless of her quality, despoiled her of her rings and jewels, and treated her with the utmost indignity. The partition of this rich booty raised a quarrel among them; and while their attention was thus engaged, she took an opportunity of making her escape with her son, into the thickest of the forest, where she wandered for some time, overspent with hunger and fatigue, and sunk with terror and affliction. When in this wretched condition, she saw a robber approach with his naked sword; and finding that she had no means of escape, she suddenly embraced the resolution of trusting entirely for protection to his faith and generosity. She advanced towards him; and presenting to him the young prince, called out to him, "*Here, my friend, I commit to your care the safety of your king's son.*" The man, whose humanity and generous spirit had been obscured, not entirely lost, by his vicious course of life, was struck with the singularity of the event, was charmed with the confidence reposed in him; and vowed not only to abstain from all injury against the princess, but to devote himself entirely to her service. By his means she dwelt some time concealed in the forest, and was at last conducted to the sea-coast, whence she made her escape into Flanders. She passed thence into her father's court, where she lived several years in privacy and retirement. Her husband was not so fortunate or so dexterous in finding the means of escape. Some of his friends took him under their protection, and conveyed him into Lancashire; where he remained concealed during a twelvemonth; but he was at last detected, delivered up to Edward, and thrown into the Tower. The safety of his person was owing less to the generosity of his enemies, than to the contempt which they had entertained of his courage and his understanding.

The imprisonment of Henry, the expulsion of Margaret, the execution and confiscation of all the most eminent Lancastrians, seemed to give full security to Edward's government; whose title by blood being now recognised by parliament, and universally submitted to by the people, was no longer in danger of being impeached by any antagonist. In this prosperous situation, the king delivered himself up, without control, to those pleasures which his youth, his high fortune, and his natural temper invited him to enjoy; and the cares of royalty were less attended to, than the dissipation of amusement or the allurements of passion. The cruel and unrelenting spirit of Edward, though inured to the ferocity of civil wars, was at the same time extremely devoted to the softer passions, which, without mitigating his severe temper, maintained a great influence over him, and shared his attachment with the pursuits of ambition and the thirst of military glory. During the present interval of peace, he lived in the most familiar and sociable manner with his subjects, particularly with the Londoners; and the beauty of his person, as well as the gallantry of his address, which, even unassisted by his royal dignity, would have rendered him acceptable to the fair, facilitated all his applications for their favour. This easy and pleasurable course of life augmented every day his popularity among all ranks of men: he was the peculiar favourite of the young and gay of both sexes. The disposition of the English, little addicted to jealousy, kept them from taking umbrage at these liberties: and his indulgence in amusements, while it gratified his inclination, was thus become, without design, a means of supporting and securing his government. But as it is difficult to confine the ruling passion within strict rules of prudence, the amorous temper of Ed-

ward led him into a snare, which proved fatal to his repose, and to the stability of his throne.

THE KING'S MARRIAGE WITH THE LADY ELIZABETH GRAY.

Jacqueline of Luxembourg, duchess of Bedford, had, after her husband's death, so far sacrificed her ambition to love, that she espoused, in second marriage, sir Richard Woodeville, a private gentleman, to whom she bore several children; and among the rest, Elizabeth, who was remarkable for the grace and beauty of her person, as well as for other amiable accomplishments. This young lady had married sir John Gray, of Groby, by whom she had children; and her husband being slain in the second battle of St. Albans, fighting on the side of Lancaster, and his estate being for that reason confiscated, his widow retired to live with her father, at his seat of Grafton in Northamptonshire. The king came accidentally to the house after a hunting-party, in order to pay a visit to the duchess of Bedford; and as the occasion seemed favourable for obtaining some grace from this gallant monarch, the young widow flung herself at his feet, and with many tears entreated him to take pity on her impoverished and distressed children. The sight of so much beauty in affliction strongly affected the amorous Edward; love stole insensibly into his heart under the guise of compassion; and her sorrow, so becoming a virtuous matron, made his esteem and regard quickly correspond to his affection. He raised her from the ground with assurances of favour; he found his passion increase every moment by the conversation of the amible object; and he was soon reduced, in his turn, to the posture and style of a supplicant at the feet of Elizabeth. But the lady, either averse to dishonourable love from a sense of duty, or perceiving that the impression which she had made, was so deep as to give her hopes of obtaining the highest elevation, obstinately refused to gratify his passion; and all the endearments, caresses, and importunities of the young and amiable Edward proved fruitless against her rigid and inflexible virtue. His passion, irritated by opposition, and increased by his veneration for such honourable sentiments, carried him at last beyond all bounds of reason; and he offered to share his throne, as well as his heart, with the woman, whose beauty of person and dignity of character seemed so well to entitle her to both. The marriage was privately celebrated at Grafton. The secret was carefully kept for some time: no one suspected, that so libertine a prince could sacrifice so much to a romantic passion: and there were in particular strong reasons, which at that time rendered this step to the highest degree dangerous and imprudent.

The king, desirous to secure his throne, as well by the prospect of issue, as by foreign alliances, had a little before determined to make application to some neighbouring princess; and he had cast his eye on Bona of Savoy, sister of the queen of France, who, he hoped, would, by her marriage, ensure him the friendship of that power, which was alone both able and inclined to give support and assistance to his rival. To render the negociation more successful, the earl of Warwick had been dispatched to Paris, where the princess then resided; he had demanded Bona in marriage for the king; his proposals had been accepted; the treaty was fully concluded: and nothing remained but the ratification of the terms agreed on, and the bringing over the princess to England. But when the secret of Edward's marriage broke out, the haughty earl, deeming himself affronted, both by being employed in this fruitless negociation, and by being kept a stranger to the king's intentions, who had owed everything to his friendship, immediately returned to England, inflamed with rage and indignation. The influence of passion over so young a man as Edward might have served as an excuse for his imprudent conduct, had he deigned to acknowledge his error, or had pleaded his weakness as an apology: but his faulty shame or pride prevented him from so much as mentioning the matter to Warwick; and that nobleman was allowed to depart the court, full of the same ill-humour and discontent which he brought to it.

1466. Every incident now tended to widen the breach between the king and this powerful subject. The queen, who lost not her influence by marriage, was equally solicitous to draw every grace and favour to her own friends and kindred, and to exclude those of the earl, whom she regarded as her mortal enemy. Her father was created earl of Rivers: he was made treasurer in the room of lord Mountjoy: he was invested in the office of constable for life; and his son received the survivance of that high dignity. The same young nobleman was married to the only daughter of lord Scales, enjoyed the great estate of that family, and had the title of Scales conferred upon him. Catherine, the queen's sister, was married to the young duke of Buckingham, who was a ward of the crown: Mary, another of her sisters, espoused William Herbert, created earl of Huntingdon: Ann, a third sister, was given in marriage to the son and heir of Gray lord Ruthyn, created earl of Kent. The daughter and heir of the duke of Exeter, who was also the king's niece, was contracted to sir Thomas Gray, one of the queen's sons by her former husband; and as lord Montague was treating of a marriage between his son and this lady, the preference given to young Gray was deemed an injury and affront to the whole family of Nevil.

The earl of Warwick could not suffer with patience the least diminution of that credit which he had long enjoyed, and which he thought he had merited by such important services. Though he had received so many grants from the crown, that the revenue arising from them amounted, besides his patrimonial estate, to 80,000 crowns a year, according to the computation of Philip de Comines; his ambitious spirit was still dissatisfied, so long as he saw others surpass him in authority and influence with the king. Edward also, jealous of that power which had supported him, and which he himself had contributed still higher to exalt, was well pleased to raise up rivals in credit to the earl of Warwick; and he justified by this political view, his extreme partiality to the queen's kindred. But the nobility of England, envying the sudden growth of the Woodevilles, were more inclined to take part with Warwick's discontent, to whose grandeur they were already accustomed, and who had reconciled them to his superiority by his gracious and popular manners. And as Edward obtained from parliament a general resumption of all grants which he had made since his accession, and which had extremely impoverished the crown, this act, though it passed with some exceptions, particularly one in favour of the earl of Warwick, gave a general alarm to the nobility, and disgusted many, even zealous partisans of the family of York.

But the most considerable associate that Warwick acquired to his party, was George, duke of Clarence, the king's second brother. This prince deemed himself no less injured than the other grandees, by the uncontrolled influence of the queen and her relations; and as his fortunes were still left on a precarious footing, while theirs were fully established, this neglect, joined to his unquiet and restless spirit, inclined him to give countenance to all the malcontents. The favourable opportunity of gaining him was espied by the earl of Warwick, who offered him in marriage his eldest daughter, and co-heir of his immense fortunes; a settlement which, as it was superior to any that the king himself could confer upon him, immediately attached him to the party of the earl. Thus an extensive and dangerous combination was insensibly formed against Edward and his ministry. Though the immediate object of the malcontents was not to overturn the throne, it was difficult to foresee the extremities to which they might be carried: and as opposition to

government was usually in those ages prosecuted by force of arms, civil convulsions and disorders were likely to be soon the result of these intrigues and confederacies.

ALLIANCE WITH THE DUKE OF BURGUNDY.

While this cloud was gathering at home, Edward carried his views abroad, and endeavoured to secure himself against his factious nobility by entering into foreign alliances. The dark and dangerous ambition of Louis XI., the more it was known, the greater alarm it excited among his neighbours and vassals; and as it was supported by great abilities, and unrestrained by any principle of faith or humanity, they found no security to themselves but by a jealous combination against him. Philip, duke of Burgundy, was now dead; his rich and extensive dominions were devolved to Charles, his only son, whose martial disposition acquired him the surname of *Bold*, and whose ambition, more outrageous than that of Louis, but seconded by less power and policy, was regarded with a more favourable eye by the other potentates of Europe. The opposition of interests, and still more, a natural antipathy of character, produced a declared animosity between these bad princes; and Edward was thus secure of the sincere attachment of either of them, for whom he should choose to declare himself. The duke of Burgundy being descended by his mother, a daughter of Portugal, from John of Gaunt, was naturally inclined to favour the house of Lancaster: but this consideration was easily overbalanced by political motives; and Charles, perceiving the interests of that house to be extremely decayed in England, sent over his natural brother, commonly called the Bastard of Burgundy, to carry in his name proposals of marriage to Margaret, the king's sister. The alliance of Burgundy was more popular among the English than that of France; the commercial interests of the two nations invited the princes to a close union; their common jealousy of Louis was a natural cement between them; and Edward, pleased with strengthening himself by so potent a confederate, [1468,] soon concluded the alliance, and bestowed his sister upon Charles. A league, which Edward at the same time concluded with the duke of Britanny, seemed both to increase his security, and to open to him the prospect of rivalling his predecessors in those foreign conquests, which, however short-lived and unprofitable, had rendered their reigns so popular and illustrious.

INSURRECTION IN YORKSHIRE. 1469.

But whatever ambitious schemes the king might have built on these alliances, they were soon frustrated by intestine commotions, which engrossed all his attention. These disorders probably arose not immediately from the intrigues of the earl of Warwick, but from accident, aided by the turbulent spirit of the age, by the general humour of discontent which that popular nobleman had instilled into the nation, and perhaps by some remains of attachment to the house of Lancaster. The hospital of St. Leonard's, near York, had received, from an ancient grant of king Athelstane, a right of levying a thrave of corn upon every plough-land in the county; and as these charitable establishments are liable to abuse, the country people complained that the revenue of the hospital was no longer expended for the relief of the poor, but was secreted by the managers, and employed to their private purposes. After long repining at the contribution, they refused payment. Ecclesiastical and civil censures were issued against them: their goods were distrained, and their persons thrown into gaol: till, as their ill-humour daily increased, they rose in arms; fell upon the officers of the hospital, whom they put to the sword; and proceeded in a body, fifteen thousand strong, to the gates of York. Lord Montague, who commanded in those parts, opposed himself to their progress; and having been so fortunate in a skirmish as to seize Robert Hulderne, their leader, he ordered him immediately to be led to execution; according to the practice of the times. The rebels, however, still continued in arms; and being soon headed by men of greater distinction, sir Henry Nevil, son of lord Latimer, and Sir John Coniers, they advanced southwards, and began to appear formidable to government. Herbert, earl of Pembroke, who had received that title on the forfeiture of Jasper Tudor, was ordered by Edward to march against them, at the head of a body of Welshmen; and he was joined by five thousand archers, under the command of Stafford, earl of Devonshire, who had succeeded in that title to the family of Courtney, which had also been attainted. But a trivial difference about quarters having begotten an animosity between these two noblemen, the earl of Devonshire retired with his archers, and left Pembroke alone to encounter the rebels.

BATTLE OF BANBURY. *July* 26.

The two armies approached each other near Banbury; and Pembroke, having prevailed in a skirmish, and having taken Sir Henry Nevil prisoner, ordered him immediately to be put to death, without any form of process. This execution enraged without terrifying the rebels: they attacked the Welsh army, routed them, put them to the sword without mercy; and having seized Pembroke, they took immediate revenge upon him for the death of their leader. The king, imputing this misfortune to the earl of Devonshire, who had deserted Pembroke, ordered him to be executed in a like summary manner. But these speedy executions, or rather open murders, did not stop there: the northern rebels, sending a party to Grafton, seized the earl of Rivers and his son John; men who had become obnoxious by their near relation to the king, and his partiality towards them; and they were immediately executed by orders from Sir John Coniers.

There is no part of English history since the Conquest so obscure, so uncertain, so little authentic, or consistent, as that of the wars between the two Roses: historians differ about many material circumstances; some events of the utmost consequence, in which they almost all agree, are incredible, and contradicted by records; [*See note* 2 L, *at the end of this Vol.*;] and it is remarkable that this profound darkness falls upon us just on the eve of the restoration of letters, and when the art of printing was already known in Europe. All we can distinguish with certainty through the deep cloud which covers that period, is a scene of horror and bloodshed, savage manners, arbitrary executions, and treacherous, dishonourable conduct in all parties. There is no possibility, for instance, of accounting for the views and intentions of the earl of Warwick at this time. It is agreed that he resided, together with his son-in-law, the duke of Clarence, in his government of Calais, during the commencement of this rebellion; and that his brother Montague acted with vigour against the northern rebels. We may thence presume, that the insurrection had not proceeded from the secret counsels and instigation of Warwick: though the murder committed by the rebels on the earl of Rivers, his capital enemy, forms, on the other hand, a violent presumption against him. He and Clarence came over to England, offered their service to Edward, were received without any suspicion, were entrusted by him in the highest commands, and still persevered in their fidelity. Soon after, we find the rebels quieted and dispersed by a general pardon granted by Edward from the advice of the earl of Warwick; but why so courageous a prince, if secure of Warwick's fidelity, should have granted a general pardon to men who had been guilty of such violent and personal outrages against him, is not intelligible; nor why that noble-

man, if unfaithful, should have endeavoured to appease a rebellion, of which he was able to make such advantages. But it appears that, after this insurrection, there was an interval of peace, during which the king loaded the family of Nevil with honours and favours of the highest nature; he made lord Montague a marquis by the same name: he created his son George duke of Bedford: he publicly declared his intention of marrying that young nobleman to his eldest daughter, Elizabeth, who, as he had yet no sons, was presumptive heir of the crown: yet we find that soon after, being invited to a feast by the archbishop of York, a younger brother of Warwick and Montague, he entertained a sudden suspicion that they intended to seize his person or to murder him: and he abruptly left the entertainment.

1470. Soon after there broke out another rebellion, which is as unaccountable as all the preceding events; chiefly because no sufficient reason is assigned for it, and because, so far as it appears, the family of Nevil had no hand in exciting and fomenting it. It arose in Lincolnshire, and was headed by sir Robert Welles, son to the lord of that name. The army of the rebels amounted to 30,000 men; but lord Welles himself, far from giving countenance to them, fled into a sanctuary, in order to secure his person against the king's anger or suspicions. He was allured from this retreat by a promise of safety; and was soon after, notwithstanding this assurance, beheaded, along with sir Thomas Dymoc, by orders from Edward. The king fought a battle with the rebels, (13th March,) defeated them, took Sir Robert Welles and sir Thomas Launde prisoners, and ordered them immediately to be beheaded.

WARWICK AND CLARENCE BANISHED.

Edward, during these transactions, had entertained so little jealousy of the earl of Warwick or duke of Clarence, that he sent them with commissions of array to levy forces against the rebels: but these malcontents, as soon as they left the court, raised troops in their own name, issued declarations against the government, and complained of grievances, oppressions, and bad ministers. The unexpected defeat of Welles disconcerted all their measures; and they retired northwards into Lancashire, where they expected to be joined by lord Stanley, who had married the earl of Warwick's sister. But as that nobleman refused all concurrence with them, and as lord Montague also remained quiet in Yorkshire, they were obliged to disband their army, and to fly into Devonshire, where they embarked and made sail towards Calais.*

The deputy-governor, whom Warwick had left at Calais, was one Vaucler, a Gascon, who, seeing the earl return in this miserable condition, refused him admittance; and would not so much as permit the duchess of Clarence to land; though a few days before she had been delivered on ship-board of a son, and was at that time extremely disordered by sickness. With difficulty he would allow a few flagons of wine to be carried to the ship for the use of the ladies: but as he was a man of sagacity, and well acquainted with the revolutions to which England was subject, he secretly apologized to Warwick for this appearance of infidelity, and represented it as proceeding entirely from zeal to his service. He said, that the fortress was ill-supplied with provisions: that he could not depend on the attachment of the garrison; that the inhabitants, who lived by the English commerce, would certainly declare for the established government; that the place was at present unable to resist the power of England on the one hand, and that of the duke of Burgundy on the other; and that, by seeming to declare for Edward, he would acquire the confidence of that prince, and still keep it in his power, when it should become safe and prudent, to restore Calais to its ancient master. It is uncertain whether Warwick was satisfied with this apology, or suspected a double infidelity in Vaucler; but he feigned to be entirely convinced by him; and having seized some Flemish vessels, which he found lying off Calais, he immediately made sail towards France.

The king of France, uneasy at the close conjunction between Edward and the duke of Burgundy, received with the greatest demonstrations of regard the unfortunate Warwick, with whom he had formerly maintained a secret correspondence, and whom he hoped still to make his instrument in overturning the government of England, and re-establishing the house of Lancaster. No animosity was ever greater than that which had long prevailed between that house and the earl of Warwick. His father had been executed by orders from Margaret: he himself had twice reduced Henry to captivity, had banished the queen, had put to death all their most zealous partisans either in the field or on the scaffold, and had occasioned innumerable ills to that unhappy family. For this reason, believing that such inveterate rancour could never admit of any cordial reconciliation, he had not mentioned Henry's name, when he took arms against Edward; and he rather endeavoured to prevail by means of his own adherents, than revive a party which he sincerely hated. But his present distresses and the entreaties of Louis made him hearken to terms of accommodation; and Margaret being sent for from Angers, where she then resided, an agreement was from common interest soon concluded between them. It was stipulated that Warwick should espouse the cause of Henry, and endeavour to restore him to liberty, and to re-establish him on the throne; that the administration of the government, during the minority of young Edward, Henry's son, should be entrusted conjointly to the earl of Warwick and the duke of Clarence; and that prince Edward should marry the lady Anne, second daughter of that nobleman; and that the crown, in case of the failure of male issue in that prince, should descend to the duke of Clarence, to the entire exclusion of king Edward and his posterity. Never was confederacy, on all sides, less natural, or more evidently the work of necessity: but Warwick hoped, that all former passions of the Lancastrians might be lost in present political views; and that at worst, the independent power of his family, and the affections of the people, would suffice to give him security, and enable him to exact the full performance of all the conditions agreed on. The marriage of prince Edward with the lady Anne was immediately celebrated in France.

Edward foresaw that it would be easy to dissolve an alliance composed of such discordant parts. For this purpose he sent over a lady of great sagacity and address, who belonged to the train of the duchess of Clarence, and who, under colour of attending her mistress, was empowered to negociate with the duke and to renew the connexions of that prince with his own family. She represented to Clarence, that he had unwarily, to his own ruin, become the instrument of Warwick's vengeance, and had thrown himself entirely in the power of his most inveterate enemies; that the mortal injuries which the one royal family had suffered from the other, were now past all forgiveness, and no imaginary union of interests could ever suffice to obliterate them; that even if the leaders were willing to forget past offences, the animosity of their adherents would prevent a sincere coalition of parties, and would, in spite of all temporary and verbal agreements, preserve an eternal opposition of measures between them; and that a prince who deserted his own kindred, and joined the murderers of his father, left himself single, without friends, without protection, and would not, when misfortunes inevitably fell upon him, be so much as entitled to any pity or

* The king offered by proclamation a reward of 1000 pounds, or 100 pounds a year in land, to any that would seize them. Whence we may learn that land was at that time sold for about ten years purchase. See Rymer, vol. xi. p. 664.

regard from the rest of mankind. Clarence was only one and twenty years of age, and seems to have possessed but a slender capacity; yet could he easily see the force of these reasons; and upon the promise of forgiveness from his brother, he secretly engaged, on a favourable opportunity, to desert the earl of Warwick, and abandon the Lancastrian party.

During this negociation, Warwick was secretly carrying on a correspondence of the same nature with his brother the marquis of Montague, who was entirely trusted by Edward; and like motives produced a like resolution in that nobleman. The marquis also, that he might render the projected blow the more deadly and incurable, resolved, on his side, to watch a favourable opportunity for committing *his* perfidy, and still to maintain the appearance of being a zealous adherent to the house of York.

After these mutual snares were thus artfully laid, the decision of the quarrel advanced apace. Louis prepared a fleet to escort the earl of Warwick, and granted him a supply of men and money. The duke of Burgundy, on the other hand, enraged at that nobleman for his seizure of the Flemish vessels before Calais, and anxious to support the reigning family in England, with whom his own interests were now connected, fitted out a larger fleet with which he guarded the Channel; and he incessantly warned his brother-in-law of the imminent perils to which he was exposed. But Edward, though always brave and often active, had little foresight or penetration. He was not sensible of his danger: he made no suitable preparations against the earl of Warwick: he even said that the duke might spare himself the trouble of guarding the seas, and that he wished for nothing more than to see Warwick set foot on English ground. A vain confidence in his own prowess, joined to the immoderate love of pleasure, had made him incapable of all sound reason and reflection.

WARWICK AND CLARENCE RETURN, AND KING EDWARD EXPELLED.

The event soon happened of which Edward seemed so desirous. A storm dispersed the Flemish navy, and left the sea open to Warwick. That nobleman seized the opportunity, and setting sail, quickly landed at Dartmouth, with the duke of Clarence, the earls of Oxford and Pembroke, and a small body of troops; while the king was in the north, engaged in suppressing an insurrection which had been raised by lord Fitz-Hugh, brother-in-law to Warwick. The scene which ensues resembles more the fiction of a poem or romance than an event in true history. The prodigious popularity of Warwick, the zeal of the Lancastrian party, the spirit of discontent with which many were infected, and the general instability of the English nation, occasioned by the late frequent revolutions, drew such multitudes to his standard, that in a very few days his army amounted to sixty thousand men, and was continually increasing. Edward hastened southwards to encounter him; and the two armies approached each other near Nottingham, where a decisive action was every hour expected. The rapidity of Warwick's progress had incapacitated the duke of Clarence from executing *his* plan of treachery; and the marquis of Montague had here the opportunity of striking the first blow. He communicated the design to his adherents, who promised him their concurrence: they took to arms in the night-time, and hastened with loud acclamations to Edward's quarters: the king was alarmed at the noise, and starting from bed, heard the cry of war usually employed by the Lancastrian party. Lord Hastings, his chamberlain, informed him of the danger, and urged him to make his escape by speedy flight from an army where he had so many concealed enemies, and where few seemed zealously attached to his service. He had just time to get on horseback, and to hurry with a small retinue to Lynne in Norfolk, where he luckily found some ships ready, on board of which he instantly embarked. And after this manner the earl of Warwick, in no longer space than eleven days after his first landing, was left entire master of the kingdom.

But Edward's danger did not end with his embarkation. The Easterlings or Hans-Towns were then at war both with France and England; and some ships of these people hovering on the English coast, espied the king's vessels, and gave chase to them; nor was it without extreme difficulty that he made his escape into the port of Alcmaer in Holland. He had fled from England with such precipitation, that he had carried nothing of value along with him, and the only reward which he could bestow on the captain of the vessel that brought him over, was a robe lined with sables; promising him an ample recompense if fortune should ever become more propitious to him.

It is not likely that Edward could be very fond of presenting himself in this lamentable plight before the duke of Burgundy; and that having so suddenly, after his mighty vaunts, lost all footing in his own kingdom, he could be insensible to the ridicule which must attend him in the eyes of that prince. The duke, on his part, was no less embarrassed how he should receive the dethroned monarch. As he had ever borne a greater affection to the house of Lancaster than to that of York, nothing but political views had engaged him to contract an alliance with the latter; and he foresaw that probably the revolution in England would now turn this alliance against him, and render the reigning family his implacable and jealous enemy. For this reason, when the first rumour of that event reached him, attended with the circumstance of Edward's death, he seemed rather pleased with the catastrophe; and it was no agreeable disappointment to find, that he must either undergo the burden of supporting an exiled prince, or the dishonour of abandoning so near a relation. He began already to say that his connexions were with the kingdom of England, not with the king; and it was indifferent to him whether the name of Edward or that of Henry were employed in the articles of treaty. These sentiments were continually strengthened by the subsequent events. Vaucler, the deputy governor of Calais, though he had been confirmed in his command by Edward, and had even received a pension from the duke of Burgundy on account of his fidelity to the crown, no sooner saw his old master Warwick reinstated in authority than he declared for him, and with great demonstrations of zeal and attachment put the whole garrison in his livery. And the intelligence which the duke received every day from England, seemed to promise an entire and full settlement in the family of Lancaster.

HENRY VI. RESTORED.

Immediately after Edward's flight had left the kingdom at Warwick's disposal, that nobleman hastened to London; and taking Henry from his confinement in the Tower, into which he himself had been the chief cause of throwing him, he proclaimed him king with great solemnity. A parliament was summoned in the name of that prince, to meet at Westminster; and as this assembly could pretend to no liberty while surrounded by such enraged and insolent victors, governed by such an impetuous spirit as Warwick, their votes were entirely dictated by the ruling faction. The treaty with Margaret was here fully executed: Henry was recognised as lawful king; but his incapacity for government being avowed, the regency was entrusted to Warwick and Clarence till the majority of prince Edward; and in default of that prince's issue, Clarence was declared successor to the crown. The usual business also of reversals went on without opposition: every statute made during the reign of Edward was repealed; that prince was declared to be an usurper; he and his adherents were attainted; and in particular

Richard, duke of Gloucester, his younger brother: all the attainders of the Lancastrians, the dukes of Somerset and Exeter, the earls of Richmond, Pembroke, Oxford, and Ormond, were reversed; and every one was restored who had lost either honours or fortune by his former adherence to the cause of Henry.

The ruling party were more sparing in their executions than was usual after any revolutions during those violent times. The only victim of distinction was John Tibetot, earl of Worcester. This accomplished person, born in an age and nation where the nobility valued themselves on ignorance as their privilege, and left learning to monks and schoolmasters, for whom indeed the spurious erudition that prevailed was best fitted, had been struck with the first rays of true science, which began to penetrate from the south, and had been zealous, by his exhortation and example, to propagate the love of letters among his unpolished countrymen. It is pretended that knowledge had not produced on this nobleman himself the effect which so naturally attends it, of humanizing the temper and softening the heart; and that he had enraged the Lancastrians against him by the severities which he exercised upon them during the prevalence of his own party. He endeavoured to conceal himself after the flight of Edward; but was caught on the top of a tree in the forest of Weybridge, was conducted to London, tried before the earl of Oxford, condemned, and executed. All the other considerable Yorkists either fled beyond sea, or took shelter in sanctuaries; where the ecclesiastical privileges afforded them protection. In London alone, it is computed that no less than 2000 persons saved themselves in this manner; and among the rest, Edward's queen, who was there delivered of a son, called by his father's name.

Queen Margaret, the other rival queen, had not yet appeared in England; but on receiving intelligence of Warwick's success, was preparing with prince Edward for her journey. All the banished Lancastrians flocked to her; and among the rest the duke of Somerset, son of the duke beheaded after the battle of Hexham. This nobleman, who had long been regarded as the head of the party, had fled into the Low Countries on the discomfiture of his friends; and as he concealed his name and quality, he had there languished in extreme indigence. Philip de Comines tells us, that he himself saw him, as well as the duke of Exeter, in a condition no better than that of a common beggar; till being discovered by Philip, duke of Burgundy, they had small pensions allotted them, and were living in silence and obscurity when the success of their party called them from their retreat. But both Somerset and Margaret were detained by contrary winds from reaching England, till a new revolution in that kingdom, no less sudden and surprising than the former, threw them into greater misery than that from which they had just emerged.

Though the duke of Burgundy, by neglecting Edward, and paying court to the established government, had endeavoured to conciliate the friendship of the Lancastrians, he found that he had not succeeded to his wish; and the connexions between the king of France and the earl of Warwick still held him in great anxiety. This nobleman, too hastily regarding Charles as a determined enemy, had sent over to Calais a body of 4000 men, who made inroads into the Low Countries; and the duke of Burgundy saw himself in danger of being overwhelmed by the united arms of England and of France. He resolved therefore to grant some assistance to his brother-in-law; but in such a covert manner as should give the least offence possible to the English government....1471. He equipped four large vessels in the name of some private merchants at Terveer, in Zealand; and causing fourteen ships to be secretly hired from the Easterlings, he delivered this small squadron to Edward, who, receiving also a sum of money from the duke, immediately set sail for England. No sooner was Charles informed of his departure, than he issued a proclamation inhibiting all his subjects from giving him countenance or assistance; an artifice which could not deceive the earl of Warwick, but which might serve as a decent pretence, if that nobleman were so disposed, for maintaining friendship with the duke of Burgundy.

EDWARD IV. RETURNS. *March 25th.*

Edward, impatient to take revenge on his enemies, and to recover his lost authority, made an attempt to land with his forces, which exceeded not 2000 men, on the coast of Norfolk; but being there repulsed he sailed northwards, and disembarked at Ravenspur in Yorkshire. Finding that the new magistrates who had been appointed by the earl of Warwick, kept the people everywhere from joining him, he pretended, and even made oath that he came not to challenge the crown, but only the inheritance of the house of York, which of right belonged to him; and that he did not intend to disturb the peace of the kingdom. His partisans every moment flocked to his standard: he was admitted into the city of York: and he was soon in such a situation as gave him hopes of succeeding in all his claims and pretensions. The marquis of Montague commanded in the northern counties; but from some mysterious reasons which, as well as many other important transactions in that age, no historian has cleared up, he totally neglected the beginnings of an insurrection which he ought to have esteemed so formidable. Warwick assembled an army at Leicester, with an intention of meeting and of giving battle to the enemy; but Edward, by taking another road, passed him unmolested, and presented himself before the gates of London. Had he here been refused admittance, he was totally undone: but there were many reasons which inclined the citizens to favour him. His numerous friends, issuing from their sanctuaries, were active in his cause; many rich merchants who had formerly lent him money, saw no other chance for their payment but his restoration; the city dames who had been liberal of their favours to him, and who still retained an affection for this young and gallant prince, swayed their husbands and friends in his favour; and, above all, the archbishop of York, Warwick's brother, to whom the care of the city was committed, had secretly, from unknown reasons, entered into a correspondence with him; (April 11th;) and he facilitated Edward's admission into London. The most likely cause which can be assigned for those multiplied infidelities, even in the family of Nevil itself, is the spirit of faction, which, when it becomes inveterate, it is very difficult for any man entirely to shake off. The persons who had long distinguished themselves in the York party, were unable to act with zeal and cordiality for the support of the Lancastrians; and they were inclined, by any prospect of favour or accommodation offered them by Edward, to return to their ancient connexions. However this may be, Edward's entrance into London made him master not only of that rich and powerful city, but also of the person of Henry, who, destined to be the perpetual sport of fortune, thus fell again into the hands of his enemies.

It appears not that Warwick, during his short administration, which had continued only six months, had been guilty of any unpopular act, or had anywise deserved to lose that general favour with which he had so lately overwhelmed Edward. But this prince, who was formerly on the defensive, was now the aggressor; and having overcome the difficulties which always attend the beginnings of an insurrection, possessed many advantages above his enemy: his partisans were actuated by that zeal and courage which the notion of an attack inspires: his opponents were intimidated for a like reason; every one who had been disappointed in the hopes which he had entertained from Warwick's elevation, either became a cool friend or an open enemy to that nobleman; and each malcontent,

from whatever cause, proved an accession to Edward's army. The king, therefore, found himself in a condition to face the earl of Warwick; who being re-enforced by his son-in-law, the duke of Clarence, and his brother the marquis of Montague, took post at Barnet, in the neighbourhood of London. The arrival of queen Margaret was every day expected, who would have drawn together all the genuine Lancastrians, and have brought a great accession to Warwick's forces; but this very consideration proved a motive to the earl rather to hurry on a decisive action than to share the victory with rivals and ancient enemies, who, he foresaw, would, in case of success, claim the chief merit in the enterprise. But while his jealousy was all directed towards that side, he overlooked the dangerous infidelity of friends who lay the nearest to his bosom. His brother Montague, who had lately temporized, seems now to have remained sincerely attached to the interests of his family: but his son-in-law, though bound to him by every tie of honour and gratitude, though he shared the power of the regency, though he had been invested by Warwick in all the honours and patrimony of the house of York, resolved to fulfil the secret engagements which he had formerly taken with his brother, and to support the interests of his own family: he deserted to the king in the night-time, and carried over a body of 12,000 men along with him. Warwick was now too far advanced to retreat; and as he rejected with disdain all terms of peace offered him by Edward and Clarence, he was obliged to hazard a general engagement.

BATTLE OF BARNET AND DEATH OF WARWICK. *April* 14.

The battle was fought with obstinacy on both sides: the two armies, in imitation of their leaders, displayed uncommon valour: and the victory remained long undecided between them. But an accident threw the balance to the side of the Yorkists. Edward's cognizance was a sun; that of Warwick a star with rays; and the mistiness of the morning rendering it difficult to distinguish them, the earl of Oxford, who fought on the side of the Lancastrians, was by mistake attacked by his friends, and chased off the field of battle. Warwick, contrary to his more usual practice, engaged that day on foot, resolving to show his army that he meant to share every fortune with them; and he was slain in the thickest of the engagement; his brother underwent the same fate: and as Edward had issued orders not to give any quarter, a great and undistinguished slaughter was made in the pursuit. There fell about 1500 on the side of the victors.

The same day on which this decisive battle was fought, queen Margaret and her son, now about eighteen years of age, and a young prince of great hopes, landed at Weymouth, supported by a small body of French forces. When this princess received intelligence of her husband's captivity, and of the defeat and death of the earl of Warwick, her courage, which had supported her under so many disastrous events, here quite left her; and she immediately foresaw all the dismal consequences of this calamity. At first she took sanctuary in the abbey of Beaulieu; but being encouraged by the appearance of Tudor, earl of Pembroke, and Courtney, earl of Devonshire, of the lords Wenloc and St. John, with other men of rank, who exhorted her still to hope for success, she resumed her former spirit, and determined to defend to the utmost the ruins of her fallen fortunes. She advanced through the counties of Devon, Somerset, and Gloucester, increasing her army on each day's march; but was at last overtaken by the rapid and expeditious Edward, at Teukesbury, on the banks of the Severn. The Lancastrians were here totally defeated: (4th May:) the earl of Devonshire and lord Wenloc were killed in the field: the duke of Somerset, and about twenty other persons of distinction, having taken shelter in a church, were surrounded, dragged out, and immediately beheaded: about 3000 of their side fell in battle: and the army was entirely dispersed.

MURDER OF PRINCE EDWARD. *May* 21.

Queen Margaret and her son were taken prisoners, and brought to the king, who asked the prince, after an insulting manner, how he dared to invade his dominions? The young prince, more mindful of his high birth than of his present fortune, replied, that he came thither to claim his just inheritance. The ungenerous Edward, insensible to pity, struck him on the face with his gauntlet; and the dukes of Clarence and Gloucester, lord Hastings, and sir Thomas Gray, taking the blow as a signal for further violence, hurried the prince into the next apartment, and there dispatched him with their daggers. Margaret was thrown into the Tower: king Henry expired in that confinement a few days after the battle of Teukesbury; but whether he died a natural or violent death is uncertain. It is pretended, and was generally believed, that the duke of Gloucester killed him with his own hands, but the universal odium which that prince has incurred, inclined perhaps the nation to aggravate his crimes without any sufficient authority. It is certain, however, that Henry's death was sudden; and though he laboured under an ill state of health, this circumstance, joined to the general manners of the age, gave a natural ground of suspicion: which was rather increased than diminished by the exposing of his body to public view. That precaution served only to recall many similar instances in the English history, and to suggest the comparison.

All the hopes of the house of Lancaster seemed now to be utterly extinguished. Every legitimate prince of that family was dead: almost every great leader of the party had perished in battle or on the scaffold: the earl of Pembroke, who was levying forces in Wales, disbanded his army when he received intelligence of the battle of Teukesbury; and he fled into Britanny with his nephew, the young earl of Richmond. The bastard of Falconberg, who had levied some forces, and had advanced to London during Edward's absence, was repulsed; his men deserted him; he was taken prisoner, and immediately executed: and peace being now fully restored to the nation, a parliament was summoned, (6th October,) which ratified, as usual, all the acts of the victor, and recognised his legal authority.

But this prince, who had been so firm, and active, and intrepid, during the course of adversity, was still unable to resist the allurements of a prosperous fortune; and he wholly devoted himself, as before, to pleasure and amusement, after he became entirely master of his kingdom, and had no longer any enemy who could give him anxiety or alarm. He recovered, however, by this gay and inoffensive course of life, and by his easy familiar manners, that popularity which it is natural to imagine he had lost by the repeated cruelties exercised upon his enemies; and the example also of his jovial festivities served to abate the former acrimony of faction among his subjects, and to restore the social disposition which had been so long interrupted between the opposite parties. All men seemed to be fully satisfied with the present government; and the memory of past calamities served only to impress the people more strongly with a sense of their allegiance, and with the resolution of never incurring any more the hazard of renewing such direful scenes.

But while the king was thus indulging himself in pleasure, he was roused from his lethargy by a prospect of foreign conquests, which it is probable his desire of popularity, more than the spirit of ambition, had made him covet. Though he deemed himself little beholden to the duke of Burgundy for the reception which that prince had given him during his exile, the political interests of their states maintained still a close connexion

between them; and they agreed to unite their arms in making a powerful invasion on France. A league was formed, in which Edward stipulated to pass the seas with an army exceeding 10,000 men, and to invade the French territories. Charles promised to join him with all his forces: the king was to challenge the crown of France, and to obtain at least the provinces of Normandy and Guienne: the duke was to acquire Champaigne and some other territories, and to free all his dominions from the burden of homage to the crown of France: and neither party was to make peace without the consent of the other. They were the more encouraged to hope for success from this league, as the count of St. Pol, constable of France, who was master of St. Quintin, and other towns on the Somme, had secretly promised to join them; and there were also hopes of engaging the duke of Britanny to enter into the confederacy.

1474. The prospect of a French war was always a sure means of making the parliament open their purses, as far as the habits of that age would permit. They voted the king a tenth of rents, or two shillings in the pound; which must have been very inaccurately levied, since it produced only 31,460 pounds; and they added to this supply a whole fifteenth, and three quarters of another; but as the king deemed these sums still unequal to the undertaking, he attempted to levy money by way of *benevolence*; a kind of exaction which, except during the reigns of Henry III. and Richard II., had not been much practised in former times, and which, though the consent of the parties was pretended to be gained, could not be deemed entirely voluntary. The clauses annexed to the parliamentary grant show sufficiently the spirit of the nation in this respect. The money levied by the fifteenth was not to be put into the king's hands, but to be kept in religious houses; and if the expedition into France should not take place, it was immediately to be refunded to the people. After these grants the parliament was dissolved, which had sitten near two years and a half, and had undergone several prorogations; a practice not very usual at that time in England.

INVASION OF FRANCE. 1475.

The king passed over to Calais with an army of 1500 men-at-arms, and 15,000 archers; attended by all the chief nobility of England, who, prognosticating future successes from the past, were eager to appear on this great theatre of honour.* But all their sanguine hopes were damped when they found, on entering the French territories, that neither did the constable open his gates to them, nor the duke of Burgundy bring them the smallest assistance. That prince, transported by his ardent temper, had carried all his armies to a great distance, and had employed them in wars on the frontiers of Germany, and against the duke of Lorrain: and though he came in person to Edward, and endeavoured to apologize for this breach of treaty, there was no prospect that they would be able this campaign to make a conjunction with the English. This circumstance gave great disgust to the king, and inclined him to hearken to those advances which Louis continually made him for an accommodation.

That monarch, more swayed by political views than by the point of honour, deemed no submissions too mean, which might free him from enemies who had proved so formidable to his predecessors, and who, united to so many other enemies, might still shake the well-established government of France. It appears from Comines, that discipline was at this time very imperfect among the English; and that their civil wars, though long continued, yet being always decided by hasty battles, had still left them ignorant of the improvements which the military art was beginning to receive upon the continent. But as Louis was sensible that the warlike genius of the people would soon render them excellent soldiers, he was far from despising them for their present want of experience; and he employed all his art to detach them from the alliance of Burgundy. When Edward sent him a herald to claim the crown of France, and to carry him a defiance in case of refusal, so far from answering to this bravado in like haughty terms, he replied with great temper, and even made the herald a considerable present: he took afterwards an opportunity of sending a herald to the English camp; (29th August;) and having given him directions to apply to the lords Stanley and Howard, who he heard were friends to peace, he desired the good offices of these noblemen in promoting an accommodation with their master. As Edward was now fallen into like dispositions, a truce was soon concluded on terms more advantageous than honourable to Louis. He stipulated to pay Edward immediately 75,000 crowns, on condition that he should withdraw his army from France, and promised to pay him 50,000 crowns a year during their joint lives: it was added, that the dauphin when of age should marry Edward's eldest daughter. In order to ratify this treaty, the two monarchs agreed to have a personal interview; and for that purpose suitable preparations were made at Pecquigni, near Amiens. A close rail was drawn across a bridge in that place, with no larger intervals than would allow the arm to pass; a precaution against a similar accident to that which befel the duke of Burgundy in his conference with the dauphin at Montereau. Edward and Louis came to the opposite sides; conferred privately together; and having confirmed their friendship, and interchanged many mutual civilities, they soon after parted.

Louis was anxious not only to gain the king's friendship, but also that of the nation, and of all the considerable persons in the English court. He bestowed pensions, to the amount of 16,000 crowns a year, on several of the king's favourites; on lord Hastings two thousand crowns; on lord Howard and others in proportion; and these great ministers were not ashamed thus to receive wages from a foreign prince. As the two armies, after the conclusion of the truce, remained some time in the neighbourhood of each other, the English were not only admitted freely into Amiens, where Louis resided, but also their charges defrayed, and had wine and victuals furnished them in every inn, without any payment being demanded. They flocked thither in such multitudes, that once above nine thousand of them were in the town, and they might have made themselves masters of the king's person; but Louis concluding, from their jovial and dissolute manner of living, that they had no bad intentions, was careful not to betray the least sign of fear or jealousy And when Edward, informed of this disorder, desired him to shut the gates against them, he replied, that he would never agree to exclude the English from the place where he resided; but that Edward, if he pleased, might recall them, and place his own officers at the gates of Amiens to prevent their returning.

Louis's desire of confirming a mutual amity with England engaged him even to make imprudent advances, which it cost him afterwards some pains to evade. In the conference at Pecquigni, he had said to Edward, that he wished to have a visit from him at Paris; that he would there endeavour to amuse him with the ladies; and that, in case any offences were then committed, he would assign him the cardinal of Bourbon for confessor, who from fellow-feeling would not be over and above severe in the penances which he would enjoin. This hint made deeper impression than Louis intended. Lord Howard, who accompanied him back to Amiens, told him, in confidence, that, if he were so disposed, it would not be impossible to persuade Edward to take a journey with him to Paris, where they might make merry together. Louis pretended at first not to hear the offer; but, on Howard's

* Comines, liv. iv. c. 5. This author says (c. 11) that the king artfully brought over some of the richest of his subjects, who he knew would be soon tired of the war, and would promote all proposals of peace, which he foresaw would be soon necessary

repeating it, he expressed his concern that his wars with the duke of Burgundy would not permit him to attend his royal guest, and do him the honours he intended. "Edward," said he, privately to Comines, "is a very handsome and a very amorous prince: some lady at Paris may like him as well as he shall do her; and may invite him to return in another manner. It is better that the sea be between us."

This treaty did very little honour to either of these monarchs: it discovered the imprudence of Edward, who had taken his measures so ill with his allies as to be obliged, after such an expensive armament, to return without making any acquisitions adequate to it: it showed the want of dignity in Louis, who, rather than run the hazard of a battle, agreed to subject his kingdom to a tribute, and thus acknowledge the superiority of a neighbouring prince, possessed of less power and territory than himself. But, as Louis made interest the sole test of honour, he thought that all the advantages of the treaty were on his side, and that he had over-reached Edward, by sending him out of France on such easy terms. For this reason he was very solicitous to conceal his triumph; and he strictly enjoined his courtiers never to show the English the least sign of mockery or derision. But he did not himself very carefully observe so prudent a rule: he could not forbear, one day, in the joy of his heart, throwing out some raillery on the easy simplicity of Edward and his council; when he perceived that he was overheard by a Gascon who had settled in England. He was immediately sensible of his indiscretion; sent a message to the gentleman; and offered him such advantages in his own country, as engaged him to remain in France. "It is but just," said he, "that I pay the penalty of my own talkativeness."

The most honourable part of Louis's treaty with Edward was the stipulation for the liberty of queen Margaret, who, though after the death of her husband and son, she could no longer be formidable to government, was still detained in custody by Edward. Louis paid fifty thousand crowns for her ransom; and that princess, who had been so active on the stage of the world, and who had experienced such a variety of fortune, passed the remainder of her days in tranquillity and privacy, till the year 1482, when she died—an admirable princess, but more illustrious by her undaunted spirit in adversity, than by her moderation in prosperity. She seems neither to have enjoyed the virtues, nor been subject to the weaknesses, of her sex; and was as much tainted with the ferocity, as endowed with the courage, of that barbarous age in which she lived.

Though Edward had so little reason to be satisfied with the conduct of the duke of Burgundy, he reserved to that prince a power of acceding to the treaty of Pecquigni: but Charles, when the offer was made him, haughtily replied, that he was able to support himself without the assistance of England, and that he would make no peace with Louis, till three months after Edward's return into his own country. This prince possessed all the ambition and courage of a conqueror; but being defective in policy and prudence, qualities no less essential, he was unfortunate in all his enterprises, and perished at last in battle against the Swiss; a people whom he despised, and who, though brave and free, had hitherto been in a manner overlooked in the general system of Europe. The event, which happened in the year 1477, produced a great alteration in the views of all the princes, and was attended with consequences which were felt for many generations. Charles left only one daughter, Mary, by his first wife; and this princess being heir of his opulent and extensive dominions, was courted by all the potentates of Christendom, who contended for the possession of so rich a prize. Louis, the head of her family, might, by a proper application, have obtained this match for the dauphin, and have thereby united to the crown of France all the provinces of the Low Countries, together with Burgundy, Artois, and Picardy, which would at once have rendered his kingdom an overmatch for all its neighbours. But a man wholly interested is as rare as one entirely endowed with the opposite quality; and Louis, though impregnable to all the sentiments of generosity and friendship, was, on this occasion, carried from the road of true policy by the passions of animosity and revenge. He had imbibed so deep a hatred to the house of Burgundy, that he rather chose to subdue the princess by arms, than unite her to his family by marriage: he conquered the dutchy of Burgundy and that part of Picardy which had been ceded to Philip the Good by the treaty of Arras: but he thereby forced the states of the Netherlands to bestow their sovereign in marriage of Maximilian, of Austria, son of the emperor Frederic, from whom they looked for protection in their present distresses: and by these means France lost the opportunity, which she never could recall, of making that important acquisition of power and territory.

During this interesting crisis, Edward was no less defective in policy, and was no less actuated by private passions, unworthy of a sovereign and a statesman. Jealousy of his brother Clarence had caused him to neglect the advances which were made of marrying that prince, now a widower, to the heiress of Burgundy; and he sent her proposals of espousing Anthony, earl of Rivers, brother to his queen, who still retained an entire ascendant over him. But the match was rejected with disdain; and Edward resenting this treatment of his brother-in-law, permitted France to proceed without interruption in her conquests over his defenceless ally. Any pretence sufficed him for abandoning himself entirely to indolence and pleasure, which were now become his ruling passions. The only object which divided his attention, was the improvement of the public revenue, which had been dilapidated by the necessities or negligence of his predecessors; and some of his expedients for that purpose, though unknown to us, were deemed, during the time, oppressive to the people. The detail of private wrongs naturally escapes the notice of history; but an act of tyranny, of which Edward was guilty in his own family, has been taken notice of by all writers, and has met with general and deserved censure.

TRIAL AND EXECUTION OF THE DUKE OF CLARENCE.

The duke of Clarence, by all his services in deserting Warwick, had never been able to regain the king's friendship, which he had forfeited by his former confederacy with that nobleman. He was still regarded at court as a man of a dangerous and a fickle character; and the imprudent openness and violence of his temper, though it rendered him much less dangerous, tended extremely to multiply his enemies, and to incense them against him. Among others, he had the misfortune to give displeasure to the queen herself, as well as to his brother, the duke of Gloucester, a prince of the deepest policy, of the most unrelenting ambition, and the least scrupulous in the means which he employed for the attainment of his ends. A combination between these potent adversaries being secretly formed against Clarence, it was determined to begin by attacking his friends: in hopes, that if he patiently endured this injury, his pusillanimity would dishonour him in the eyes of the public; if he made resistance, and expressed resentment, his passion would betray him into measures which might give them advantages against him. The king hunting one day in the park of Thomas Burdet, of Arrow, in Warwickshire, had killed a white buck, which was a great favourite of the owner; and Burdet, vexed at the loss, broke into a passion, and wished the horns of the deer in the belly of the person who had advised the king to commit that insult upon him. This natural expression of resentment, which would have been overlooked or forgotten

had it fallen from any other person, was rendered criminal and capital in that gentleman, by the friendship in which he had the misfortune to live with the duke of Clarence: he was tried for his life; the judges and jury were found servile enough to condemn him; and he was publicly beheaded at Tyburn for this pretended offence. About the same time, one John Stacey, an ecclesiastic, much connected with the duke, as well as with Burdet, was exposed to a like iniquitous and barbarous prosecution. This clergyman, being more learned in mathematics and astronomy than was usual in that age, lay under the imputation of necromancy with the ignorant vulgar; and the court laid hold of this popular rumour to effect his destruction. He was brought to his trial for that imaginary crime; many of the greatest peers countenanced the prosecution by their presence; he was condemned, put to the torture, and executed.

The duke of Clarence was alarmed when he found these acts of tyranny exercised on all around him: he reflected on the fate of the good duke of Gloucester in the last reign, who, after seeing the most infamous pretences employed for the destruction of his nearest connexions, at last fell himself a victim to the vengeance of his enemies. But Clarence, instead of securing his own life against the present danger by silence and reserve, was open and loud in justifying the innocence of his friends, and in exclaiming against the iniquity of their prosecutors. The king, highly offended with his freedom, or using that pretence against him, committed him to the Tower, summoned a parliament, (16th January, 1478,) and tried him for his life before the house of peers, the supreme tribunal of the nation.

The duke was accused of arraigning public justice, by maintaining the innocence of men who had been condemned in courts of judicature: and of inveighing against the iniquity of the king, who had given orders for their prosecution. Many rash expressions were imputed to him, and some too reflecting on Edward's legitimacy; but he was not accused of any overt act of treason; and even the truth of those speeches may be doubted of, since the liberty of judgment was taken from the court, by the king's appearing personally as his brother's accuser, and pleading the cause against him. But a sentence of condemnation, even when this extraordinary circumstance had not place, was a necessary consequence in those times, of any prosecution by the court or the prevailing party: and the duke of Clarence was pronounced guilty by the peers. The house of commons were no less slavish and unjust: they both petitioned for the execution of the duke, and afterwards passed a bill of attainder against him. The measures of the parliament, during that age, furnish us with examples of a strange contrast of freedom and servility: they scruple to grant, and sometimes refuse, to the king the smallest supplies, the most necessary for the support of government, even the most necessary for the maintenance of wars, for which the nation, as well as the parliament itself, expressed great fondness: but they never scruple to concur in the most flagrant act of injustice or tyranny, which falls on any individual, however distinguished by birth or merit. These maxims, so ungenerous, so opposite to all principles of good government, so contrary to the practice of present parliaments, are very remarkable in all the transactions of the English history, for more than a century after the period in which we are engaged.

The only favour which the king granted his brother, after his condemnation, was to leave him the choice of his death; and he was privately drowned in a butt of malmsey in the Tower: (18th February:) a whimsical choice, which implies that he had an extraordinary passion for that liquor. The duke left two children by the elder daughter of the earl of Warwick; a son, created an earl by his grandfather's title, and a daughter, afterwards countess of Salisbury. Both this prince and princess were also unfortunate in their end, and died a violent death; a fate which for many years attended almost all the descendants of the royal blood in England. There prevails a report, that the chief source of the violent prosecution of the duke of Clarence, whose name was George, was a current prophecy, that the king's son should be murdered by one, the initial letter of whose name was G. It is not impossible but, in those ignorant times, such a silly reason might have some influence: but it is more probable that the whole story is the invention of a subsequent period, and founded on the murder of these children by the duke of Gloucester. Comines remarks, that, at that time, the English never were without some superstitious prophecy or other, by which they accounted for every event.

DEATH AND CHARACTER OF EDWARD IV.

April 9.

All the glories of Edward's reign terminated with the civil war; where his laurels too were extremely sullied with blood, violence, and cruelty. His spirit seems afterwards to have been sunk in indolence and pleasure, or his measures were frustrated by imprudence and the want of foresight. There was no object on which he was more intent than to have all his daughters settled by splendid marriages, though most of these princesses were yet in their infancy, and though the completion of his views, it was obvious, must depend on numberless accidents, which were impossible to be foreseen or prevented. His eldest daughter, Elizabeth, was contracted to the dauphin: his second, Cicely, to the eldest son of James III., king of Scotland; his third, Anne, to Philip, only son of Maximilian and the duchess of Burgundy; his fourth to John, son and heir to Ferdinand, king of Arragon, and Isabella, queen of Castile. None of these projected marriages took place; and the king himself saw, in his lifetime, the rupture of the first, that with the dauphin, for which he had always discovered a peculiar fondness. Louis, who paid no regard to treaties or engagements, found his advantage in contracting the dauphin to the princess Margaret, daughter of Maximilian; and the king, notwithstanding his indolence, prepared to revenge the indignity. 1482. The French monarch, eminent for prudence as well as perfidy, endeavoured to guard against the blow; and by a proper distribution of presents in the court of Scotland, he incited James to make war upon England. This prince, who lived on bad terms with his own nobility, and whose force was very unequal to the enterprise, levied an army; but when he was ready to enter England, the barons conspiring against his favourites, put them to death without trial; and the army presently disbanded. The duke of Gloucester, attended by the duke of Albany, James's brother, who had been banished his country, entered Scotland at the head of an army, took Berwick, and obliged the Scots to accept of a peace, by which they resigned that fortress to Edward. This success emboldened the king to think more seriously of a French war; but while he was making preparations for that enterprise, he was seized with a distemper, of which he expired in the forty-second year of his age, and the twenty-third of his reign; a prince more splendid and showy, than either prudent or virtuous; brave, though cruel; addicted to pleasure, though capable of activity in great emergencies: and less fitted to prevent ills by wise precautions, than to remedy them after they took place, by his vigour and enterprise. Besides five daughters, this king left two sons; Edward, prince of Wales, his successor, then in his thirteenth year, and Richard, duke of York, in his ninth

CHAPTER XXIII.

EDWARD V. AND RICHARD III.

Edward V.—State of the Court.—The Earl of Rivers arrested.—Duke of Gloucester Protector.—Execution of Lord Hastings.—The Protector assumes the Crown.—Assumes the Crown.—Murder of Edward V. and of the Duke of York.—Richard III.—Duke of Buckingham disgusted.—The Earl of Richmond.—Buckingham executed.—Invasion by the Earl of Richmond.—Battle of Bosworth.—Death and Character of Richard III.

EDWARD V. 1483.

DURING the latter years of Edward IV. the nation having, in a great measure, forgotten the bloody feuds between the two roses, and peaceably acquiescing in the established government, was agitated only by some court intrigues, which, being restrained by the authority of the king, seemed nowise to endanger the public tranquillity. These intrigues arose from the perpetual rivalship between two parties; one consisting of the queen and her relations, particularly the earl of Rivers, her brother, and the marquis of Dorset, her son; the other composed of the ancient nobility, who envied the sudden growth and unlimited credit of that aspiring family. At the head of this latter party was the duke of Buckingham, a man of very noble birth, of ample possessions, of great alliances, of shining parts; who, though he had married the queen's sister, was too haughty to act in subserviency to her inclinations, and aimed rather at maintaining an independent influence and authority. Lord Hastings, the chamberlain, was another leader of the same party; and as this nobleman had, by his bravery and activity, as well as by his approved fidelity, acquired the confidence and favour of his master, he had been able, though with some difficulty, to support himself against the credit of the queen. The lords Howard and Stanley maintained a connexion with these two noblemen, and brought a considerable accession of influence and reputation to their party. All the other barons, who had no particular dependence on the queen, adhered to the same interest; and the people in general, from their natural envy against the prevailing power, bore great favour to the cause of these noblemen.

But Edward knew that, though he himself had been able to overawe those rival factions, many disorders might arise from their contests during the minority of his son; and he therefore took care, in his last illness, to summon together several of the leaders on both sides, and, by composing their ancient quarrels, to provide, as far as possible, for the future tranquillity of the government. After expressing his intentions that his brother, the duke of Gloucester, then absent in the north, should be entrusted with the regency, he recommended to them peace and unanimity during the tender years of his son; represented to them the dangers which must attend the continuance of their animosities; and engaged them to embrace each other with all the appearance of the most cordial reconciliation. But this temporary or feigned agreement lasted no longer than the king's life: he had no sooner expired, than the jealousies of the parties broke out afresh; and each of them applied, by separate messages, to the duke of Gloucester, and endeavoured to acquire his favour and friendship.

This prince, during his brother's reign, had endeavoured to live on good terms with both parties; and his high birth, his extensive abilities, and his great services, had enabled him to support himself without falling into a dependence on either. But the new situation of affairs, when the supreme power was devolved upon him, immediately changed his measures; and he secretly determined to preserve no longer that neutrality which he had hitherto maintained. His exorbitant ambition, unrestrained by any principle either of justice or humanity, made him carry his views to the possession of the crown itself; and as this object could not be attained without the ruin of the queen and her family, he fell, without hesitation, into concert with the opposite party. But being sensible, that the most profound dissimulation was requisite for effecting his criminal purposes, he redoubled his professions of zeal and attachment to that princess; and he gained such credit with her, as to influence her conduct in a point, which, as it was of the utmost importance, was violently disputed between the opposite factions.

The young king, at the time of his father's death, resided in the castle of Ludlow, on the borders of Wales, whither he had been sent, that the influence of his presence might overawe the Welsh, and restore the tranquillity of that country, which had been disturbed by some late commotions. His person was committed to the care of his uncle, the earl of Rivers, the most accomplished nobleman in England, who, having united an uncommon taste for literature* to great abilities in business, and valour in the field, was entitled by his talents, still more than by nearness of blood, to direct the education of the young monarch. The queen, anxious to preserve that ascendant over her son, which she had long maintained over her husband, wrote to the earl of Rivers, that he should levy a body of forces, in order to escort the king to London, to protect him during his coronation, and to keep him from falling into the hands of their enemies. The opposite faction, sensible that Edward was now of an age when great advantages could be made of his name and countenance, and was approaching to the age when he would be legally entitled to exert in person his authority, foresaw, that the tendency of this measure was to perpetuate their subjection under their rivals; and they vehemently opposed a resolution which they represented as the signal for renewing a civil war in the kingdom. Lord Hastings threatened to depart instantly to his government of Calais; the other nobles seemed resolute to oppose force by force; and as the duke of Gloucester, on pretence of pacifying the quarrel, had declared against all appearance of an armed power, which might be dangerous, and was nowise necessary, the queen, trusting to the sincerity of his friendship, and overawed by so violent an opposition, recalled her orders to her brother, and desired him to bring up no greater retinue than should be necessary to support the state and dignity of the young sovereign.

The duke of Gloucester, meanwhile, set out from York, attended by a numerous train of the northern gentry. When he reached Northampton, he was joined by the duke of Buckingham, who was also attended by a splendid retinue; and as he heard that the king was hourly expected on that road, he resolved to await his arrival, under colour of conducting him thence in person to London. The earl of Rivers, apprehensive that the place would be too narrow to contain so many attendants, sent his pupil forward by another road to Stony-Stratford; and came himself to Northampton, in order to apologize for this measure, and to pay his respects to the duke of Gloucester. He was received with the greatest appearance of cordiality: he passed the evening in an amicable manner with Gloucester and Buckingham; he proceeded on the road with them next day to join the king; but as he was entering Stony-Stratford, he was arrested by orders from the duke of Gloucester: sir Richard Gray one of the queen's sons, was at the same time put under a guard, together with sir Thomas Vaughan, who possessed a considerable office in the king's household; and all the prisoners were instantly conducted to Pomfret. Gloucester approached the young prince with the greatest demonstrations of respect; and endeavoured to satisfy him with regard to the violence

* This nobleman first introduced the noble art of printing into England. Caxton was recommended by him to the patronage of Edward IV. See Catalogue of Royal and Noble Authors



committed on his uncle and brother: but Edward, much attached to these near relations, by whom he had been tenderly educated, was not such a master of dissimulation as to conceal his displeasure.

The people, however, were extremely rejoiced at this revolution; and the duke was received in London (4th May) with the loudest acclamations; but the queen no sooner received intelligence of her brother's imprisonment, than she foresaw that Gloucester's violence would not stop there, and that her own ruin, if not that of all her children, was finally determined. She therefore fled into the sanctuary of Westminster, attended by the marquis of Dorset; and she carried thither the five princesses, together with the duke of York. She trusted, that the ecclesiastical privileges which had formerly, during the total ruin of her husband and family, given her protection against the fury of the Lancastrian faction, would not now be violated by her brother-in-law, while her son was on the throne; and she resolved to await there the return of better fortune. But Gloucester, anxious to have the duke of York in his power, proposed to take him by force from the sanctuary; and he represented to the privy-council, both the indignity put upon the government by the queen's ill-grounded apprehensions, and the necessity of the young prince's appearance at the ensuing coronation of his brother. It was further urged, that ecclesiastical privileges were originally intended only to give protection to unhappy men persecuted for their debts or crimes; and were entirely useless to a person who, by reason of his tender age, could lie under the burden of neither, and who, for the same reason, was utterly incapable of claiming security from any sanctuary. But the two archbishops, cardinal Bourchier, the primate, and Rotherham, archbishop of York, protesting against the sacrilege of this measure, it was agreed, that they should first endeavour to bring the queen to compliance by persuasion, before any violence should be employed against her. These prelates were persons of known integrity and honour; and being themselves entirely persuaded of the duke's good intentions, they employed every argument, accompanied with earnest entreaties, exhortations, and assurances, to bring her over to the same opinion. She long continued obstinate, and insisted, that the duke of York, by living in the sanctuary, was not only secure himself, but gave security to the king, whose life no one would dare to attempt, while his successor and avenger remained in safety. But finding that none supported her in these sentiments, and that force, in case of refusal, was threatened by the council, she at last complied, and produced her son to the two prelates. She was here on a sudden struck with a kind of presage of his future fate: she tenderly embraced him; she bedewed him with her tears; and bidding him an eternal adieu, delivered him, with many expressions of regret and reluctance, into their custody.

DUKE OF GLOUCESTER PROTECTOR.

The duke of Gloucester, being the nearest male of the royal family capable of exercising the government, seemed entitled, by the customs of the realm, to the office of protector; and the council, not waiting for the consent of parliament, made no scruple of investing him with that high dignity. The general prejudice entertained by the nobility against the queen and her kindred, occasioned this precipitation and irregularity; and no one foresaw any danger to the succession, much less to the lives of the young princes, from a measure so obvious and so natural. Besides that the duke had hitherto been able to cover, by the most profound dissimulation, his fierce and savage nature; the numerous issue of Edward, together with the two children of Clarence, seemed to be an eternal obstacle to his ambition; and it appeared equally impracticable for him to destroy so many persons possessed of a preferable title, and imprudent to exclude them. But a man who had abandoned all principles of honour and humanity, was soon carried by his predominant passion beyond the reach of fear or precaution; and Gloucester, having so far succeeded in his views, no longer hesitated in removing the other obstructions which lay between him and the throne. The death of the earl of Rivers, and of the other prisoners detained in Pomfret, was first determined; and he easily obtained the consent of the duke of Buckingham, as well as of lord Hastings, to this violent and sanguinary measure. However easy it was in those times to procure a sentence against the most innocent person, it appeared still more easy to dispatch an enemy, without any trial or form of process; and orders were accordingly issued to sir Richard Ratcliffe, a proper instrument in the hands of this tyrant, to cut off the heads of the prisoners. The protector then assailed the fidelity of Buckingham by all the arguments capable of swaying a vicious mind, which knew no motive of action but interest and ambition. He represented, that the execution of persons so nearly related to the king, whom that prince so openly professed to love, and whose fate he so much resented, would never pass unpunished; and all the actors in that scene were bound in prudence to prevent the effects of his future vengeance: that it would be impossible to keep the queen for ever at a distance from her son, and equally impossible to prevent her from instilling into his tender mind the thoughts of retaliating, by like executions, the sanguinary insults committed on her family: that the only method of obviating these mischiefs was to put the sceptre in the hands of a man of whose friendship the duke might be assured, and whose years and experience taught him to pay respect to merit, and to the rights of ancient nobility: and that the same necessity which had carried them so far in resisting the usurpation of these intruders, must justify them in attempting further innovations, and in making, by national consent, a new settlement of the succession. To these reasons he added the offers of great private advantages to the duke of Buckingham; and he easily obtained from him a promise of supporting him in all his enterprises.

The duke of Gloucester, knowing the importance of gaining lord Hastings, sounded at a distance his sentiments, by means of Catesby, a lawyer, who lived in great intimacy with that nobleman; but found him impregnable in his allegiance and fidelity to the children of Edward, who had ever honoured him with his friendship. He saw, therefore, that there were no longer any measures to be kept with him; and he determined to ruin utterly the man whom he despaired of engaging to concur in his usurpation. On the very day (13th June) when Rivers, Gray, and Vaughan, were executed, or rather murdered, at Pomfret, by the advice of Hastings, the protector summoned a council in the Tower; whither that nobleman, suspecting no design against him, repaired without hesitation. The duke of Gloucester was capable of committing the most bloody and treacherous murders with the utmost coolness and indifference. On taking his place at the council-table, he appeared in the easiest and most jovial humour imaginable. He seemed to indulge himself in familiar conversation with the counsellors, before they should enter on business; and having paid some compliments to Morton, bishop of Ely, on the good and early strawberries which he raised in his garden at Holborn, he begged the favour of having a dish of them, which that prelate immediately dispatched a servant to bring to him. The protector then left the council, as if called away by some other business: but soon after returning with an angry and inflamed countenance, he asked them what punishment those deserved that had plotted against *his* life, who was so nearly related to the king, and was entrusted with the administration of government? Hastings replied, that they merited the punishment of traitors. "*These traitors*," cried the protector, "*are the sorceress*,

my brother's wife, and Jane Shore, his mistress, with others their associates see to what a condition they have reduced me by their incantations and witchcraft:" upon which he laid bare his arm, all shrivelled and decayed. But the counsellors, who knew that this infirmity had attended him from his birth, looked on each other with amazement; and above all lord Hastings, who, as he had since Edward's death engaged in an intrigue with Jane Shore, [*See note* 2 M, *at the end of this Vol.*,] was naturally anxious concerning the issue of these extraordinary proceedings. "*Certainly, my lord*," said he, "*if they be guilty of these crimes they deserve the severest punishment.*" "*And do you reply to me*," exclaimed the protector, "*with your* ifs *and your* ands? *You are the chief abettor of that witch Shore: you are yourself a traitor: and I swear by St. Paul, that I will not dine before your head be brought me.*" He struck the table with his hand: armed men rushed in at the signal: the counsellors were thrown into the utmost consternation: and one of the guards, as if by accident or mistake, aimed a blow with a poleaxe at lord Stanley, who, aware of the danger, slunk under the table; and though he saved his life, received a severe wound in the head in the protector's presence. Hastings was seized, was hurried away, and instantly beheaded on a timber-log, which lay in the court of the Tower. Two hours after, a proclamation, well penned and fairly written, was read to the citizens of London, enumerating his offences, and apologizing to them, from the suddenness of the discovery, for the sudden execution of that nobleman, who was very popular among them: but the saying of a merchant was much talked of on the occasion, who remarked, that the proclamation was certainly drawn by the spirit of prophecy.

Lord Stanley, the archbishop of York, the bishop of Ely, and other counsellors, were committed prisoners in different chambers of the Tower: and the protector, in order to carry on the farce of his accusations, ordered the goods of Jane Shore to be seized; and he summoned her to answer before the council for sorcery and witchcraft. But as no proofs which could be received even in that ignorant age were produced against her, he directed her to be tried in the spiritual court for her adulteries and lewdness; and she did penance in a white sheet at St. Paul's, before the whole people. This lady was born of reputable parents in London, was well educated, and married to a substantial citizen; but unhappily, views of interest, more than the maid's inclinations, had been consulted in the match, and her mind, though framed for virtue, had proved unable to resist the allurements of Edward, who solicited her favours. But while seduced from her duty by this gay and amorous monarch, she still made herself respectable by her other virtues; and the ascendant which her charms and vivacity long maintained over him, was all employed in acts of beneficence and humanity. She was still forward to oppose calumny, to protect the oppressed, to relieve the indigent; and her good offices, the genuine dictates of her heart, never waited the solicitation of presents, or the hopes of reciprocal services. But she lived not only to feel the bitterness of shame imposed on her by this tyrant, but to experience, in old age and poverty, the ingratitude of those courtiers who had long solicited her friendship, and been protected by her credit. No one, among the great multitudes whom she had obliged, had the humanity to bring her consolation or relief: she languished out her life in solitude and indigence: and amidst a court inured to the most atrocious crimes, the frailties of this woman justified all violations of friendship towards her, and all neglect of former obligations.

THE PROTECTOR AIMS AT THE CROWN.

These acts of violence, exercised against all the nearest connexions of the late king, prognosticated the severest fate to his defenceless children; and after the murder of Hastings, the protector no longer made a secret of his intentions to usurp the crown. The licentious life of Edward, who was not restrained in his pleasures either by honour or prudence, afforded a pretence for declaring his marriage with the queen invalid, and all his posterity illegitimate. It was asserted, that before espousing the lady Elizabeth Gray, he had paid court to the lady Eleanor Talbot, daughter of the earl of Shrewsbury; and being repulsed by the virtue of that lady, he was obliged, ere he could gratify his desires, to consent to a private marriage, without any witnesses, by Stillington, bishop of Bath, who afterwards divulged the secret. It was also maintained, that the act of attainder passed against the duke of Clarence had virtually incapacitated his children from succeeding to the crown; and these two families being set aside, the protector remained the only true and legitimate heir of the house of York. But as it would be difficult, if not impossible, to prove the preceding marriage of the late king; and as the rule, which excludes the heirs of an attainted blood from private successions, was never extended to the crown; the protector resolved to make use of another plea still more shameful and scandalous. His partisans were taught to maintain, that both Edward IV. and the duke of Clarence were illegitimate; that the duchess of York had received different lovers into her bed, who were the fathers of these children; that their resemblance to those gallants was a sufficient proof of their spurious birth; and that the duke of Gloucester alone, of all her sons, appeared by his features and countenance to be the true offspring of the duke of York. Nothing can be imagined more impudent than this assertion, which threw so foul an imputation on his own mother, a princess of irreproachable virtue, and then alive; yet the place chosen for first promulgating it was the pulpit, before a large congregation, and in the protector's presence. Dr. Shaw was appointed to preach in St. Paul's; (22nd June;) and having chosen this passage for his text, "*Bastard slips shall not thrive*," he enlarged on all the topics which could discredit the birth of Edward IV., the duke of Clarence, and of all their children. He then broke out in a panegyric on the duke of Gloucester; and exclaimed, "Behold this excellent prince, the express image of his noble father, the genuine descendant of the house of York; bearing, no less in the virtues of his mind, than in the features of his countenance, the character of the gallant Richard, once your hero and favourite: he alone is entitled to your allegiance: he must deliver you from the dominion of all intruders: he alone can restore the lost glory and honour of the nation." It was previously concerted, that as the doctor should pronounce these words, the duke of Gloucester should enter the church; and it was expected that the audience would cry out, *God save King Richard!* which would immediately have been laid hold of as a popular consent, and interpreted to be the voice of the nation: but by a ridiculous mistake, worthy of the whole scene, the duke did not appear till after this exclamation was already recited by the preacher. The doctor was therefore obliged to repeat his rhetorical figure out of its proper place: the audience, less from the absurd conduct of the discourse, than from their detestation of these proceedings, kept a profound silence: and the protector and his preacher were equally abashed at the ill success of their stratagem.

But the duke was too far advanced to recede from his criminal and ambitious purpose. A new expedient was tried to work on the people. The mayor, who was brother to Dr. Shaw, and entirely in the protector's interests, called an assembly of the citizens; where the duke of Buckingham, who possessed some talents for eloquence, harangued them on the protector's title to the crown, and displayed those numerous virtues of which he pretended that prince was possessed. He next asked them, whether they would have the duke for king? and then stopped, in expectation





of hearing the cry, "*God save King Richard!*" He was surprised to observe them silent; and turning about to the mayor asked him the reason. The mayor replied, that perhaps they did not understand him. Buckingham then repeated his discourse with some variation; enforced the same topics, asked the same question, and was received with the same silence. "I now see the cause," said the mayor; "the citizens are not accustomed to be harangued by any but their recorder; and know not how to answer a person of your grace's quality." The recorder, Fitz-Williams, was then commanded to repeat the substance of the duke's speech; but the man, who was averse to the office, took care, throughout his whole discourse, to have it understood that he spoke nothing of himself, and that he only conveyed to them the sense of the duke of Buckingham. Still the audience kept a profound silence: "This is wonderful obstinacy," cried the duke. "Express your meaning, my friends, one way or other: when we apply to you on this occasion, it is merely from the regard which we bear to you. The lords and commons have sufficient authority, without your consent, to appoint a king: but I require you here to declare, in plain terms, whether or not you will have the duke of Gloucester for your sovereign?" After all these efforts some of the meanest apprentices, incited by the protector's and Buckingham's servants, raised a feeble cry, "*God save King Richard!*" The sentiments of the nation were now sufficiently declared: the voice of the people was the voice of God; and Buckingham, with the mayor, hastened to Baynard's castle, where the protector then resided, that they might make him a tender of the crown. (25th June.)

When Richard was told that a great multitude was in the court, he refused to appear to them, and pretended to be apprehensive for his personal safety: a circumstance taken notice of by Buckingham, who observed to the citizens that the prince was ignorant of the whole design. At last he was persuaded to step forth, but he still kept at some distance; and he asked the meaning of their intrusion and importunity. Buckingham told him that the nation was resolved to have him for king: the protector declared his purpose of maintaining his loyalty to the present sovereign, and exhorted them to adhere to the same resolution. He was told that the people had determined to have another prince; and if he rejected their unanimous voice, they must look out for one who would be more compliant. This argument was too powerful to be resisted: he was prevailed on to accept of the crown: and he thenceforth acted as legitimate and rightful sovereign.

MURDER OF EDWARD V. AND OF THE DUKE OF YORK.

This ridiculous farce was soon after followed by a scene truly tragical: the murder of the two young princes. Richard gave orders to sir Robert Brakenbury, constable of the Tower, to put his nephews to death; but this gentleman, who had sentiments of honour, refused to have any hand in the infamous office. The tyrant then sent for sir James Tyrrel, who promised obedience; and he ordered Brakenbury to resign to this gentleman the keys and government of the Tower for one night. Tyrrel, choosing three associates, Slater, Dighton, and Forest, came in the night-time to the door of the chamber where the princes were lodged; and sending in the assassins, he bade them execute their commission, while he himself staid without. They found the young princes in bed, and fallen into a profound sleep. After suffocating them with a bolster and pillows, they showed their naked bodies to Tyrrel, who ordered them to be buried at the foot of the stairs, deep in the ground, under a heap of stones. These circumstances were all confessed by the actors in the following reign; and they were never punished for the crime: probably, because Henry, whose maxims of government were extremely arbitrary, desired to establish it as a principle, that the commands of the reigning sovereign ought to justify every enormity in those who paid obedience to them. But there is one circumstance not so easy to be accounted for: it is pretended that Richard, displeased with the indecent manner of burying his nephews, whom he had murdered, gave his chaplain orders to dig up the bodies, and to inter them in consecrated ground; and as the man died soon after, the place of their burial remained unknown, and the bodies could never be found by any search which Henry could make for them. Yet, in the reign of Charles II., when there was occasion to remove some stones, and to dig in the very spot which was mentioned as the place of their first interment, the bones of two persons were there found, which by their size exactly corresponded to the age of Edward and his brother: they were concluded with certainty to be the remains of those princes, and were interred under a marble monument, by orders of king Charles. Perhaps Richard's chaplain had died before he found an opportunity of executing his master's commands; and the bodies being supposed to be already removed, a diligent search was not made for them by Henry in the place where they had been buried.

RICHARD III.

THE first acts of Richard's administration were to bestow rewards on those who had assisted him in usurping the crown, and to gain by favours those who he thought were best able to support his future government. Thomas, lord Howard, was created duke of Norfolk; sir Thomas Howard, his son, earl of Surrey; lord Lovel, a viscount by the same name; even lord Stanley was set at liberty, and made steward of the household. This nobleman had become obnoxious by his first opposition to Richard's views, and also by his marrying the countess dowager of Richmond, heir of the Somerset family; but sensible of the necessity of submitting to the present government, he feigned such zeal for Richard's service, that he was received into favour, and even found means to be entrusted with the most important commands by that politic and jealous tyrant.

But the person who, both from the greatness of his services, and the power and splendour of his family, was best entitled to favours under the new government, was the duke of Buckingham; and Richard seemed determined to spare no pains or bounty in securing him to his interests. Buckingham was descended from a daughter of Thomas of Woodstock, duke of Gloucester, uncle to Richard II., and by this pedigree he not only was allied to the royal family, but had claims for dignities as well as estates of a very extensive nature. The duke of Gloucester, and Henry, earl of Derby, afterwards Henry IV., had married the two daughters and coheirs of Bohun, earl of Hereford, one of the greatest of the ancient barons, whose immense property came thus to be divided into two shares. One was inherited by the family of Buckingham; the other was united to the crown by the house of Lancaster, and, after the attainder of that royal line, was seized as legally devolved to them by the sovereigns of the house of York. The duke of Buckingham laid hold of the present opportunity, and claimed the restitution of that portion of the Hereford estate which had escheated to the crown, as well as of the great office of constable, which had long continued by inheritance in his ancestors of that family. Richard readily complied with these demands, which were probably the price stipulated to Buckingham for his assistance in promoting the usurpation. That nobleman

was invested with the office of constable; he received a grant of the estate of Hereford; many other dignities and honours were conferred upon him; and the king thought himself sure of preserving the fidelity of a man whose interests seemed so closely connected with those of the present government.

DUKE OF BUCKINGHAM DISCONTENTED.

But it was impossible that friendship could long remain inviolate between two men of such corrupt minds as Richard and the duke of Buckingham. Historians ascribe their first rupture to the king's refusal of making restitution of the Hereford estate; but it is certain, from records, that he passed a grant for that purpose, and that the full demands of Buckingham were satisfied in this particular. Perhaps Richard was soon sensible of the danger which might ensue from conferring such an immense property on a man of so turbulent a disposition, and afterwards raised difficulties about the execution of his own grant: perhaps he refused some other demands of Buckingham, whom he found it impossible to gratify for his past services: perhaps he resolved, according to the usual maxim of politicians, to seize the first opportunity of ruining this powerful subject, who had been the principal instrument of his own elevation; and the discovery of this intention begat the first discontent in the duke of Buckingham. However this may be, it is certain that the duke, soon after Richard's accession, began to form a conspiracy against the government, and attempted to overthrow that usurpation which he himself had so zealously contributed to establish.

Never was there in any country an usurpation more flagrant than that of Richard, or more repugnant to every principle of justice and public interest. His claim was entirely founded on impudent allegations, never attempted to be proved, some of them incapable of proof, and all of them implying scandalous reflections on his own family, and on the persons with whom he was the most nearly connected. His title was never acknowledged by any national assembly, scarcely even by the lowest populace to whom he appealed; and it had become prevalent, merely for want of some person of distinction who might stand forth against him, and give a voice to those sentiments of general detestation which arose in every bosom. Were men disposed to pardon these violations of public right, the sense of private and domestic duty, which is not to be effaced in the most barbarous times, must have begotten an abhorrence against him; and have represented the murder of the young and innocent princes, his nephews, with whose protection he had been entrusted, in the most odious colours imaginable. To endure such a bloody usurper seemed to draw disgrace upon the nation, and to be attended with immediate danger to every individual who was distinguished by birth, merit, or services. Such was become the general voice of the people; all parties were united in the same sentiments; and the Lancastrians, so long oppressed, and of late so much discredited, felt their blasted hopes again revive, and anxiously expected the consequences of these extraordinary events. The duke of Buckingham, whose family had been devoted to that interest, and who by his mother, a daughter of Edmund, duke of Somerset, was allied to the house of Lancaster, was easily induced to espouse the cause of this party, and to endeavour the restoring of it to its ancient superiority. Morton, bishop of Ely, a zealous Lancastrian, whom the king had imprisoned, and had afterwards committed to the custody of Buckingham, encouraged these sentiments; and by his exhortations the duke cast his eye towards the young earl of Richmond, as the only person who could free the nation from the tyranny of the present usurper.

THE EARL OF RICHMOND.

Henry, earl of Richmond, was at this time detained in a kind of honourable custody by the duke of Britanny; and his descent, which seemed to give him some pretensions to the crown, had been a great object of jealousy both in the late and in the present reign. John, the first duke of Somerset, who was grandson of John of Gaunt by a spurious branch, but legitimated by act of parliament, had left only one daughter, Margaret; and his younger brother, Edmund, had succeeded him in his titles, and in a considerable part of his fortune. Margaret had espoused Edmund, earl of Richmond, half-brother of Henry VI., and son of sir Owen Tudor and Catherine of France, relict of Henry V., and she bore him only one son, who received the name of Henry, and who after his father's death inherited the honours and fortune of Richmond. His mother, being a widow, had espoused, in second marriage, sir Henry Stafford, uncle to Buckingham, and after the death of that gentleman had married lord Stanley; but had no children by either of these husbands: and her son Henry was thus, in the event of her death, the sole heir of all her fortunes. But this was not the most considerable advantage which he had reason to expect from her succession: he would represent the elder branch of the house of Somerset; he would inherit all the title of that family to the crown; and though its claim, while any legitimate branch subsisted of the house of Lancaster, had always been much disregarded, the zeal of faction, after the death of Henry VI. and the murder of prince Edward, immediately conferred a weight and consideration upon it.

Edward IV., finding that all the Lancastrians had turned their attention towards the young earl of Richmond as the object of their hopes, thought him also worthy of his attention; and pursued him into his retreat in Britanny, whither his uncle, the earl of Pembroke, had carried him after the battle of Teukesbury, so fatal to his party. He applied to Francis II., duke of Britanny, who was his ally, a weak but a good prince; and urged him to deliver up his fugitive, who might be the source of future disturbances in England: but the duke, averse to so dishonourable a proposal, would only consent that, for the security of Edward, the young nobleman should be detained in custody; and he received an annual pension from England for the safe-keeping or the subsistence of his prisoner. But towards the end of Edward's reign, when the kingdom was menaced with a war both from France and Scotland, the anxieties of the English court with regard to Henry were much increased; and Edward made a new proposal to the duke, which covered, under the fairest appearances, the most bloody and treacherous intentions. He pretended that he was desirous of gaining his enemy, and of uniting him to his own family by a marriage with his daughter Elizabeth; and he solicited to have him sent over to England, in order to execute a scheme which would redound so much to his advantage. These pretences, seconded as is supposed by bribes to Peter Landais, a corrupt minister, by whom the duke was entirely governed, gained credit with the court of Britanny. Henry was delivered into the hands of the English agents, he was ready to embark: when a suspicion of Edward's real design was suggested to the duke, who recalled his orders, and thus saved the unhappy youth from the imminent danger which hung over him.

These symptoms of continued jealousy in the reigning family of England, both seemed to give some authority to Henry's pretensions and made him the object of general favour and compassion, on account of the dangers and persecutions to which he was exposed. The universal detestation of Richard's conduct turned still more the attention of the nation towards Henry; and as all the descendants of the house of York were either women or minors, he seemed to

be the only person from whom the nation could expect the expulsion of the odious and bloody tyrant. But, notwithstanding these circumstances, which were so favourable to him, Buckingham and the bishop of Ely well knew that there would still lie many obstacles in his way to the throne; and that though the nation had been much divided between Henry VI. and the duke of York, while present possession and hereditary right stood in opposition to each other; yet as soon as these titles were united in Edward IV., the bulk of the people had come over to the reigning family; and the Lancastrians had extremely decayed, both in numbers and authority. It was therefore suggested by Morton, and readily assented to by the duke, that the only means of overturning the present usurpation, was to unite the opposite factions, by contracting a marriage between the earl of Richmond and the princess Elizabeth, eldest daughter of king Edward, and thereby blending together the opposite pretensions of their families, which had so long been the source of public disorders and convulsions. They were sensible that the people were extremely desirous of repose, after so many bloody and destructive commotions; that both Yorkists and Lancastrians, who now lay equally under oppression, would embrace this scheme with ardour; and that the prospect of reconciling the two parties, which was in itself so desirable an end, would, when added to the general hatred against the present government, render their cause absolutely invincible. In consequence of these views the prelate, by means of Reginald Bray, steward to the countess of Richmond, first opened the project of such an union to that lady; and the plan appeared so advantageous for her son, and at the same time so likely to succeed, that it admitted not of the least hesitation. Dr. Lewis, a Welsh physician, who had access to the queen-dowager in her sanctuary, carried the proposals to her; and found, that revenge for the murder of her brother and of her three sons, apprehensions for her surviving family, and indignation against her confinement, easily overcame all her prejudices against the house of Lancaster, and procured her approbation of a marriage to which the age and birth, as well as the present situation of the parties, seemed so naturally to invite them. She secretly borrowed a sum of money in the city, sent it over to the earl of Richmond, required his oath to celebrate the marriage as soon as he should arrive in England, advised him to levy as many foreign forces as possible, and promised to join him on his first appearance, with all the friends and partisans of her family.

The plan being thus laid upon the solid foundations of good sense and sound policy, it was secretly communicated to the principal persons of both parties in all the counties of England; and a wonderful alacrity appeared in every order of men to forward its success and completion. But it was impossible that so extensive a conspiracy could be conducted in so secret a manner as entirely to escape the jealous and vigilant eye of Richard; and he soon received intelligence that his enemies, headed by the duke of Buckingham, were forming some design against his authority. He immediately put himself in a posture of defence by levying troops in the north; and he summoned the duke to appear at court, in such terms as seemed to promise him a renewal of their former amity. But that nobleman, well acquainted with the barbarity and treachery of Richard, replied only by taking arms in Wales, and giving the signal to his accomplices for a general insurrection in all parts of England. But at that very time (October) there happened to fall such heavy rains, so incessant and continued, as exceeded any known in the memory of man; and the Severn, with the other rivers in that neighbourhood, swelled to a height which rendered them impassable, and prevented Buckingham from marching into the heart of England to join his associates. The Welshmen, partly moved by superstition at this extraordinary event, partly distressed by famine in their camp, fell off from him; and Buckingham, finding himself deserted by his followers, put on a disguise, and took shelter in the house of Bannister, an old servant of his family. But being detected in his retreat, he was brought to the king at Salisbury; and was instantly executed, according to the summary method practised in that age. The other conspirators, who took arms in four different places, at Exeter, at Salisbury, at Newbury, and at Maidstone, hearing of the duke of Buckingham's misfortunes, despaired of success, and immediately dispersed themselves.

The marquis of Dorset and the bishop of Ely made their escape beyond sea: many others were equally fortunate: several fell into Richard's hands, of whom he made some examples. His executions seem not to have been remarkably severe; though we are told of one gentleman, William Colingbourne, who suffered under colour of this rebellion, but in reality for a distich of quibbling verses which he had composed against Richard and his ministers.* The earl of Richmond, in concert with his friends, had set sail from St. Malo's, carrying on board a body of 5000 men, levied in foreign parts; but his fleet being at first driven back by a storm, he appeared not on the coast of England till after the dispersion of all his friends; and he found himself obliged to return to the court of Britanny.

1484. The king, everywhere triumphant, and fortified by this unsuccessful attempt to dethrone him, ventured at last to summon a parliament; (23rd January;) a measure which his crimes and flagrant usurpation had induced him hitherto to decline. Though it was natural that the parliament, in a contest of national parties, should always adhere to the victor, he seems to have apprehended, lest his title, founded on no principle and supported by no party, might be rejected by that assembly. But his enemies being now at his feet, the parliament had no choice left but to recognise his authority, and acknowledge his right to the crown. His only son, Edward, then a youth of twelve years of age, was created prince of Wales: the duties of tonnage and poundage were granted to the king for life; and Richard, in order to reconcile the nation to his government, passed some popular laws, particularly one against the late practice of extorting money on pretence of benevolence.

All the other measures of the king tended to the same object. Sensible, that the only circumstance which could give him security, was to gain the confidence of the Yorkists, he paid court to the queen-dowager with such art and address, made such earnest protestations of his sincere good-will and friendship, that this princess, tired of confinement, and despairing of any success from her former projects, ventured to leave her sanctuary, and to put herself and her daughters into the hands of the tyrant. But he soon carried further his views for the establishment of his throne. He had married Anne, the second daughter of the earl of Warwick, and widow of Edward, prince of Wales, whom Richard himself had murdered; but this princess having borne him but one son, who died about this time, he considered her as an invincible obstacle to the settlement of his fortune, and he was believed to have carried her off by poison; a crime for which the public could not be supposed to have any solid proof, but which the usual tenor of his conduct made it reasonable to suspect. He now thought it in his power to remove the chief perils which threatened his government. The earl of Richmond, he knew, could never be formidable but from his projected marriage with the princess Elizabeth, the true heir of the crown; and he therefore intended, by means of a papal dispensation, to espouse, himself, this princess, and thus to unite in his own family their contending titles. The queen-dowager, eager to recover her lost

* The lines were:—
"The Rat, the Cat, and Lovel, that Dog
Rule all England under the Hog."
Alluding to the names of Ratcliff and Catesby; and to Richard's arms, which were a Boar.

authority, neither scrupled this alliance, which was very unusual in England, and was regarded as incestuous, nor felt any horror at marrying her daughter to the murderer of her three sons and of her brother: she even joined so far her interests with those of the usurper, that she wrote to all her partisans, and among the rest, to her son, the marquis of Dorset, desiring them to withdraw from the earl of Richmond; an injury which the earl could never afterwards forgive: the court of Rome was applied to for a dispensation: Richard thought that he could easily defend himself during the interval, till it arrived; and he had afterwards the agreeable prospect of a full and secure settlement. He flattered himself that the English nation, seeing all danger removed of a disputed succession, would then acquiesce under the dominion of a prince, who was of mature years, of great abilities, and of a genius qualified for government; and that they would forgive him all the crimes which he had committed in paving his way to the throne.

But the crimes of Richard were so horrid and so shocking to humanity, that the natural sentiments of men, without any political or public views, were sufficient to render his government unstable; and every person of probity and honour was earnest to prevent the sceptre from being any longer polluted by that bloody and faithless hand which held it. All the exiles flocked to the earl of Richmond in Britanny, and exhorted him to hasten his attempt for a new invasion, and to prevent the marriage of the princess Elizabeth, which must prove fatal to all his hopes. The earl, sensible of the urgent necessity, but dreading the treachery of Peter Landais, who had entered into a negociation with Richard for betraying him, was obliged to attend only to his present safety; and he made his escape to the court of France. The ministers of Charles VIII., who had now succeeded to the throne after the death of his father Louis, gave him countenance and protection; and being desirous of raising disturbances to Richard, they secretly encouraged the earl in the levies which he made for the support of his enterprise upon England. The earl of Oxford, whom Richard's suspicions had thrown into confinement, having made his escape, here joined Henry, and inflamed his ardour for the attempt, by the favourable accounts which he brought of the dispositions of the English nation, and their universal hatred of Richard's crimes and usurpation.

INVASION BY THE EARL OF RICHMOND. *August* 7, 1485.

The earl of Richmond set sail from Harfleur in Normandy, with a small army of about 2000 men; and after a navigation of six days, he arrived at Milford-haven, in Wales, where he landed without opposition. He directed his course to that part of the kingdom, in hopes that the Welsh, who regarded him as their countryman, and who had been already prepossessed in favour of his cause by means of the duke of Buckingham, would join his standard, and enable him to make head against the established government. Richard, who knew not in what quarter he might expect the invader, had taken post at Nottingham, in the centre of the kingdom; and having given commissions to different persons in the several counties, whom he empowered to oppose his enemy, he purposed in person to fly on the first alarm to the place exposed to danger. Sir Rice ap-Thomas and sir Walter Herbert were entrusted with his authority in Wales; but the former immediately deserted to Henry; the second made but feeble opposition to him; and the earl, advancing towards Shrewsbury, received every day some re-enforcement from his partisans. Sir Gilbert Talbot joined him with all the vassals and retainers of the family of Shrewsbury; sir Thomas Bourchier and sir Walter Hungerford brought their friends to share his fortunes; and the appearance of men of distinction in his camp, made already his cause wear a favourable aspect.

But the danger to which Richard was chiefly exposed, proceeded not so much from the zeal of his open enemies, as from the infidelity of his pretended friends Scarce any nobleman of distinction was sincerely attached to his cause, except the duke of Norfolk; and all those who feigned the most loyalty were only watching for an opportunity to betray and desert him. But the persons of whom he entertained the greatest suspicion, were lord Stanley and his brother, sir William; whose connexions with the family of Richmond, notwithstanding their professions of attachment to his person, were never entirely forgotten or overlooked by him. When he empowered lord Stanley to levy forces, he still retained his eldest son, lord Strange, as a pledge for his fidelity; and that nobleman was, on this account, obliged to employ great caution and reserve in his proceedings. He raised a powerful body of his friends and retainers in Cheshire and Lancashire, but without openly declaring himself; and though Henry had received secret assurances of his friendly intentions, the armies on both sides knew not what to infer from his equivocal behaviour.

BATTLE OF BOSWORTH. *August* 22.

The two rivals at last approached each other at Bosworth, near Leicester; Henry at the head of six thousand men, Richard with an army of above double the number; and a decisive action was every hour expected between them. Stanley, who commanded above seven thousand men, took care to post himself at Atherstone, not far from the hostile camps; and he made such a disposition as enabled him on occasion to join either party. Richard had too much sagacity not to discover his intentions from those movements; but he kept the secret from his own men for fear of discouraging them: he took not immediate revenge on Stanley's son, as some of his courtiers advised him; because he hoped that so valuable a pledge would induce the father to prolong still further his ambiguous conduct: and he hastened to decide by arms the quarrel with his competitor; being certain, that a victory over the earl of Richmond would enable him to take ample revenge on all his enemies, open and concealed.

The van of Richmond's army, consisting of archers, was commanded by the earl of Oxford: sir Gilbert Talbot led the right wing; sir John Savage the left; the earl himself, accompanied by his uncle, the earl of Pembroke, placed himself in the main body. Richard also took post in *his* main body, and entrusted the command of his van to the duke of Norfolk: as his wings were never engaged, we have not learned the names of the several commanders. Soon after the battle began, lord Stanley, whose conduct in this whole affair discovers great precaution and abilities, appeared in the field, and declared for the earl of Richmond. This measure, which was unexpected to the men, though not to their leaders, had a proportional effect on both armies: it inspired unusual courage into Henry's soldiers; it threw Richard's into dismay and confusion. The intrepid tyrant, sensible of his desperate situation, cast his eye around the field, and descrying his rival at no great distance, he drove against him with fury, in hopes that either Henry's death or his own would decide the victory between them. He killed with his own hands sir William Brandon, standard-bearer to the earl; he dismounted sir John Cheyney: he was now within reach of Richmond himself, who declined not the combat; when sir William Stanley, breaking in with his troops, surrounded Richard, who, fighting bravely to the last moment, was overwhelmed by numbers, and perished by a fate too mild and honourable for his multiplied and detestable enormities. His men everywhere sought for safety by flight.

There fell in this battle about four thousand of the vanquished; and among these the duke of Norfolk, lord

Ferrars of Chartley, sir Richard Ratcliffe, sir Robert Piercy, and sir Robert Brackenbury. The loss was inconsiderable on the side of the victors. Sir William Catesby, a great instrument of Richard's crimes, was taken, and soon after beheaded, with some others, at Leicester. The body of Richard was found in the field covered with dead enemies, and all besmeared with blood: it was thrown carelessly across a horse; was carried to Leicester amidst the shouts of the insulting spectators; and was interred in the Gray-Friars church of that place.

CHARACTER OF RICHARD III.

The historians who favour Richard (for even this tyrant has met with partisans among the later writers) maintain, that he was well qualified for government, had he legally obtained it; and that he committed no crimes but such as were necessary to procure him possession of the crown: but this is a poor apology, when it is confessed that he was ready to commit the most horrid crimes which appeared necessary for that purpose; and it is certain, that all his courage and capacity, qualities in which he really seems not to have been deficient, would never have made compensation to the people for the danger of the precedent, and for the contagious example of vice and murder, exalted upon the throne. This prince was of a small stature, hump-backed, and had a harsh, disagreeable countenance; so that his body was in every particular no less deformed than his mind

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Thus have we pursued the history of England through a series of many barbarous ages; till we have at last reached the dawn of civility and science, and have the prospect both of greater certainty in our historical narrations, and of being able to present to the reader a spectacle more worthy of his attention. The want of certainty, however, and of circumstances, is not alike to be complained of throughout every period of this long narration. This island possesses many ancient historians of good credit, as well as many historical monuments; and it is rare, that the annals of so uncultivated a people, as were the English as well as the other European nations, after the decline of Roman learning, have been transmitted to posterity so complete, and with so little mixture of falsehood and of fable. This advantage we owe entirely to the clergy of the church of Rome; who, founding their authority on their superior knowledge, preserved the precious literature of antiquity from a total extinction; [*See note* 2 N, *at the end of this Vol.*;] and under shelter of their numerous privileges and immunities, acquired a security by means of the superstition, which they would in vain have claimed from the justice and humanity of those turbulent and licentious ages. Nor is the spectacle altogether unentertaining and uninstructive which the history of those times presents to us. The view of human manners, in all their variety of appearances, is both profitable and agreeable; and if the aspect in some periods seem horrid and deformed, we may thence learn to cherish with the greater anxiety that science and civility which has so close a connexion with virtue and humanity, and which, as it is a sovereign antidote against superstition, is also the most effectual remedy against vice and disorders of every kind.

The rise, progress, perfection, and decline of art and science are curious objects of contemplation, and intimately connected with a narration of civil transactions. The events of no particular period can be fully accounted for, but by considering the degrees of advancement which men have reached in those particulars.

Those who cast their eye on the general revolutions of society will find, that, as almost all improvements of the human mind had reached nearly to their state of perfection about the age of Augustus, there was a sensible decline from that point or period; and men thenceforth relapsed gradually into ignorance and barbarism. The unlimited extent of the Roman empire, and the consequent despotism of its monarchs, extinguished all emulation, debased the generous spirits of men, and depressed that noble flame by which all the refined arts must be cherished and enlivened. The military government which soon succeeded, rendered even the lives and properties of men insecure and precarious; and proved destructive to those vulgar and more necessary arts of agriculture, manufactures, and commerce; and, in the end, to the military art and genius itself, by which alone the immense fabric of the empire could be supported. The irruptions of the barbarous nations which soon followed, overwhelmed all human knowledge, which was already far in its decline; and men sunk every age deeper into ignorance, stupidity, and superstition; till the light of ancient science and history had very nearly suffered a total extinction in all the European nations.

But there is a point of depression, as well as of exaltation, from which human affairs naturally return in a contrary direction, and beyond which they seldom pass either in their advancement or decline. The period in which the people of Christendom were the lowest sunk in ignorance, and consequently in disorders of every kind, may justly be fixed at the eleventh century, about the age of William the Conqueror; and from that era the sun of science beginning to reascend, threw out many gleams of light, which preceded the full morning when letters were revived in the fifteenth century. The Danes, and other northern people, who had so long infested all the coasts, and even the inland parts of Europe, by their depredations, having now learned the arts of tillage and agriculture, found a certain subsistence at home, and were no longer tempted to desert their industry, in order to seek a precarious livelihood by rapine and by the plunder of their neighbours. The feudal governments also, among the more southern nations, were reduced to a kind of system; and though that strange species of civil polity was ill-fitted to ensure either liberty or tranquillity, it was preferable to the universal licence and disorder which had everywhere preceded it. But perhaps there was no event which tended further to the improvement of the age, than one which has not been much remarked, the accidental finding of a copy of Justinian's Pandects, about the year 1130, in the town of Amalfi, in Italy.

The ecclesiastics, who had leisure, and some inclination to study, immediately adopted with zeal this excellent system of jurisprudence, and spread the knowledge of it throughout every part of Europe. Besides the intrinsic merit of the performance, it was recommended to them by its original connexion with the imperial city of Rome, which being the seat of their religion, seemed to acquire a new lustre and authority by the diffusion of its laws over the western world. In less than ten years after the discovery of the Pandects, Vacarius, under the protection of Theobald, archbishop of Canterbury, read public lectures of civil law in the university of Oxford; and the clergy everywhere, by their example as well as exhortation, were the means of diffusing the highest esteem for this new science. That order of men having large possessions to defend was in a manner necessitated to turn their studies towards the law; and their properties being often endangered by the violence of the princes and barons, it became their interest to enforce the observance of general and equitable rules, from which alone they could receive protection. As they possessed all the knowledge of the age, and were alone acquainted with the habits of thinking, the practice as well as science of the law fell mostly into their hands: and though the close connexion which, without any necessity, they formed between the canon and the civil law begat a jealousy

in the laity of England, and prevented the Roman jurisprudence from becoming the municipal law of the country, as was the case in many states of Europe, a great part of it was secretly transferred into the practice of the courts of justice, and the imitation of their neighbours made the English gradually endeavour to raise their own law from its original state of rudeness and imperfection.

It is easy to see what advantages Europe must have reaped by its inheriting at once from the ancients so complete an art, which was also so necessary for giving security to all other arts, and which, by refining, and still more by bestowing solidity on the judgment, served as a model to further improvements. The sensible utility of the Roman law, both to public and private interest, recommended the study of it, at a time when the more exalted and speculative sciences carried no charms with them; and thus the last branch of ancient literature which remained uncorrupted, was happily the first transmitted to the modern world: for it is remarkable, that in the decline of Roman learning, when the philosophers were universally infected with superstition and sophistry, and the poets and historians with barbarism, the lawyers, who in other countries are seldom models of science or politeness, were yet able, by the constant study and close imitation of their predecessors, to maintain the same good sense in their decisions and reasonings, and the same purity in their language and expression.

What bestowed an additional merit on the civil law, was the extreme imperfection of that jurisprudence which preceded it among all the European nations, especially among the Saxons, or ancient English. The absurdities which prevailed at that time in the administration of justice, may be conceived from the authentic monuments which remain of the ancient Saxon laws; where a pecuniary commutation was received for every crime, where stated prices were fixed for men's lives and members, where private revenges were authorized for all injuries, where the use of the ordeal, corsnet, and afterwards of the duel, was the received method of proof, and where the judges were rustic freeholders, assembled of a sudden, and deciding a cause from one debate or altercation of the parties. Such a state of society was very little advanced beyond the rude state of nature: violence universally prevailed, instead of general and equitable maxims: the pretended liberty of the times was only an incapacity of submitting to government: and men, not protected by laws in their lives and properties, sought shelter by their personal servitude and attachments under some powerful chieftain, or by voluntary combinations.

The gradual progress of improvement raised the Europeans somewhat above this uncultivated state; and affairs, in this island particularly, took early a turn which was more favourable to justice and to liberty. Civil employments and occupations soon became honourable among the English: the situation of that people rendered not the perpetual attention to wars so necessary as among their neighbours, and all regard was not confined to the military profession: the gentry, and even the nobility, began to deem an acquaintance with the law a necessary part of education: they were less diverted than afterwards from studies of this kind by other sciences; and in the age of Henry VI., as we are told by Fortescue, there were in the inns of court about two thousand students, most of them men of honourable birth, who gave application to this branch of civil knowledge: a circumstance which proves that a considerable progress was already made in the science of government, and which prognosticated a still greater.

One chief advantage which resulted from the introduction and progress of the arts, was the introduction and progress of freedom; and this consequence affected men both in their *personal* and *civil* capacities.

If we consider the ancient state of Europe, we shall find that the far greater part of the society were everywhere bereaved of their *personal* liberty, and lived entirely at the will of their masters. Every one that was not noble was a slave: the peasants were sold along with the land: the few inhabitants of cities were not in a better condition: even the gentry themselves were subjected to a long train of subordination under the greater barons or chief vassals of the crown; who, though seemingly placed in a high state of splendour, yet, having but a slender protection from law, were exposed to every tempest of the state, and, by the precarious condition in which they lived, paid dearly for the power of oppressing and tyrannizing over their inferiors. The first incident which broke in upon this violent system of government was the practice, begun in Italy, and imitated in France, of erecting communities and corporations, endowed with privileges and a separate municipal government, which gave them protection against the tyranny of the barons, and which the prince himself deemed it prudent to respect.* The relaxation of the feudal tenures, and an execution somewhat stricter of the public law, bestowed an independence on vassals which was unknown to their forefathers. And even the peasants themselves, though later than other orders of the state, made their escape from those bonds of villanage or slavery in which they had formerly been retained.

It may appear strange, that the progress of the arts, which seems, among the Greeks and Romans, to have daily increased the number of slaves, should, in later times, have proved so general a source of liberty; but this difference in the events proceeded from a great difference in the circumstances which attended those institutions. The ancient barons, obliged to maintain themselves continually in a military posture, and little emulous of elegance or splendour, employed not their villains as domestic servants, much less as manufacturers; but composed their retinue of freemen, whose military spirit rendered the chieftain formidable to his neighbours, and who were ready to attend him in every warlike enterprise. The villains were entirely occupied in the cultivation of their master's land, and paid their rents either in corn and cattle and other produce of the farm, or in servile offices, which they performed about the baron's family, and upon the farms which he retained in his own possession. In proportion as agriculture improved and money increased, it was found that these services, though exceedingly burdensome to the villain, were of little advantage to the master; and that the produce of a large estate could be much more conveniently disposed of by the peasants themselves who raised it, than by the landlord or his bailiff, who were formerly accustomed to receive it. A commutation was therefore made of rents for services, and of money-rents for those in kind; and as men in a subsequent age discovered that farms were better cultivated where the farmer enjoyed a security in his possession, the practice of granting leases to the peasant began to prevail, which entirely broke the bonds of servitude, already much relaxed from the former practices. After this manner villanage went gradually into disuse throughout the more civilized parts of Europe: the interest of the master as well as that of the slave concurred in this alteration. The latest laws which we find in England for enforcing or regulating this species of servitude were enacted in the reign of Henry VII. And though the ancient statutes on this subject remain still unrepealed by parliament, it appears that,

* There appears early symptoms of the jealousy entertained by the barons against the progress of the arts as destructive of their hereditary power. A law was enacted, 7 Henry IV. cap. 17. [illegible] any one who did not possess [illegible] a year in land, besides finding [illegible] any trade. The barons already saw that the cities began to drain the country of the labourers and lower its spirit; and did not foresee how much the increase of commerce would increase the value of their estates. See further, Cotton, p. 179. The kings, to encourage the towns, granted them this privilege, that any villain who had dwelt a twelvemonth in any corporation, paid a fine to the lord, and became [illegible] free.

before the end of Elizabeth, the distinction of villain and freeman was totally, though insensibly abolished, and that no person remained in the state to whom the former laws could be applied.

Thus *personal* freedom became almost general in Europe; an advantage which paved the way for the increase of *political* or *civil* liberty, and which, even where it was not attended with this salutary effect, served to give the members of the community some of the most considerable advantages of it.

The constitution of the English government, ever since the invasion of this island by the Saxons, may boast of this pre-eminence, that in no age the will of the monarch was entirely ever absolute and uncontrolled: but in other respects the balance of power has extremely shifted among the several orders of the state; and this fabric has experienced the same mutability that has attended all human institutions.

The ancient Saxons, like the other German nations, where each individual was inured to arms, and where the independence of men was secured by a great equality of possessions, seem to have admitted a considerable mixture of democracy into their form of government, and to have been one of the freest nations of which there remains any account in the records of history. After this tribe was settled in England, especially after the dissolution of the Heptarchy, the great extent of the kingdom produced a great inequality in property; and the balance seems to have inclined to the side of aristocracy. The Norman conquest threw more authority into the hands of the sovereign, which however admitted of great control; though derived less from the general forms of the constitution, which were inaccurate and irregular, than from the independent power enjoyed by each baron in his particular district or province. The establishment of the Great Charter exalted still higher the aristocracy, imposed regular limits on royal power, and gradually introduced some mixture of democracy into the constitution. But even during this period, from the accession of Edward I. to the death of Richard III., the condition of the commons was nowise eligible; a kind of Polish aristocracy prevailed; and though the kings were limited, the people were as yet far from being free. It required the authority almost absolute of the sovereigns, which took place in the subsequent period, to pull down those disorderly and licentious tyrants, who were equally averse from peace and from freedom, and to establish that regular execution of the laws, which in a following age enabled the people to erect a regular and equitable plan of liberty.

In each of these successive alterations, the only rule of government which is intelligible or carries any authority with it, is the established practice of the age, and the maxims of administration which are at that time prevalent and universally assented to. Those who, from a pretended respect to antiquity, appeal at every turn to an original plan of the constitution, only cover their turbulent spirit and their private ambition under the appearance of venerable forms; and whatever period they pitch on for their model, they may still be carried back to a more ancient period, where they will find the measures of power entirely different, and where every circumstance, by reason of the greater barbarity of the times, will appear still less worthy of imitation. Above all, a civilized nation, like the English, who have happily established the most perfect and most accurate system of liberty that was ever found compatible with government, ought to be cautious in appealing to the practice of their ancestors, or regarding the maxims of uncultivated ages as certain rules for their present conduct. An acquaintance with the ancient periods of their government is chiefly *useful*, by instructing them to cherish their present constitution, from a comparison or contrast with the condition of those distant times. And it is also *curious*, by showing them the remote and commonly faint and disfigured originals of the most finished and most noble institutions, and by instructing them in the great mixture of accident which commonly concurs with a small ingredient of wisdom and foresight in erecting the complicated fabric of the most perfect government.

CHAPTER XXIV.

HENRY VII.

Accession of Henry VII.—His Title to the Crown—King's Prejudice against the House of York—His joyful Reception in London—His Coronation—Sweating Sickness—A Parliament—Entail of the Crown—King's Marriage—An Insurrection—Discontents of the People—Lambert Simnel—Revolt of Ireland—Intrigues of the Duchess of Burgundy—Lambert Simnel invades England—Battle of Stoke.

1485. August 22nd. THE victory which the earl of Richmond gained at Bosworth was entirely decisive; being attended as well with the total rout and dispersion of the royal army as with the death of the king himself. Joy for this great success suddenly prompted the soldiers in the field of battle to bestow on their victorious general the appellation of king, which he had not hitherto assumed; and the acclamations of "Long live Henry the Seventh!" by a natural and unpremeditated movement, resounded from all quarters. To bestow some appearance of formality on this species of military election, sir William Stanley brought a crown of ornament which Richard wore in battle, and which had been found among the spoils, and he put it on the head of the victor. Henry himself remained not in suspense; but immediately without hesitation accepted of the magnificent present which was tendered him. He was come to the crisis of his fortune; and being obliged suddenly to determine himself, amidst great difficulties which he must have frequently revolved in his mind, he chose that part which his ambition suggested to him, and to which he seemed to be invited by his present success.

There were many titles on which Henry could found his right to the crown; but no one of them free from great objections, if considered with respect either to justice or to policy.

During some years Henry had been regarded as heir to the house of Lancaster by the party attached to that family; but the title of the house of Lancaster itself was generally thought to be very ill-founded. Henry IV., who had first raised it to royal dignity, had never clearly defined the foundation of his claim; and while he plainly invaded the order of succession he had not acknowledged the election of the people. The parliament, it is true, had often recognised the title of the Lancastrian princes; but these votes had little authority, being considered as instances of complaisance towards a family in possession of present power: and they had accordingly been often reversed during the late prevalence of the house of York. Prudent men also, who had been willing, for the sake of peace, to submit to any established authority, desired not to see the claims of that family revived; claims which must produce many convulsions at present, and which disjointed for the future the whole system of hereditary right. Besides, allowing the title of the house of Lancaster to be legal, Henry himself was not the true heir of that family; and nothing but the obstinacy natural to faction, which never without reluctance will submit to an antagonist, could have engaged the Lancastrians to adopt the earl of Richmond as their head. His mother indeed, Margaret, countess of Richmond, was sole daughter and heir of the duke of Somerset, sprung from John of Gaunt, duke of Lancaster: but the descent of the Somerset line was itself illegitimate, and even adulterous. And though the duke of Lancaster had obtained the legitimation of his natural children by a patent from Richard II, confirmed in

parliament, it might justly be doubted whether this deed could bestow any title to the crown; since in the patent itself all the privileges conferred by it are fully enumerated, and the succession to the kingdom is expressly excluded. In all settlements of the crown, made during the reigns of the Lancastrian princes, the line of Somerset had been entirely overlooked; and it was not till the failure of the legitimate branch, that men had paid any attention to their claim. And, to add to the general dissatisfaction against Henry's title, his mother, from whom he derived all his right, was still alive; and evidently preceded him in the order of succession.

The title of the house of York, both from the plain reason of the case, and from the late popular government of Edward IV., had universally obtained the preference in the sentiments of the people; and Henry might engraft his claim on the rights of that family, by his intended marriage with the princess Elizabeth, the heir of it; a marriage which he had solemnly promised to celebrate, and to the expectation of which he had chiefly owed all his past successes. But many reasons dissuaded Henry from adopting this expedient. Were he to receive the crown only in the right of his consort, his power he knew would be very limited; and he must expect rather to enjoy the bare title of king by a sort of courtesy, than possess the real authority which belongs to it. Should the princess die before him without issue, he must descend from the throne and give place to the next in succession: and even if his bed should be blessed with offspring, it seemed dangerous to expect that filial piety in his children would prevail over the ambition of obtaining present possession of regal power. An act of parliament, indeed, might easily be procured to settle the crown on him during life; but Henry knew how much superior the claim of succession by blood was to the authority of an assembly, which had always been overborne by violence in the shock of contending titles, and which had ever been more governed by the conjunctures of the times, than by any consideration derived from reason or public interest.

There was yet a third foundation on which Henry might rest his claim, the right of conquest, by his victory over Richard, the present possessor of the crown. But, besides that Richard himself was deemed no better than an usurper, the army which fought against him consisted chiefly of Englishmen; and a right of conquest over England could never be established by such a victory. Nothing also would give greater umbrage to the nation than a claim of this nature; which might be construed as an abolition of all their rights and privileges, and the establishment of absolute authority in the sovereign. William himself, the Norman, though at the head of a powerful and victorious army of foreigners, had at first declined the invidious title of conqueror; and it was not till the full establishment of his authority that he had ventured to advance so violent and destructive a pretension.

But Henry was sensible that there remained another foundation of power somewhat resembling the right of conquest, namely, present possession; and that this title, guarded by vigour and abilities, would be sufficient to secure perpetual possession of the throne. He had before him the example of Henry IV., who, supported by no better pretension, had subdued many insurrections, and had been able to transmit the crown peaceably to his posterity. He could perceive that this claim, which had been perpetuated through three generations of the family of Lancaster, might still have subsisted, notwithstanding the preferable title of the house of York, had not the sceptre devolved into the hands of Henry VI., which were too feeble to sustain it. Instructed by this recent experience, Henry was determined to put himself in possession of legal authority; and to show all opponents that nothing but force of arms and a successful war should be able to expel him. His claim as heir to the house of Lancaster he was resolved to advance, and never allowed to be discussed; and he hoped that this right, favoured by the partisans of that family, and seconded by present power would secure him a perpetual and an independent authority.

KING'S PREJUDICE AGAINST THE HOUSE OF YORK.

These views of Henry are not exposed to much blame; because founded on good policy, and even on a species of necessity; but there entered into all his measures and counsels another motive which admits not of the same apology. The violent contentions which, during so long a period, had been maintained between the rival families, and the many sanguinary revenges which they had alternately taken on each other, had inflamed the opposite factions to a high pitch of animosity. Henry himself, who had seen most of his near friends and relations perish in battle or by the executioner, and who had been exposed in his own person to many hardships and dangers, had imbibed a violent antipathy to the York party, which no time or experience were ever able to efface. Instead of embracing the present happy opportunity of abolishing these fatal distinctions, of uniting his title with that of his consort, and of bestowing favour indiscriminately on the friends of both families; he carried to the throne all the partialities which belong to the head of a faction, and even the passions which are carefully guarded against by every true politician in that situation. To exalt the Lancastrian party, to depress the adherents of the house of York, were still the favourite objects of his pursuit; and through the whole course of his reign he never forgot these early prepossessions. Incapable, from his natural temper, of a more enlarged and more benevolent system of policy, he exposed himself to many present inconveniences, by too anxiously guarding against that future possible event, which might disjoint his title from that of the princess whom he espoused. And while he treated the Yorkists as enemies, he soon rendered them such, and taught them to discuss that right to the crown which he so carefully kept separate, and to perceive its weakness and invalidity.

To these passions of Henry, as well as to his suspicious politics, we are to ascribe the measures which he embraced two days after the battle of Bosworth. Edward Plantagenet, earl of Warwick, son of the duke of Clarence, was detained in a kind of confinement at Sherif-Hutton, in Yorkshire, by the jealousy of his uncle Richard; whose title to the throne was inferior to that of the young prince. Warwick had now reason to expect better treatment, as he was no obstacle to the succession either of Henry or Elizabeth; and from a youth of such tender years no danger could reasonably be apprehended. But sir Robert Willoughby was dispatched by Henry, with orders to take him from Sherif-Hutton, to convey him to the Tower, and to detain him in close custody. The same messenger carried directions that the princess Elizabeth, who had been confined to the same place, should be conducted to London, in order to meet Henry, and there celebrate her nuptials.

Henry himself set out for the capital, and advanced by slow journeys. Not to rouse the jealousy of the people, he took care to avoid all appearance of military triumph; and so to restrain the insolence of victory, that everything about him bore the appearance of an established monarch, making a peaceable progress through his dominions, rather than of a prince who had opened his way to the throne by force of arms. The acclamations of the people were everywhere loud, and no less sincere and hearty. Besides that a young and victorious prince, on his accession, was naturally the object of popularity, the nation promised themselves great felicity from the new scene which opened before them. During the course of near a whole century the kingdom had been laid waste by domestic

wars and convulsions; and if at any time the noise of arms had ceased, the sound of faction and discontent still threatened new disorders. Henry, by his marriage with Elizabeth, seemed to ensure a union of the contending title of two families; and having prevailed over a hated tyrant, who had anew disjointed the succession even of the house of York, and had filled his own family with blood and murder, he was everywhere attended with the unfeigned favour of the people. Numerous and splendid troops of gentry and nobility accompanied his progress. The mayor and companies of London received him as he approached the city: the crowds of people and citizens were zealous in their expressions of satisfaction. But Henry, amidst this general effusion of joy, discovered still the statelinass and reserve of his temper, which made him scorn to court popularity: he entered London in a close chariot, and would not gratify the people with a sight of their new sovereign.

But the king did not so much neglect the favour of the people as to delay giving them assurances of his marriage with the princess Elizabeth, which he knew to be so passionately desired by the nation. On his leaving Britanny, he had arfully dropped some hints, that if he should succeed in his enterprise, and obtain the crown of England, he would espouse Anne, the heir of that dutchy; and the report of this engagement had already reached England, and had begotten anxiety in the people, and even in Elizabeth herself. Henry took care to dissipate these apprehensions, by solemnly renewing, before the council and principal nobility, the promise which he had already given to celebrate his nuptials with the English princess. But though bound by honour, as well as by interest, to complete this alliance, he was resolved to postpone it till the ceremony of his own coronation should be finished, and till his title should be recognised by parliament. Still anxious to support his personal and hereditary right to the throne, he dreaded lest a preceding marriage with the princess should imply a participation of sovereignty in her, and raise doubts of his own title by the house of Lancaster.

There raged at that time in London, and other parts of the kingdom, a species of malady unknown to any other age or nation, the sweating sickness, which occasioned the sudden death of great multitudes; though it seemed not to be propagated by any contagious infection, but arose from the general disposition of the air and of the human body. In less than twenty-four hours the patient commonly died or recovered; but when the pestilence had exerted its fury for a few weeks, it was observed, either from alterations in the air, or from a more proper regimen which had been discovered, to be considerably abated. Preparations were then made for the ceremony of Henry's coronation. In order to heighten the splendour of that spectacle, he bestowed the rank of knight-banneret on twelve persons; and he conferred peerages on three. Jasper, earl of Pembroke, his uncle, was created duke of Bedford; Thomas, lord Stanley, his father-in-law, earl of Derby; and Edward Courtney, earl of Devonshire. At the coronation (30th October) likewise there appeared a new institution, which the king had established for security as well as pomp, a band of fifty archers, who were termed yeomen of the guard. But lest the people should take umbrage at this unusual symptom of jealousy in the prince, as if it implied a personal diffidence of his subjects, he declared the institution to be perpetual. The ceremony of coronation was performed by cardinal Bourchier, archbishop of Canterbury.

The parliament being assembled at Westminster, (7th November,) the majority immediately appeared to be devoted partisans of Henry; all persons of another disposition either declining to stand in those dangerous times, or being obliged to dissemble their principles and inclinations. The Lancastrian party had everywhere been successful in the elections; and even many had been returned, who during the prevalence of the house of York had been exposed to the rigour of law and had been condemned by sentence of attainder and outlawry. Their right to take seats in the house being questioned, the case was referred to all the judges, who assembled in the exchequer chamber, in order to deliberate on so delicate a subject. The opinion delivered was prudent, and contained a just temperament between law and expediency. The judges determined, that the members attainted should forbear taking their seat till an act were passed for the reversal of their attainder. There was no difficulty in obtaining this act; and in it were comprehended a hundred and seven persons of the king's party.

But a scruple was started of a nature still more important. The king himself had been attainted; and his right of succession to the crown might thence be exposed to some doubt. The judges extricated themselves from this dangerous question, by asserting it as a maxim; "That the crown takes away all defects and stops in blood; and that from the time the king assumed royal authority, the fountain was cleared, and all attainders and corruptions of blood discharged." Besides that, the case, from its urgent necessity, admitted of no deliberation; the judges probably thought, that no sentence of a court of judicature had authority sufficient to bar the right of succession; that the heir of the crown was commonly exposed to such jealousy as might often occasion stretches of law and justice against him; and that a prince might even be engaged in unjustifiable measures during his predecessor's reign, without meriting on that account to be excluded from the throne, which was his birthright.

With a parliament so obsequious, the king could not fail of obtaining whatever act of settlement he was pleased to require. He seems only to have entertained some doubt within himself on what claim he should found his pretensions. In his speech to the parliament he mentioned his just title by hereditary right: but lest that title should not be esteemed sufficient, he subjoined his claim by the judgment of God, who had given him victory over his enemies. And again, lest this pretension should be interpreted as assuming a right of conquest, he ensured to his subjects the full enjoyment of their former properties and possessions.

ENTAIL OF THE CROWN.

The entail of the crown was drawn according to the sense of the king, and probably in words dictated by him. He made no mention in it of the princess Elizabeth, nor of any branch of her family; but in other respects the act was compiled with sufficient reserve and moderation. He did not insist that it should contain a declaration or recognition of his preceding right; as on the other hand he avoided the appearance of a new law or ordinance. He chose a middle course, which, as is generally unavoidable in such cases, was not entirely free from uncertainty and obscurity. It was voted, "That the inheritance of the crown should rest, remain, and abide in the king:" but whether as rightful heir, or only as present possessor, was not determined. In like manner, Henry was contented that the succession should be secured to the heirs of his body; but he pretended not, in case of their failure, to exclude the house of York, or give the preference to that of Lancaster; he left that great point ambiguous for the present, and trusted that, if it should ever become requisite to determine it, future incidents would open the way for the decision.

But even after all these precautions, the king was so little satisfied with his own title, that in the following year he applied to papal authority for a confirmation of it; and as the court of Rome gladly laid hold of all opportunities which the imprudence, weakness, or necessities of princes afforded it to extend its influence, Innocent VIII., the reigning pope, readily granted a bull in whatever terms the king was pleased to desire.

All Henry's titles, by succession, marriage, parliamentary choice, even conquest, are there enumerated; and to the whole the sanction of religion is added: excommunication is denounced against every one who should either disturb him in the present possession, or the heirs of his body in the future succession of the crown; and from this penalty no criminal, except in the article of death, could be absolved but by the pope himself, or his special commissioners. It is difficult to imagine that the security derived from this bull could be a compensation for the defect which it betrayed in Henry's title, and for the danger of thus inviting the pope to interpose in these concerns.

It was natural, and even laudable in Henry to reverse the attainders which had passed against the partisans of the house of Lancaster; but the revenges which he exercised against the adherents of the York family, to which he was so soon to be allied, cannot be considered in the same light. Yet the parliament, at his instigation, passed an act of attainder against the late king himself, against the duke of Norfolk, the earl of Surrey, viscount Lovel, the lords Zouche and Ferrars of Chartley, sir Walter and sir James Harrington, sir William Berkeley, sir Humphrey Stafford, Catesby, and about twenty other gentlemen, who had fought on Richard's side in the battle of Bosworth. How men could be guilty of treason by supporting the king in possession against the earl of Richmond, who assumed not the title of king, it is not easy to conceive; and nothing but a servile complaisance in the parliament could have engaged them to make this stretch of justice. Nor was it a small mortification to the people in general, to find that the king, prompted either by avarice or resentment, could in the very beginning of his reign so far violate the cordial union which had previously been concerted between the parties, and to the expectation of which he had plainly owed his succession to the throne.

The king, having gained so many points of consequence from the parliament, thought it not expedient to demand any supply from them, which the profound peace enjoyed by the nation and the late forfeiture of Richard's adherents seemed to render somewhat superfluous. The parliament, however, conferred on him (10th December) during life, the duty of tonnage and poundage, which had been enjoyed in the same manner by some of his immediate predecessors; and they added, before they broke up, other money bills of no great moment. The king, on his part, made returns of grace and favour to his people. He published his royal proclamation, offering pardon to all such as had taken arms, or formed any attempts against him; provided they submitted themselves to mercy by a certain day, and took the usual oath of fealty and allegiance. Upon this proclamation many came out of their sanctuaries; and the minds of men were everywhere much quieted. Henry chose to take wholly to himself the merit of an act of grace, so agreeable to the nation, rather than communicate it with the parliament, (as was his first intention,) by passing a bill to that purpose. The earl of Surrey, however, though he had submitted, and delivered himself into the king's hands, was sent prisoner to the Tower.

During this parliament the king also bestowed favours and honours on some particular persons who were attached to him. Edward Stafford, eldest son of the duke of Buckingham, attainted in the late reign, was restored to the honours of his family, as well as to its fortune, which was very ample. This generosity, so unusual in Henry, was the effect of his gratitude to the memory of Buckingham, who had first concerted the plan of his elevation, and who by his own ruin had made way for that great event. Chandos of Britanny was created earl of Bath, sir Giles Daubeney, lord Daubeney, and sir Robert Willoughby, lord Broke. These were all the titles of nobility conferred by the king during this session of parliament.

But the ministers whom Henry most trusted and favoured were not chosen from among the nobility, or even from among the laity. John Morton and Richard Fox, two clergymen, persons of industry, vigilance, and capacity, were the men to whom he chiefly confided his affairs and secret counsels. They had shared with him all his former dangers and distresses; and he now took care to make them participate in his good fortune. They were both called to the privy council; Morton was restored to the bishopric of Ely, Fox was created bishop of Exeter. The former soon after upon the death of Bourchier, was raised to the see of Canterbury. The latter was made privy seal, and successively bishop of Bath and Wells, Durham, and Winchester. For Henry, as lord Bacon observes, loved to employ and advance prelates; because, having rich bishoprics to bestow, it was easy for him to reward their services: and it was his maxim to raise them by slow steps, and make them first pass through the inferior sees. He probably expected, that as they were naturally more dependent on him than the nobility, who during that age enjoyed possessions and jurisdictions dangerous to royal authority: so the prospect of further elevation would render them still more active in his service, and more obsequious to his commands.

KING'S MARRIAGE. *January* 18, 1486.

In presenting the bill of tonnage and poundage, the parliament, anxious to preserve the legal undisputed succession to the crown, had petitioned Henry, with demonstrations of the greatest zeal, to espouse the princess Elizabeth; but they covered their true reason under the dutiful pretence of their desire to have heirs of his body. He now thought in earnest of satisfying the minds of his people in that particular. His marriage was celebrated at London, and that with greater appearance of universal joy than either his first entry or his coronation. Henry remarked with much displeasure this general favour borne to the house of York. The suspicions which arose from it not only disturbed his tranquillity during his whole reign, but bred disgust towards his consort herself, and poisoned all his domestic enjoyments. Though virtuous, amiable, and obsequious to the last degree, she never met with a proper return of affection, or even of complaisance from her husband; and the malignant ideas of faction still, in his sullen mind, prevailed over all the sentiments of conjugal tenderness.

The king had been carried along with such a tide of success ever since his arrival in England, that he thought nothing could withstand the fortune and authority which attended him. He now resolved to make a progress into the north, where the friends of the house of York, and even the partisans of Richard, were numerous, in hopes of curing by his presence and conversation the prejudices of the malcontents. When he arrived at Nottingham he heard that viscount Lovel, with sir Humfrey Stafford, and Thomas, his brother, had secretly withdrawn themselves from their sanctuary at Colchester: but this news appeared not to him of such importance as to stop his journey; and he proceeded forward to York. He there heard that the Staffords had levied an army, and were marching to besiege the city of Worcester: and that Lovel, at the head of three or four thousand men, was approaching to attack him in York. Henry was not dismayed with this intelligence. His active courage, full of resources, immediately prompted him to find the proper remedy. Though surrounded with enemies in these disaffected counties, he assembled a small body of troops in whom he could confide; and he put them under the command of the duke of Bedford. He joined to them all his own attendants; but he found that this hasty armament was more formidable by their spirit and their zealous attachment to him, than by the arms or military stores with which they were provided. He therefore gave Bedford orders not to approach the enemy; but previously to try every proper expe-

dient to disperse them. Bedford published a general promise of pardon to the rebels; which had a greater effect on their leader than on his followers. Lovel, who had undertaken an enterprise that exceeded his courage and capacity, was so terrified with the fear of desertion among his troops, that he suddenly withdrew himself: and after lurking some time in Lancashire, he made his escape into Flanders, where he was protected by the duchess of Burgundy. His army submitted to the king's clemency; and the other rebels, hearing of this success, raised the siege of Worcester, and dispersed themselves. The Staffords took sanctuary in the church of Colnham, a village near Abingdon: but as it was found that this church had not the privilege of giving protection to rebels, they were taken thence: the elder was executed at Tyburn; the younger, pleading that he had been misled by his brother, obtained a pardon.

DISCONTENTS OF THE PEOPLE.

Henry's joy for this success was followed, some time after, by the birth of a prince, (20th September,) to whom he gave the name of Arthur, in memory of the famous British king of that name, from whom it was pretended the family of Tudor derived its descent.

Though Henry had been able to defeat this hasty rebellion, raised by the relics of Richard's partisans, his government was become in general unpopular: the source of public discontent arose chiefly from his prejudice against the house of York, which was generally beloved by the nation, and which for that very reason became every day more the object of his hatred and jealousy. Not only a preference on all occasions, it was observed, was given to the Lancastrians; but many of the opposite party had been exposed to great severity, and had been bereaved of their fortunes by acts of attainder. A general resumption likewise had passed of all grants made by the princes of the house of York: and though this rigour had been covered under the pretence that the revenue was become insufficient to support the dignity of the crown, and though the grants, during the later years of Henry VI. were resumed by the same law, yet the York party, as they were the principal sufferers by the resumption, thought it chiefly levelled against them. The severity exercised against the earl of Warwick begat compassion for youth and innocence exposed to such oppression; and his confinement in the Tower, the very place where Edward's children had been murdered by their uncle, made the public expect a like catastrophe for him, and led them to make a comparison between Henry and that detested tyrant. And when it was remarked that the queen herself met with harsh treatment, and even after the birth of a son was not admitted to the honour of a public coronation, Henry's prepossessions were then concluded to be inveterate, and men became equally obstinate in their disgust to his government. Nor was the manner and address of the king calculated to cure these prejudices contracted against his administration; but had in everything a tendency to promote fear, or at best reverence, rather than good-will and affection. While the high idea entertained of his policy and vigour, retained the nobility and men of character in obedience; the effects of his unpopular government soon appeared, by incidents of an extraordinary nature.

LAMBERT SIMNEL.

There lived in Oxford one Richard Simon, a priest, who possessed some subtlety, and still more enterprise and temerity. This man had entertained the design of disturbing Henry's government, by raising a pretender to his crown; and for that purpose he cast his eyes on Lambert Simnel, a youth of fifteen years of age, who was son of a baker, and who being endowed with understanding above his years, and address above his condition, seemed well fitted to personate a prince of royal extraction. A report had been spread among the people, and received with great avidity, that Richard, duke of York, second son of Edward IV., had, by a secret escape, saved himself from the cruelty of his uncle, and lay somewhere concealed in England. Simon, taking advantage of this rumour, had at first instructed his pupil to assume that name, which he found to be so fondly cherished by the public: but hearing afterwards a new report, that Warwick had made his escape from the Tower, and observing that this news was attended with no less general satisfaction, he changed the plan of his imposture, and made Simnel personate that unfortunate prince. Though the youth was qualified by nature for the part which he was instructed to act; yet was it remarked, that he was better informed in circumstances relating to the royal family, particularly in the adventures of the earl of Warwick, than he could be supposed to have learned from one of Simon's condition: and it was thence conjectured, that persons of higher rank, partisans of the house of York, had laid the plan of this conspiracy, and had conveyed proper instructions to the actors. The queen-dowager herself was exposed to suspicion: and it was indeed the general opinion, however unlikely it might seem, that she had secretly given her consent to the imposture. This woman was of a very restless disposition. Finding that instead of receiving the reward of her services in contributing to Henry's elevation, she herself was fallen into absolute insignificance, her daughter treated with severity, and all her friends brought under subjection, she had conceived the most violent animosity against him, and had resolved to make him feel the effects of her resentment. She knew that the impostor, however successful, might easily at last be set aside; and if a way could be found at his risk to subvert the government, she hoped that a scene might be opened which, though difficult at present exactly to foresee, would gratify her revenge, and be on the whole less irksome to her than that slavery and contempt to which she now was reduced.

REVOLT OF IRELAND.

But whatever care Simon might take to convey instruction to his pupil Simnel, he was sensible that the imposture would not bear a close inspection; and he was therefore determined to open the first public scene of it in Ireland. That island, which was zealously attached to the house of York, and bore an affectionate regard to the memory of Clarence, Warwick's father, who had been their lieutenant, was improvidently allowed by Henry to remain in the same condition in which he found it; and all the counsellors and officers who had been appointed by his predecessors still retained their authority. No sooner did Simnel present himself to Thomas Fitz-gerald, earl of Kildare, the deputy, and claim his protection as the unfortunate Warwick, than that credulous nobleman, not suspecting so bold an imposture, gave attention to him, and began to consult some persons of rank with regard to this extraordinary incident. These he found even more sanguine in their zeal and belief than himself: and in proportion as the story diffused itself among those of lower condition, it became the object of still greater passion and credulity, till the people in Dublin with one consent tendered their allegiance to Simnel as to the true Plantagenet. Fond of a novelty, which flattered their natural propension, they overlooked the daughters of Edward IV., who stood before Warwick in the order of succession; they paid the pretended prince attendance as their sovereign, lodged him in the castle of Dublin, crowned him with a diadem, taken from a statue of the Virgin, and publicly proclaimed him king, by the appellation of Edward VI. The whole island followed the example of the capital; and not a sword was anywhere drawn for Henry's quarrel.

When this intelligence was conveyed to the king, it reduced him to some perplexity. Determined always to face his enemies in person, he yet scrupled at present to leave England, where he suspected the conspiracy was first framed, and where he knew many persons of condition, and the people in general, were much disposed to give it countenance. In order to discover the secret source of the contrivance, and take measures against this open revolt, he held frequent consultations with his ministers and counsellors, and laid plans for a vigorous defence of his authority, and the suppression of his enemies.

The first event which followed these deliberations gave surprise to the public: it was the seizure of the queen-dowager, the forfeiture of all her lands and revenue, and the close confinement of her person in the nunnery of Bermondesey. This act of authority was covered with a very thin pretence. It was alleged that, notwithstanding the secret agreement to marry her daughter to Henry, she had yet yielded to the solicitations and menaces of Richard, and had delivered that princess and her sisters into the hands of the tyrant. This crime, which was now become obsolete, and might admit of alleviations, was therefore suspected not to be the real cause of the severity with which she was treated; and men believed that the king, unwilling to accuse so near a relation of a conspiracy against him, had cloaked his vengeance or precaution under colour of an offence known to the whole world. They were afterwards the more confirmed in this suspicion, when they found that the unfortunate queen, though she survived this disgrace several years, was never treated with any more lenity, but was allowed to end her life in poverty, solitude, and confinement.

The next measure of the king's was of a less exceptionable nature. He ordered that Warwick should be taken from the Tower, be led in procession through the streets of London, be conducted to St. Paul's, and there exposed to the view of the whole people. He even gave directions that some men of rank, attached to the house of York, and best acquainted with the person of this prince, should approach him, and converse with him: and he trusted that these, being convinced of the absurd imposture of Simnel, would put a stop to the credulity of the populace. The expedient had its effect in England: but in Ireland the people still persisted in their revolt, and zealously retorted on the king the reproach of propagating an imposture, and of having shown a counterfeit Warwick to the public.

Henry had soon reason to apprehend that the design against him was not laid on such slight foundations as the absurdity of the contrivance seemed to indicate. John, earl of Lincoln, son of John de la Pole, duke of Suffolk, and of Elizabeth, eldest sister to Edward IV., was engaged to take part in the conspiracy. This nobleman, who possessed capacity and courage, had entertained very aspiring views: and his ambition was encouraged by the known intentions of his uncle Richard, who had formed a design, in case he himself should die without issue, of declaring Lincoln successor to the crown. The king's jealousy against all eminent persons of the York party, and his rigour towards Warwick, had further struck Lincoln with apprehensions, and made him resolve to seek for safety in the most dangerous counsels. Having fixed a secret correspondence with sir Thomas Broughton, a man of great interest in Lancashire, he retired to Flanders, where Lovel had arrived a little before him; and he lived during some time in the court of his aunt the duchess of Burgundy, by whom he had been invited over.

INTRIGUES OF THE DUCHESS OF BURGUNDY.

Margaret, widow of Charles the Bold, duke of Burgundy, not having any children of her own, attached herself, with an entire friendship, to her daughter-in-law, married to Maximilian, archduke of Austria; and after the death of that princess, she persevered in her affection to Philip and Margaret, her children, and occupied herself in the care of their education and of their persons. By her virtuous conduct and demeanour she had acquired great authority among the Flemings; and lived with much dignity, as well as economy, upon that ample dowry which she inherited from her husband. The resentments of this princess were no less warm than her friendships; and that spirit of faction, which it is so difficult for a social and sanguine temper to guard against, had taken strong possession of her heart, and intrenched somewhat on the probity which shone forth in the other parts of her character. Hearing of the malignant jealousy entertained by Henry against her family, and his oppression of all its partisans, she was moved with the highest indignation, and she determined to make him repent of that enmity to which so many of her friends, without any reason or necessity, had fallen victims.....1487. After consulting with Lincoln and Lovel, she hired a body of two thousand veteran Germans, under the command of Martin Swart, a brave and experienced officer; and sent them over, together with these two noblemen, to join Simnel in Ireland. The countenance given by persons of such high rank, and the accession of this military force, much raised the courage of the Irish, and made them entertain the resolution of invading England, where they believed the spirit of disaffection as prevalent as it appeared to be in Ireland. The poverty also under which they laboured made it impossible for them to support any longer their new court and army, and inspired them with a strong desire of enriching themselves by plunder and preferment in England.

Henry was not ignorant of these intentions of his enemies: and he prepared himself for defence. He ordered troops to be levied in different parts of the kingdom, and put them under the command of the duke of Bedford and earl of Oxford. He confined the marquis of Dorset, who he suspected would resent the injuries suffered by his mother, the queen-dowager: and, to gratify the people by an appearance of devotion, he made a pilgrimage to our lady of Walsingham, famous for miracles; and there offered up prayers for success, and for deliverance from his enemies.

Being informed that Simnel was landed at Foudrey in Lancashire, he drew together his forces, and advanced towards the enemy as far as Coventry. The rebels had entertained hopes that the disaffected counties in the north would rise in their favour: but the people in general, averse to join Irish and German invaders, convinced of Lambert's imposture, and kept in awe by the king's reputation for success and conduct, either remained in tranquillity, or gave assistance to the royal army. The earl of Lincoln, therefore, who commanded the rebels, finding no hopes but in victory, was determined to bring the matter to a speedy decision; and the king, supported by the native courage of his temper, and emboldened by a great accession of volunteers, who had joined him under the earl of Shrewsbury and lord Strange, declined not the combat.

BATTLE OF STOKE. *June 6th.*

The hostile armies met at Stoke, in the county of Nottingham, and fought a battle which was bloody and more obstinately disputed than could have been expected from the inequality of their force. All the leaders of the rebels were resolved to conquer or to perish; and they inspired their troops with like resolution. The Germans also, being veteran and experienced soldiers, kept the event long doubtful; and even the Irish, though ill-armed and almost defenceless, showed themselves not defective in spirit and bravery. The king's victory was purchased with loss, but was

entirely decisive. Lincoln, Broughton, and Swart perished in the field of battle with four thousand of their followers. As Lovel was never more heard of he was believed to have undergone the same fate. Simnel, with his tutor, Simon, was taken prisoner. Simon, being a priest, was not tried at law, and was only committed to close custody: Simnel was too contemptible to be an object either of apprehension or resentment to Henry. He was pardoned, and made a scullion in the king's kitchen; whence he was afterwards advanced to the rank of a falconer.

Henry had now leisure to revenge himself on his enemies. He made a progress into the northern parts, where he gave many proofs of his rigorous disposition. A strict inquiry was made after those who had assisted or favoured the rebels. The punishments were not all sanguinary; the king made his revenge subservient to his avarice. Heavy fines were levied upon the delinquents. The proceedings of the courts, and even the courts themselves were arbitrary. Either the criminals were tried by commissioners appointed for the purpose, or they suffered punishment by a sentence of a court-martial. And, as a rumour had prevailed before the battle of Stoke, that the rebels had gained the victory, that the royal army was cut in pieces, and that the king himself had escaped by flight, Henry was resolved to interpret the belief or propagation of this report as a mark of disaffection; and he punished many for that pretended crime. But such, in this age, was the situation of the English government, that the royal prerogative, which was but imperfectly restrained during the most peaceable periods, was sure, in tumultuous or even suspicious times, which frequently recurred, to break all bounds of law and to violate public liberty.

After the king had gratified his rigour by the punishment of his enemies, he determined to give contentment to the people in a point which, though a mere ceremony, was passionately desired by them. The queen had been married near two years, but had not yet been crowned; and this affectation of delay had given great discontent to the public, and had been one principal source of the disaffection which prevailed. The king, instructed by experience, now finished the ceremony of her coronation on the 25th of November; and, to show a disposition still more gracious, he restored to liberty the marquis of Dorset, who had been able to clear himself of all the suspicions entertained against him.

CHAPTER XXV.

State of Foreign Affairs — State of Scotland — of Spain — of the Low Countries — of France — of Britany — French Invasion of Britanny — French Embassy to England — Dissimulation of the French Court — An Insurrection in the North — suppressed — King sends Forces into Britanny — Annexation of Britanny to France — A Parliament — War with France — Invasion of France — Peace with France — Perkin Warbec — His Imposture — He is assisted by the Duchess of Burgundy — and by many of the English Nobility — Tried and Execution of — Stanley — A Parliament.

STATE OF FOREIGN AFFAIRS. 1488.

THE king acquired great reputation throughout Europe by the vigorous and prosperous conduct of his domestic affairs: but as some incidents about this time invited him to look abroad, and exert himself in behalf of his allies, it will be necessary, in order to give a just account of his foreign measures, to explain the situation of the neighbouring kingdoms; beginning with Scotland, which lies most contiguous.

The kingdom of Scotland had not yet attained that state which distinguishes a civilized monarchy, and which enables the government, by the force of its laws and institutions alone, without any extraordinary capacity in the sovereign, to maintain itself in order and tranquillity. James III., who now filled the throne, was a prince of little industry and of a narrow genius; and though it behoved him to yield the reins of government to his ministers, he had never been able to make any choice which could give contentment both to himself and to his people. When he bestowed his confidence on any of the principal nobility, he found that they exalted their own family to such a height as was dangerous to the prince, and gave umbrage to the state: when he conferred favour on any person of meaner birth, on whose submission he could more depend, the barons of his kingdom, enraged at the power of an upstart minion, proceeded to the utmost extremities against their sovereign. Had Henry entertained the ambition of conquests, a tempting opportunity now offered of reducing that kingdom to subjection: but as he was probably sensible that a warlike people, though they might be overrun by reason of their domestic divisions, could not be retained in obedience without a regular military force, which was then unknown in England, he rather intended the renewal of the peace with Scotland, and sent an embassy to James for that purpose. But the Scots, who never desired a durable peace with England, and who deemed their security to consist in constantly preserving themselves in a warlike posture, would not agree to more than a seven years' truce, which was accordingly concluded.

STATE OF SPAIN.

The European states on the continent were then hastening fast to the situation in which they have remained, without any material alteration, for nearly three centuries; and began to unite themselves into one extensive system of policy, which comprehended the chief powers of Christendom. Spain, which had hitherto been almost entirely occupied within herself, now became formidable by the union of Arragon and Castile in the persons of Ferdinand and Isabella, who, being princes of great capacity, employed their force in enterprises the most advantageous to their combined monarchy. The conquest of Granada from the Moors was then undertaken, and brought near to a happy conclusion. And in that expedition the military genius of Spain was revived; honour and security were attained; and her princes, no longer kept in awe by a domestic enemy so dangerous, began to enter into all the transactions of Europe, and make a great figure in every war and negociation.

OF THE LOW COUNTRIES.

Maximilian, king of the Romans, son of the emperor Frederic, had, by his marriage with the heiress of Burgundy, acquired an interest in the Netherlands; and though the death of his consort had weakened his connexions with that country, he still pretended to the government as tutor to his son Philip, and his authority had been acknowledged by Brabant, Holland, and several of the provinces. But as Flanders and Hainault still refused to submit to his regency, and even appointed other tutors to Philip, he had been engaged in long wars against that obstinate people, and never was able thoroughly to subdue their spirit. That he might free himself from the opposition of France, he had concluded a peace with Louis XI., and had given his daughter Margaret, then an infant, in marriage to the dauphin; together with Artois, Franche Compté, and Charolois, as her dowry. But this alliance had not produced the desired effect. The dauphin succeeded to the crown of France by the appellation of Charles VIII.; but Maximilian still found the mutinies of the Flemings fomented by the intrigues of the court of France.

STATE OF FRANCE.

France, during the two preceding reigns, had made a mighty increase in power and greatness; and had

not other states of Europe at the same time received an accession of force, it had been impossible to have retained her within her ancient boundaries. Most of the great fiefs, Normandy, Champagne, Anjou, Dauphiny, Guienne, Provence, and Burgundy, had been united to the crown; the English had been expelled from all their conquests; the authority of the prince had been raised to such a height as enabled him to maintain law and order; a considerable military force was kept on foot, and the finances were able to support it. Louis XI. indeed, from whom many of these advantages were derived, was dead, and had left his son in early youth and ill educated, to sustain the weight of the monarchy: but having entrusted the government to his daughter Anne, lady of Beaujeu, a woman of spirit and capacity, the French power suffered no check or decline. On the contrary, this princess formed the great project, which at last she happily effected, of uniting to the crown Britanny, the last and most independent fief of the monarchy.

OF BRITANNY.

Francis II., duke of Britanny, conscious of his own incapacity for government, had resigned himself to the direction of Peter Landais, a man of mean birth, more remarkable for abilities than for virtue or integrity. The nobles of Britanny, displeased with the great advancement of this favourite, had even proceeded to disaffection against their sovereign; and after many tumults and disorders, they at last united among themselves, and in a violent manner seized, tried, and put to death, the obnoxious minister. During the resentment of the prince for this invasion of his authority, many of them retired to France; others, for protection and safety, maintained a secret correspondence with the French ministry, who, observing the great dissensions among the Bretons, thought the opportunity favourable for invading the dutchy; and so much the rather, as they could cover their ambition under the specious pretence of providing for domestic security.

Louis, duke of Orleans, first prince of the blood, and presumptive heir of the monarchy, had disputed the administration with the lady of Beaujeu; and though his pretensions had been rejected by the states, he still maintained cabals with many of the grandees, and laid schemes for subverting the authority of that princess. Finding his conspiracies detected, he took to arms, and fortified himself in Beaugenci; but as his revolt was precipitate, before his confederates were ready to join him, he had been obliged to submit, and to receive such conditions as the French ministry were pleased to impose upon him. Actuated, however, by his ambition, and even by his fears, he soon retired out of France, and took shelter with the duke of Britanny, who was desirous of strengthening himself against the designs of the lady of Beaujeu, by the friendship and credit of the duke of Orleans. This latter prince, also, perceiving the ascendant which he soon acquired over the duke of Britanny, had engaged many of his partizans to join him at that court, and had formed the design of aggrandizing himself by a marriage with Anne, the heir of that opulent dutchy.

FRENCH INVASION OF BRITANNY.

The barons of Britanny, who saw all favour engrossed by the duke of Orleans and his train, renewed a stricter correspondence with France, and even invited the French king to make an invasion on their country. Desirous, however, of preserving its independency, they had regulated the number of succours which France was to send them, and had stipulated that no fortified place in Britanny should remain in the possession of that monarchy: a vain precaution where revolted subjects treat with a power so much superior! The French invaded Britanny with forces three times more numerous than those which they had promised to the barons; and, advancing into the heart of the country, laid siege to Ploermel. To oppose them the duke raised a numerous but ill-disciplined army, which he put under the command of the duke of Orleans, the count of Dunois, and others of the French nobility. The army, discontented with his choice, and jealous of their confederates, soon disbanded, and left their prince with too small a force to keep the field against his invaders. He retired to Vannes; but being hotly pursued by the French, who had now made themselves masters of Ploermel, he escaped to Nantz; and the enemy, having previously taken and garrisoned Vannes, Dinant, and other places, laid close siege to that city. The barons of Britanny, finding their country menaced with total subjection, began gradually to withdraw from the French army, and to make peace with their sovereign.

This desertion, however, of the Bretons discouraged not the court of France from pursuing her favourite project of reducing Britanny to subjection. The situation of Europe appeared favourable to the execution of this design. Maximilian was indeed engaged in close alliance with the duke of Britanny, and had even opened a treaty for marrying his daughter; but he was on all occasions so indigent, and at that time so disquieted by the mutinies of the Flemings, that little effectual assistance could be expected from him. Ferdinand was entirely occupied in the conquest of Granada; and it was also known, that if France would resign to him Rousillon and Cerdagne, to which he had pretensions, she could at any time engage him to abandon the interest of Britanny. England alone was both enabled by her power, and engaged by her interests, to support the independency of that dutchy; and the most dangerous opposition was therefore, by Anne of Beaujeu, expected from that quarter. In order to cover her real designs, no sooner was she informed of Henry's success against Simnel and his partisans, than she despatched ambassadors to the court of London, and made professions of the greatest trust and confidence in that monarch.

FRENCH EMBASSY TO ENGLAND.

The ambassadors, after congratulating Henry on his late victory, and communicating to him, in the most cordial manner, as to an intimate friend, some successes of their master against Maximilian, came in the progress of their discourse to mention the late transactions in Britanny. They told him, that the duke having given protection to French fugitives and rebels, the king had been necessitated, contrary to his intention and inclination, to carry war into that dutchy: that the honour of the crown was interested not to suffer a vassal so far to forget his duty to his liege lord; nor was the security of the government less concerned to prevent the consequences of this dangerous temerity: that the fugitives were no mean or obscure persons; but, among others, the duke of Orleans, first prince of the blood, who, finding himself obnoxious to justice for treasonable practices in France, had fled into Britanny; where he still persevered in laying schemes of rebellion against his sovereign: that the war being thus, on the part of the French monarch, entirely defensive, it would immediately cease, when the duke of Britanny, by returning to his duty, should remove the causes of it: that their master was sensible of the obligations which the duke in very critical times had conferred on Henry; but it was known also, that in times still more critical, he or his mercenary counsellors had deserted him, and put his life in the utmost hazard: that his sole refuge in these desperate extremities had been the court of France, which not only protected his person, but supplied him with men and money, with which, aided by his own valour and conduct, he had been enabled to mount the throne of England: that France in this transaction had, from friendship to

Henry, acted contrary to what in a narrow view might be esteemed her own interest; since, instead of an odious tyrant, she had contributed to establish on a rival throne a prince endowed with such virtue and abilities: and that as both the justice of the cause and the obligations conferred on Henry, thus preponderated on the side of France, she reasonably expected that, if the situation of his affairs did not permit him to give her assistance, he would at least preserve a neutrality between the contending parties.

This discourse of the French ambassadors was plausible; and to give it greater weight, they communicated to Henry, as in confidence, their master's intention, after he should have settled the differences with Britanny, to lead an army into Italy, and make good his pretensions to the kingdom of Naples: a project which they knew would give no umbrage to the court of England. But all these artifices were in vain employed against the penetration of the king. He clearly saw that France had entertained the view of subduing Britanny; but he also perceived, that she would meet with great, and, as he thought, insuperable difficulties in the execution of her project. The native force of that dutchy, he knew, had always been considerable, and had often, without any foreign assistance, resisted the power of France; the natural temper of the French nation, he imagined, would make them easily abandon any enterprise which required perseverance; and as the heir of the crown was confederated with the duke of Britanny, the ministers would be still more remiss in prosecuting a scheme which must draw on them his resentment and displeasure. Should even these internal obstructions be removed, Maximilian, whose enmity to France was well known, and who now paid his addresses to the heiress of Britanny, would be able to make a diversion on the side of Flanders; nor could it be expected that France, if she prosecuted such ambitious projects, would be allowed to remain in tranquillity by Ferdinand and Isabella. Above all, he thought the French court could never expect that England, so deeply interested to preserve the independency of Britanny, so able by her power and situation to give effectual and prompt assistance, would permit such an accession of force to her rival. He imagined, therefore, that the ministers of France, convinced of the impracticability of their scheme, would at last embrace pacific views, and would abandon an enterprise so obnoxious to all the potentates of Europe.

DISSIMULATION OF THE FRENCH COURT.

This reasoning of Henry was solid, and might justly engage him in dilatory and cautious measures: but there entered into his conduct another motive, which was apt to draw him beyond the just bounds, because founded on a ruling passion. His frugality, which by degrees degenerated into avarice, made him averse to all warlike enterprises and distant expeditions, and engaged him previously to try the expedient of negociation. He despatched Urswic, his almoner, a man of address and abilities, to make offer of his mediation to the contending parties: an offer which he thought, if accepted by France, would soon lead to a composure of all differences; if refused or eluded, would at least discover the perseverance of that court in her ambitious projects. Urswic found the lady of Beaujeu, now duchess of Bourbon, engaged in the siege of Nantz, and had the satisfaction to find that his master's offer of mediation was readily embraced, and with many expressions of confidence and moderation. That able princess concluded, that the duke of Orleans, who governed the court of Britanny, foreseeing that every accommodation must be made at his expense, would use all his interest to have Henry's proposals rejected; and would by that means make an apology for the French measures, and draw on the Bretons the reproach of obstinacy and injustice. The event justified her prudence. When the English ambassador made the same offer to the duke of Britanny, he received for answer, in the name of that prince, that having so long acted the part of protector and guardian to Henry during his youth and adverse fortune, he had expected from a monarch of such virtue, more effectual assistance in his present distresses, than a barren offer of mediation, which suspended not the progress of the French arms: that if Henry's gratitude were not sufficient to engage him in such a measure, his prudence, as king of England, should discover to him the pernicious consequences attending the conquest of Britanny, and its annexation to the crown of France: that that kingdom, already too powerful, would be enabled, by so great an accession of force, to display, to the ruin of England, that hostile disposition which had always subsisted between those rival nations: that Britanny, so useful an ally, which, by its situation, gave the English an entrance into the heart of France, being annexed to that kingdom, would be equally enabled, from its situation, to disturb, either by piracies or naval armaments, the commerce and peace of England: and that, if the duke rejected Henry's mediation, it proceeded neither from an inclination to a war which he experienced to be ruinous to him, nor from a confidence in his own force, which he knew to be much inferior to that of the enemy; but, on the contrary, from a sense of his present necessities, which must engage the king to act the part of his confederate, not that of a mediator.

When this answer was reported to the king, he abandoned not the plan which he had formed: he only concluded, that some more time was requisite to quell the obstinacy of the Bretons, and make them submit to reason. And when he learned that the people of Britanny, anxious for their duke's safety, had formed a tumultary army of 60,000 men, and had obliged the French to raise the siege of Nantz, he fortified himself the more in his opinion, that the court of France would at last be reduced, by multiplied obstacles and difficulties, to abandon the project of reducing Britanny to subjection. He continued therefore his scheme of negociation, and thereby exposed himself to be deceived by the artifices of the French ministry; who, still pretending pacific intentions, sent Lord Bernard Daubigny, a Scotchman of quality, to London, and pressed Henry not to be discouraged in offering his mediation to the court of Britanny. The king, on his part, despatched another embassy, consisting of Urswic, the abbot of Abingdon, and Sir Richard Tonstal, who carried new proposals for an amicable treaty. No effectual succours, meanwhile, were provided for the distressed Bretons. Lord Woodeville, brother to the queen-dowager, having asked leave to raise underhand a body of volunteers, and to transport them into Britanny, met with a refusal from the king, who was desirous of preserving the appearance of a strict neutrality. That nobleman, however, still persisted in his purpose. He went over to the Isle of Wight, of which he was governor; levied a body of four hundred men; and having at last obtained, as is supposed, the secret permission of Henry, sailed with them to Britanny.

This enterprise proved fatal to the leader, and brought small relief to the unhappy duke. The Bretons rashly engaged in a general action with the French, (28th July,) at St. Aubin, and were discomfited. Woodeville and all the English were put to the sword; together with a body of Bretons, who had been accoutered in the garb of Englishmen, in order to strike a greater terror into the French, to whom the martial prowess of that nation was always formidable. The duke of Orleans, the prince of Orange, and many other persons of rank, were taken prisoners: and the military force of Britanny was totally broken. The death of the duke, which followed soon after, (9th September,) threw affairs into still greater confusion, and seemed to threaten the state with a final subjection.

AN INSURRECTION IN THE NORTH.

Though the king did not prepare against these events, so hurtful to the interests of England, with sufficient vigour and precaution, he had not altogether overlooked them. Determined to maintain a pacific conduct, as far as the situation of affairs would permit, he yet knew the warlike temper of his subjects, and observed, that their ancient and inveterate animosity to France was now revived by the prospect of this great accession to her power and grandeur. He resolved therefore to make advantage of this disposition, and draw some supplies from the people, on pretence of giving assistance to the duke of Britanny. He had summoned a parliament at Westminster;* and he soon persuaded them to grant him a considerable subsidy.† But this supply, though voted by parliament, involved the king in unexpected difficulties. The counties of Durham and York, always discontented with Henry's government, and further provoked by the late oppressions, under which they had laboured after the suppression of Simnel's rebellion, resisted the commissioners who were appointed to levy the tax. The commissioners, terrified with this appearance of sedition, made application to the earl of Northumberland, and desired of him advice and assistance in the execution of their office. That nobleman thought the matter of importance enough to consult the king; who, unwilling to yield to the humours of a discontented populace, and foreseeing the pernicious consequence of such a precedent, renewed his orders for strictly levying the imposition. Northumberland summoned together the justices and chief freeholders, and delivered the king's commands in the most imperious terms, which, he thought, would enforce obedience, but which tended only to provoke the people, and make them believe him the adviser of those orders which he delivered to them. They flew to arms, attacked Northumberland in his house, and put him to death. Having incurred such deep guilt, their mutinous humour prompted them to declare against the king himself; and being instigated by John Achamber, a seditious fellow of low birth, they chose sir John Egremond their leader, and prepared themselves for a vigorous resistance. Henry was not dismayed with an insurrection so precipitate and ill-supported. He immediately levied a force, which he put under the command of the earl of Surrey, whom he had freed from confinement and received into favour. His intention was to send down these troops, in order to check the progress of the rebels; while he himself should follow with a greater body, which would absolutely insure success. But Surrey thought himself strong enough to encounter alone a raw and unarmed multitude; and he succeeded in the attempt. The rebels were dissipated; John Achamber was taken prisoner, and afterwards executed with some of his accomplices; sir John Egremond fled to the duchess of Burgundy, who gave him protection; the greater number of the rebels received a pardon.

Henry had probably expected, when he obtained this grant from parliament, that he should be able to terminate the affair of Britanny by negociation, and that he might thereby fill his coffers with the money levied by the imposition. But as the distresses of the Bretons still multiplied, and became every day more urgent, he found himself under the necessity of taking more vigorous measures, in order to support them. On the death of the duke, the French had revived some antiquated claims to the dominion of the dutchy; and as the duke of Orleans was now captive in France, their former pretence for hostilities could no longer serve as a cover to their ambition. The king resolved, therefore, to engage as auxiliary to Britanny; and to consult the interests as well as desires of his people, by opposing himself to the progress of the French power. Besides entering into a league with Maximilian, and another with Ferdinand, which were distant resources, he levied a body of troops to the number of 6000 men, with an intention of transporting them into Britanny. Still anxious, however, for the repayment of his expenses, he concluded a treaty with the young duchess, by which she engaged to deliver into his hands two sea-port towns, there to remain till she should entirely refund the charges of the armament. Though he engaged for the service of these troops during the space of ten months only, yet was the duchess obliged, by the necessity of her affairs, to submit to such rigid conditions, imposed by an ally so much concerned in interest to protect her. The forces arrived under the command of lord Willoughby, of Broke; and made the Bretons, during some time, masters of the field. The French retired into their garrisons; and expected, by dilatory measures, to waste the fire of the English, and disgust them with the enterprise. The scheme was well laid, and met with success. Lord Broke found such discord and confusion in the counsels of Britanny, that no measures could be concerted for any undertaking; no supply obtained; no provisions, carriages, artillery, or military stores procured. The whole court was rent into factions: no one minister had acquired the ascendant: and whatever project was formed by one, was sure to be traversed by another. The English, disconcerted in every enterprise by these animosities and uncertain counsels, returned home as soon as the time of their service was elapsed; leaving only a small garrison in those towns which had been consigned into their hands. During their stay in Britanny, they had only contributed still further to waste the country; and by their departure, they left it entirely at the mercy of the enemy. So feeble was the succour which Henry, in this important conjuncture, afforded his ally, whom the invasion of a foreign enemy, concurring with domestic dissensions, had reduced to the utmost distress!

The great object of the domestic dissensions in Britanny was the disposal of the young duchess in marriage. The mareschal Rieux, favoured by Henry, seconded the suit of the lord d'Albert, who led some forces to her assistance. The chancellor Montauban, observing the aversion of the duchess to this suitor, insisted that a petty prince, such as d'Albert, was unable to support Anne in her present extremities; and he recommended some more powerful alliance, particularly that of Maximilian, king of the Romans..... 1490. This party at last prevailed; the marriage with Maximilian was celebrated by proxy; and the duchess thenceforth assumed the title of queen of the Romans. But this magnificent appellation was all she gained by her marriage. Maximilian, destitute of troops and money, and embarrassed with the continual revolts of the Flemings, could send no succour to his distressed consort; while d'Albert, enraged at the preference given to his rival, deserted her cause, and received the French into Nantz, the most important place in the dutchy, both for strength and riches.

The French court now began to change their scheme with regard to the subjection of Britanny. Charles had formerly been affianced to Margaret, daughter of Maximilian, who, though too young for the consummation of her marriage, had been sent to Paris to be educated, and at this time bore the title of Queen of France. Besides the rich dowry which she brought the king, she was, after her brother Philip, then in early youth, heir to all the dominions of the house of Burgundy; and seemed, in many respects, the most proper match that could be chosen for the young monarch. These circumstances had so blinded both Maximilian and Henry, that they never suspected any other intentions in the French court; nor were they able to discover that engagements, seemingly so advantageous, and so solemnly entered into, could be

* 9th November, 1487.
† Polydore Virgil, p. 570. says, that this imposition was a capitation tax; the other historians say, it was a tax of two shillings in the pound.

infringed and set aside. But Charles began to perceive that the conquest of Britanny, in opposition to the natives, and to all the great powers of Christendom, would prove a difficult enterprise; and that even if he should overrun the country, and make himself master of the fortresses, it would be impossible for him long to retain possession of them. The marriage alone of the duchess could fully re-annex that fief to the crown; and the present and certain enjoyment of so considerable a territory seemed preferable to the prospect of inheriting the dominions of the house of Burgundy; a prospect which became every day more distant and precarious. Above all, the marriage of Maximilian and Anne appeared destructive to the grandeur, and even security, of the French monarch; while that prince, possessing Flanders on the one hand, and Britanny on the other, might thus, from both quarters, make inroads into the heart of the country. The only remedy for these evils was therefore concluded to be the dissolution of the two marriages, which had been celebrated, but not consummated; and the espousal of the duchess of Britanny by the king of France.

It was necessary that this expedient, which had not been foreseen by any court in Europe, and which they were all so much interested to oppose, should be kept a profound secret, and should be discovered to the world only by the full execution of it. The measures of the French ministry in the conduct of this delicate enterprise were wise and political. While they pressed Britanny with all the rigours of war, they secretly gained the count of Dunois, who possessed great authority with the Bretons; and having also engaged in their interests the prince of Orange, cousin-german to the duchess, they gave him his liberty, and sent him into Britanny. These partisans, supported by other emissaries of France, prepared the minds of men for the great revolution projected, and displayed, though still with many precautions, all the advantages of a union with the French monarchy. They represented to the barons of Britanny, that their country, harassed during so many years with perpetual war, had need of some repose, and of a solid and lasting peace with the only power that was formidable to them: that their alliance with Maximilian was not able to afford them even present protection; and by closely uniting them to a power which was rival to the greatness of France, fixed them in perpetual enmity with that potent monarchy: that their vicinity exposed them first to the inroads of the enemy; and the happiest event which, in such a situation, could befall them, would be to attain a peace, though by a final subjection to France, and by the loss of that liberty transmitted to them from their ancestors; and that any other expedient, compatible with the honour of the state, and their duty to their sovereign, was preferable to a scene of such disorder and devastation.

These suggestions had influence with the Bretons: but the chief difficulty lay in surmounting the prejudices of the young duchess herself. That princess had imbibed a strong prepossession against the French nation, particularly against Charles, the author of all the calamities which, from her earliest infancy, had befallen her family. She had also fixed her affections on Maximilian; and as she now deemed him her husband, she could not, she thought, without incurring the greatest guilt, and violating the most solemn engagements, contract a marriage with any other person.... 1491. In order to overcome her obstinacy, Charles gave the duke of Orleans his liberty, who, though formerly a suitor to the duchess, was now contented to ingratiate himself with the king, by employing in his favour all the interest which he still possessed in Britanny. Mareschal Rieux and chancellor Montauban were reconciled by his mediation; and these rival ministers now concurred with the prince of Orange and the count of Dunois, in pressing the conclusion of a marriage with Charles. By their suggestion, Charles advanced with a powerful army, and invested Rennes, at that time the residence of the duchess, who, assailed on all hands, and finding none to support her in her inflexibility, at last opened the gates of the city, and agreed to espouse the king of France. She was married at Langey in Touraine; conducted to St. Denis, where she was crowned; thence made her entry into Paris, amidst the joyful acclamations of the people, who regarded this marriage as the most prosperous event that could have befallen the monarchy.

The triumph and success of Charles was the most sensible mortification to the king of the Romans. He had lost a considerable territory, which he thought he had acquired, and an accomplished princess, whom he had espoused; he was affronted in the person of his daughter Margaret, who was sent back to him after she had been treated, during some years, as queen of France; he had reason to reproach himself with his own supine security, in neglecting the consummation of his marriage, which was easily practicable for him, and which would have rendered the tie indissoluble: these considerations threw him into the most violent rage, which he vented in very indecent expressions; and he threatened France with an invasion from the united arms of Austria, Spain, and England.

The king of England had also just reason to reproach himself with misconduct in this important transaction: and though the affair had terminated in a manner which he could not precisely foresee, his negligence in leaving his most useful ally so long exposed to the invasion of superior power, could not but appear, on reflection, the result of timid caution and narrow politics. As he valued himself on his extensive foresight and profound judgment, the ascendant acquired over him by a raw youth, such as Charles, could not but give him the highest displeasure, and prompt him to seek vengeance, after all remedy for his miscarriage was become absolutely impracticable. But he was further actuated by avarice, a motive still more predominant with him than either pride or revenge; and he sought, even from his present disappointments, the gratification of this ruling passion. On pretence of a French war, he issued a commission (7th July) for levying a *benevolence* on his people;* a species of taxation which had been abolished by a recent law of Richard III. This violence (for such it really was) fell chiefly on the commercial part of the nation, who were possessed of the ready money. London alone contributed to the amount of near 10,000 pounds. Archbishop Morton, the chancellor, instructed the commissioners to employ a dilemma, in which every one might be comprehended: if the persons applied to lived frugally, they were told that their parsimony must necessarily have enriched them: if their method of living were splendid and hospitable, they were concluded to be opulent on account of their expenses. This device was by some called chancellor Morton's fork, by others his crutch.

So little apprehensive was the king of a parliament on account of his levying this arbitrary imposition, that he soon after summoned that assembly to meet at Westminster; (27th October;) and he even expected to enrich himself further by working on their passions and prejudices. He knew the displeasure which the English had conceived against France on account of the acquisition of Britanny; and he took care to insist on that topic, in the speech which he himself pronounced to the parliament. He told them that France, elated with her late successes, had even proceeded to a contempt of England, and had refused to pay the tribute which Louis XI. had stipulated to Edward IV.: that it became so warlike a nation as the English to be roused by this indignity, and not to limit their pretensions merely to repelling the present injury: that, for his part, he was determined to lay claim to the crown

* Pac n shows that the benevolence was levied with consent of parliament which is a mistake.

itself of France, and to maintain by force of arms so just a title, transmitted to him by his gallant ancestors: that Crecy, Poictiers, and Azincour were sufficient to instruct them in their superiority over the enemy; nor did he despair of adding new names to the glorious catalogue: that a king of France had been prisoner in London, and a king of England had been crowned at Paris; events which should animate them to an emulation of like glory with that which had been enjoyed by their forefathers: that the domestic dissensions of England had been the sole cause of her losing these foreign dominions; and her present internal union would be the effectual means of recovering them: that where such lasting honour was in view, and such an important acquisition, it became not brave men to repine at the advance of a little treasure: and that, for his part, he was determined to make the war maintain itself; and hoped by the invasion of so opulent a kingdom as France to increase, rather than diminish, the riches of the nation.

1492. Notwithstanding these magnificent vaunts of the king, all men of penetration concluded, from the personal character of the man, and still more from the situation of affairs, that he had no serious intention of pushing the war to such extremities as he pretended. France was not now in the same condition as when such successful inroads had been made upon her by former kings of England. The great fiefs were united to the crown; the princes of the blood were desirous of tranquillity; the nation abounded with able captains and veteran soldiers; and the general aspect of her affairs seemed rather to threaten her neighbours, than to promise them any considerable advantages against her. The levity and vainglory of Maximilian were supported by his pompous titles; but were ill seconded by military power, and still less by any revenue proportioned to them. The politic Ferdinand, while he made a show of war, was actually negociating for peace; and, rather than expose himself to any hazard, would accept of very moderate concessions from France. Even England was not free from domestic discontents; and in Scotland, the death of Henry's friend and ally, James III., who had been murdered by his rebellious subjects, had made way for the succession of his son, James IV., who was devoted to the French interest, and would surely be alarmed at any important progress of the English arms. But all these obvious considerations had no influence on the parliament. Inflamed by the ideas of subduing France, and of enriching themselves by the spoils of that kingdom, they gave into the snare prepared for them, and voted the supply which the king demanded. Two-fifteenths were granted him; and the better to enable his vassals and nobility to attend him, an act was passed, empowering them to sell their estates, without paying any fines for alienation.

WAR WITH FRANCE.

The nobility were universally seized with a desire of military glory; and having credulously swallowed all the boasts of the king, they dreamed of no less than carrying their triumphant banners to the gates of Paris, and putting the crown of France on the head of their sovereign. Many of them borrowed large sums, or sold off manors, that they might appear in the field with greater splendour, and lead out their followers in more complete order. The king crossed the sea, and arrived at Calais on the sixth of October, with an army of twenty-five thousand foot and sixteen hundred horse, which he put under the command of the duke of Bedford and the earl of Oxford; but as some inferred, from his opening the campaign in so late a season, that peace would soon be concluded between the crowns, he was desirous of suggesting a contrary inference. "He had come over," he said, "to make an entire conquest of France, which was not the work of one summer. It was therefore of no consequence at what season he began the invasion; especially as he had Calais ready for winter-quarters." As if he had seriously intended this enterprise, he instantly marched into the enemy's country, and laid siege to Bulloigne; but notwithstanding this appearance of hostility, there had been secret advances made towards peace above three months before; and commissioners had been appointed to treat of the terms. The better to reconcile the minds of men to this unexpected measure, the king's ambassadors arrived in the camp from the Low Countries, and informed him that Maximilian was in no readiness to join him; nor was any assistance to be expected from that quarter. Soon after messengers came from Spain, and brought news of a peace concluded between that kingdom and France, in which Charles had made a cession of the countics of Roussillon and Cerdagne to Ferdinand. Though these articles of intelligence were carefully dispersed throughout the army, the king was still apprehensive lest a sudden peace, after such magnificent promises and high expectations, might expose him to reproach. In order the more effectually to cover the intended measures, he secretly engaged the marquis of Dorset, together with twenty-three persons of distinction, to present him a petition for agreeing to a treaty with France. The pretence was founded on the late season of the year, the difficulty of supplying the army at Calais during winter, the obstacles which arose in the siege of Bulloigne, the desertion of those allies whose assistance had been most relied on: events which might, all of them, have been foreseen before the embarkation of the forces.

PEACE WITH FRANCE. *November* 3.

In consequence of these preparatory steps, the bishop of Exeter and lord Daubeney were sent to confer at Estaples with the mareschal de Cordes, and to put the last hand to the treaty. A few days sufficed for that purpose: the demands of Henry were wholly pecuniary; and the king of France, who deemed the peaceable possession of Britanny an equivalent for any sum, and who was all on fire for his projected expedition into Italy, readily agreed to the proposals made him. He engaged to pay Henry 745,000 crowns, near 400,000 pounds sterling of our present money; partly as a reimbursement of the sums advanced to Britanny, partly as arrears of the pension due to Edward IV. And he stipulated a yearly pension to Henry and his heirs of 25,000 crowns. Thus the king, as remarked by his historian, made profit upon his subjects for the war; and upon his enemies for the peace. And the people agreed that he had fulfilled his promise, when he said to the parliament that he would make the war maintain itself. Maximilian was, if he pleased, comprehended in Henry's treaty; but he disdained to be in any respect beholden to an ally of whom he thought he had reason to complain: he made a separate peace with France, and obtained restitution of Artois, Franchecompté, and Charolois, which had been ceded as the dowry of his daughter when she was affianced to the king of France.

The peace concluded between England and France was the more likely to continue, because Charles, full of ambition and youthful hopes, bent all his attention to the side of Italy, and soon after undertook the conquest of Naples; an enterprise which Henry regarded with the greatest indifference, as Naples lay remote from him, and France had never in any age been successful in that quarter. The king's authority was fully established at home; and every rebellion which had been attempted against him had hitherto tended only to confound his enemies, and consolidate his power and influence. His reputation for policy and conduct was daily augmenting; his treasures had increased even from the most unfavourable events; the hopes of all pretenders to his throne were cut off, as well by his marriage as by the issue which it had brought him.

In this prosperous situation the king had reason to flatter himself with the prospect of durable peace and tranquillity: but his inveterate and indefatigable enemies, whom he had wantonly provoked, raised him an adversary, who long kept him in inquietude, and sometimes even brought him into danger.

The duchess of Burgundy, full of resentment for the depression of her family and its partisans, rather irritated than discouraged by the ill success of her past enterprises, was determined, at least, to disturb that government which she found it so difficult to subvert. By means of her emissaries she propagated a report that her nephew Richard Plantagenet, duke of York, had escaped from the Tower when his elder brother was murdered, and that he still lay somewhere concealed: and finding this rumour, however improbable, to be greedily received by the people, she had been looking out for some young man proper to personate that unfortunate prince.

PERKIN WARBEC.

There was one Osbec, or Warbec, a renegado Jew of Tournay, who had been carried by some business to London in the reign of Edward IV., and had there a son born to him. Having had opportunities of being known to the king, and obtaining his favour, he prevailed with that prince, whose manners were very affable, to stand godfather to his son, to whom he gave the name of Peter, corrupted, after the Flemish manner, into Peterkin, or Perkin. It was by some believed that Edward, among his amorous adventures, had a secret commerce with Warbec's wife; and people thence accounted for that resemblance which was afterwards remarked between young Perkin and that monarch. Some years after the birth of this child, Warbec returned to Tournay; where Perkin his son did not long remain, but by different accidents was carried from place to place, and his birth and fortunes became thereby unknown, and difficult to be traced by the most diligent inquiry. The variety of his adventures had happily favoured the natural versatility and sagacity of his genius; and he seemed to be a youth perfectly fitted to act any part, or assume any character. In this light he had been represented to the duchess of Burgundy, who, struck with the concurrence of so many circumstances suited to her purpose, desired to be made acquainted with the man on whom she already began to ground her hopes of success. She found him to exceed her most sanguine expectations; so comely did he appear in his person, so graceful in his air, so courtly in his address, so full of docility and good sense in his behaviour and conversation. The lessons necessary to be taught him, in order to his personating the duke of York, were soon learned by a youth of such quick apprehension; but as the season seemed not then favourable for his enterprise, Margaret, in order the better to conceal him, sent him, under the care of lady Brampton, into Portugal, where he remained a year, unknown to all the world.

The war, which was then ready to break out between France and England, seemed to afford a proper opportunity for the discovery of this new phenomenon; and Ireland, which still retained its attachments to the house of York, was chosen as the place proper for his first appearance. He landed at Cork; and immediately assuming the name of Richard Plantagenet, drew to him partisans among that credulous people. He wrote letters to the earls of Desmond and Kildare, inviting them to join his party: he dispersed everywhere the strange intelligence of his escape from the cruelty of his uncle Richard: and men, fond of everything new and wonderful, began to make him the general subject of their discourse, and even the object of their favour.

The news soon reached France; and Charles, prompted by the secret solicitations of the duchess of Burgundy, and the intrigues of one Frion, a secretary of Henry's, who had deserted his service, sent Perkin an invitation to repair to him at Paris. He received him with all the marks of regard due to the duke of York; settled on him a handsome pension, assigned him magnificent lodgings, and in order to provide at once for his dignity and security, gave him a guard for his person, of which lord Congresal accepted the office of captain. The French courtiers readily embraced a fiction which their sovereign thought it his interest to adopt: Perkin, both by his deportment and personal qualities, supported the prepossession which was spread abroad of his royal pedigree: and the whole kingdom was full of the accomplishments, as well as the singular adventures and misfortunes, of the young Plantagenet. Wonders of this nature are commonly augmented at a distance. From France, the admiration and credulity diffused themselves into England: sir George Nevil, sir John Taylor, and above a hundred gentlemen more, came to Paris, in order to offer their services to the supposed duke of York, and to share his fortunes; and the impostor had now the appearance of a court attending him, and began to entertain hopes of final success in his undertakings.

HE IS AVOWED BY THE DUCHESS OF BURGUNDY,

When peace was concluded between France and England at Estaples, Henry applied to have Perkin put into his hands; but Charles, resolute not to betray a young man, of whatever birth, whom he had invited into his kingdom, would agree only to dismiss him. The pretended Richard retired to the duchess of Burgundy, and craving her protection and assistance, offered to lay before her all the proofs of that birth to which he laid claim. The princess affected ignorance of his pretensions; even put on the appearance of distrust; and having, as she said, been already deceived by Simnel, she was determined never again to be seduced by any impostor. She desired before all the world to be instructed in his reasons for assuming the name which he bore; seemed to examine every circumstance with the most scrupulous nicety; put many particular questions to him; affected astonishment at his answers; and at last, after long and severe scrutiny, burst out into joy and admiration at his wonderful deliverance, embraced him as her nephew, the true image of Edward, the sole heir of the Plantagenets, and the legitimate successor to the English throne.... 1493. She immediately assigned him an equipage suited to his pretended birth; appointed him a guard of thirty halberdiers; engaged every one to pay court to him; and on all occasions honoured him with the appellation of the *White Rose of England*. The Flemings, moved by the authority which Margaret, both from her rank and personal character, enjoyed among them, readily adopted the fiction of Perkin's royal descent: no surmise of his true birth was as yet heard of: little contradiction was made to the prevailing opinion: and the English, from their great communication with the Low Countries, were every day more and more prepossessed in favour of the impostor.

AND BY MANY OF THE ENGLISH NOBILITY.

It was not the populace alone of England that gave credit to Perkin's pretensions. Men of the highest birth and quality, disgusted at Henry's government, by which they found the nobility depressed, began to turn their eyes towards the new claimant; and some of them even entered into a correspondence with him. Lord Fitzwater, sir Simon Mountfort, sir Thomas Thwaites, betrayed their inclination towards him: sir William Stanley himself, lord-chamberlain, who had been so active in raising Henry to the throne, moved either by blind credulity or a restless ambition, entertained the project of a revolt in favour of his enemy. Sir Robert Clifford and William Barley were still

more open in their measures: they went over to Flanders, were introduced by the duchess of Burgundy to the acquaintance of Perkin, and made him a tender of their services. Clifford wrote back to England, that he knew perfectly the person of Richard, duke of York, that this young man was undoubtedly that prince himself, and that no circumstance of his story was exposed to the least difficulty. Such positive intelligence, conveyed by a person of rank and character, was sufficient, with many, to put the matter beyond question, and excited the attention and wonder even of the most indifferent. The whole nation was held in suspense; a regular conspiracy was formed against the king's authority; and a correspondence settled between the malcontents in Flanders and those in England.

The king was informed of all these particulars; but agreeably to his character, which was both cautious and resolute, he proceeded deliberately, though steadily, in counterworking the projects of his enemies. His first object was to ascertain the death of the real duke of York, and to confirm the opinion that had always prevailed with regard to that event. Five persons had been employed by Richard in the murder of his nephews, or could give evidence with regard to it; sir James Tirrel, to whom he had committed the government of the Tower for that purpose, and who had seen the dead princes; Forrest, Dighton, and Slater, who perpetrated the crime; and the priest who buried the bodies. Tirrel and Dighton alone were alive, and they agreed in the same story; but as the priest was dead, and as the bodies were supposed to have been removed by Richard's orders, from the place where they were first interred, and could not now be found, it was not in Henry's power to put the fact, so much as he wished, beyond all doubt and controversy.

He met at first with more difficulty, but was in the end more successful, in detecting who this wonderful person was that thus boldly advanced pretensions to his crown. He dispersed his spies all over Flanders and England; he engaged many to pretend that they had embraced Perkin's party; he directed them to insinuate themselves into the confidence of the young man's friends; in proportion as they conveyed intelligence of any conspirator, he bribed his retainers, his domestic servants, nay, sometimes his confessor, and by these means traced up some other confederate; Clifford himself he engaged, by the hope of rewards and pardon, to betray the secrets committed to him; the more trust he gave to any of his spies, the higher resentment did he feign against them; some of them he even caused to be publicly anathematized, in order the better to procure them the confidence of his enemies: and in the issue, the whole plan of the conspiracy was clearly laid before him; and the pedigree, adventures, life, and conversation, of the pretended duke of York. This latter part of the story was immediately published for the satisfaction of the nation: the conspirators he reserved for a slower and surer vengeance.

1494. Meanwhile he remonstrated with the archduke Philip, on account of the countenance and protection which was afforded in his dominions to so infamous an impostor, contrary to treaties subsisting between the sovereigns, and to the mutual amity which had so long been maintained by the subjects of both states. Margaret had interest enough to get his application rejected; on pretence that Philip had no authority over the demesnes of the duchess-dowager. And the king, in resentment of this injury, cut off all commerce with the Low Countries, banished the Flemings, and recalled his own subjects from these provinces. Philip retaliated by like edicts; but Henry knew, that so mutinous a people as the Flemings would not long bear, in compliance with the humours of their prince, to be deprived of the beneficial branch of commerce which they carried on with England.

He had it in his power to inflict more effectual punishment on his domestic enemies and when his projects were sufficiently matured, he failed not to make them feel the effects of his resentment. Almost in the same instant he arrested Fitzwater, Mountfort, and Thwaites, together with William Daubeney, Robert Ratcliff, Thomas Cressenor, and Thomas Astwood All these were arraigned, convicted, and condemned for high-treason, in adhering and promising aid to Perkin. Mountfort, Ratcliff, and Daubeney, were immediately executed; Fitzwater was sent over to Calais, and detained in custody; but being detected in practising on his keeper for an escape, he soon after underwent the same fate. The rest were pardoned, together with William Worseley, dean of St. Paul's, and some others, who had been accused and examined, but not brought to public trial.

Greater and more solemn preparations were deemed requisite for the trial of Stanley, lord-chamberlain, whose authority in the nation, whose domestic connexions with the king, as well as his former services, seemed to secure him against any accusation or punishment. Clifford was directed to come over privately to England, and to throw himself at the king's feet while he sat in council; craving pardon for past offences, and offering to atone for them by any services which should be required of him. Henry then told him, that the best proof he could give of penitence, and the only service he could now render him, was the full confession of his guilt, and the discovery of all his accomplices, however distinguished by rank or character. Encouraged by this exhortation, Clifford accused Stanley, then present, as his chief abettor; and offered to lay before the council the full proof of his guilt. Stanley himself could not discover more surprise than was affected by Henry on the occasion. He received the intelligence as absolutely false and incredible; that a man, to whom he was in a great measure beholden for his crown, and even for his life; a man to whom by every honour and favour he had endeavoured to express his gratitude; whose brother, the earl of Derby, was his own father-in-law; to whom he had even committed the trust of his person, by creating him lord-chamberlain: that this man, enjoying his full confidence and affection, not actuated by any motive of discontent or apprehension, should engage in a conspiracy against him. Clifford was therefore exhorted to weigh well the consequences of his accusation; but as he persisted in the same positive asseverations, Stanley was committed to custody, and was soon after examined before the council. He denied not the guilt imputed to him by Clifford; he did not even endeavour much to extenuate it; whether he thought that a frank and open confession would serve as an atonement, or trusted to his present connexions and his former services for pardon and security. But princes are often apt to regard great services as a ground of jealousy, especially if accompanied with a craving and restless disposition in the person who has performed them. The general discontent also, and mutinous humour of the people, seemed to require some great example of severity. And as Stanley was one of the most opulent subjects in the kingdom, being possessed of above three thousand pounds a year in land, and forty thousand marks in plate and money, besides other property of great value, the prospect of so rich a forfeiture was deemed no small motive for Henry's proceeding to extremities against him. After six weeks' delay, which was interposed in order to show that the king was restrained by doubts and scruples, the prisoner was brought to his trial, (15th February, 1495,) condemned, and presently after beheaded. Historians are not agreed with regard to the crime which was proved against him. The general report is, that he should have said in confidence to Clifford, that if he were sure the young man who appeared in Flanders was really son to king Edward, he never would bear arms against him. The sentiment might disgust Henry, as implying a preference of the house of York to that of Lancaster; but could scarcely be the ground, even in

those arbitrary times, of a sentence of high-treason against Stanley. It is more probable, therefore, as is asserted by some historians, that he had expressly engaged to assist Perkin, and had actually sent him some supply of money.

The fate of Stanley made great impression on the kingdom, and struck all the partisans of Perkin with the deepest dismay. From Clifford's desertion they found that all their secrets were betrayed; and as it appeared that Stanley, while he seemed to live in the greatest confidence with the king, had been continually surrounded by spies, who reported and registered every action in which he was engaged, nay, every word which fell from him; a general distrust took place, and all mutual confidence was destroyed, even among intimate friends and acquaintance. The jealous and severe temper of the king, together with his great reputation for sagacity and penetration, kept men in awe, and quelled not only the movements of sedition, but the very murmurs of faction. Libels, however, crept out against Henry's person and administration; and being greedily propagated by every secret art, showed that there still remained among the people a considerable root of discontent, which wanted only a proper opportunity to discover itself.

But Henry continued more intent on increasing the terrors of his people, than on gaining their affections. Trusting to the great success which attended him in all his enterprises, he gave every day more and more a loose to his rapacious temper, and employed the arts of perverting law and justice, in order to exact fines and compositions from his people. Sir William Capel, alderman of London, was condemned on some penal statutes to pay the sum of 2743 pounds, and was obliged to compound for sixteen hundred and fifteen. This was the first noted case of the kind; but it became a precedent, which prepared the way for many others. The management, indeed, of these arts of chicanery, was the great secret of the king's administration. While he depressed the nobility, he exalted and honoured and caressed the lawyers; and by that means both bestowed authority on the laws, and was enabled, whenever he pleased, to pervert them to his own advantage. His government was oppressive; but it was so much the less burdensome, as by his extending royal authority, and curbing the nobles, he became in reality the sole oppressor in his kingdom.

As Perkin found that the king's authority daily gained ground among the people, and that his own pretensions were becoming obsolete, he resolved to attempt something which might revive the hopes and expectations of his partisans. Having collected a band of outlaws, pirates, robbers, and necessitous persons of all nations, to the number of 600 men, he put to sea, with a resolution of making a descent in England, and of exciting the common people to arms, since all his correspondence with the nobility was cut off by Henry's vigilance and severity. Information being brought him that the king had made a progress to the north, he cast anchor on the coast of Kent, and sent some of his retainers ashore, who invited the country to join him. The gentlemen of Kent assembled some troops to oppose him; but they purposed to do more essential service than by repelling the invasion: they carried the semblance of friendship to Perkin, and invited him to come himself ashore, in order to take the command over them. But the wary youth, observing that they had more order and regularity in their movements than could be supposed in new-levied forces who had taken arms against established authority, refused to entrust himself into their hands; and the Kentish troops, despairing of success in their stratagem, fell upon such of his retainers as were already landed; and besides some whom they slew, they took a hundred and fifty prisoners. These were tried and condemned: and all of them executed by orders from the king, who was resolved to use no lenity towards men of such desperate fortunes

A PARLIAMENT.

This year a parliament was summoned in England and another in Ireland; and some remarkable laws were passed in both countries. The English parliament enacted, that no person who should by arms or otherwise assist the king for the time being, should ever afterwards, either by course of law or act of parliament, be attainted for such an instance of obedience. This statute might be exposed to some censure, as favourable to usurpers, were there any precise rule which always, even during the most factious times could determine the true successor, and render every one inexcusable who did not submit to him. But as the titles of princes are then the great subject of dispute, and each party pleads topics in its own favour, it seems but equitable to secure those who act in support of public tranquillity, an object at all times of undoubted benefit and importance.

Henry, conscious of his disputed title, promoted this law, in order to secure his partisans against all events; but as he had himself observed a contrary practice with regard to Richard's adherents, he had reason to apprehend, that during the violence which usually ensues on public convulsions, his example rather than his law would, in case of a new revolution, be followed by his enemies. And the attempt to bind the legislature itself, by prescribing rules to future parliaments, was contradictory to the plainest principles of political government.

This parliament also passed an act, empowering the king to levy, by course of law, all the sums which any person had agreed to pay by way of benevolence: a statute by which that arbitrary method of taxation was indirectly authorized and justified.

The king's authority appeared equally prevalent and uncontrolled in Ireland. Sir Edward Poynings had been sent over to that country, with an intention of quelling the partisans of the house of York, and of reducing the natives to subjection. He was not supported by forces sufficient for that enterprise: the Irish, by flying into their woods and morasses and mountains, for some time eluded his efforts: but Poynings summoned a parliament at Dublin, where he was more successful. He passed that memorable statute, which still bears his name, and which establishes the authority of the English government in Ireland. By this statute all the former laws of England were made to be of force in Ireland; and no bill can be introduced into the Irish parliament, unless it previously receive the sanction of the council of England. This latter clause seems calculated for ensuring the dominion of the English; but was really granted at the desire of the Irish commons, who intended by that means to secure themselves from the tyranny of their lords, particularly of such lieutenants or deputies as were of Irish birth.

While Henry's authority was thus established throughout his dominions, and general tranquillity prevailed, the whole continent was thrown into combustion by the French invasion of Italy, and by the rapid success which attended Charles in that rash and ill-concerted enterprise. The Italians, who had entirely lost the use of arms, and who, in the midst of continual wars, had become every day more unwarlike, were astonished to meet an enemy that made the field of battle not a pompous tournament, but a scene of blood, and sought, at the hazard of their own lives, the death of their enemy. Their effeminate troops were dispersed everywhere on the approach of the French army: their best fortified cities opened their gates; kingdoms and states were in an instant overturned: and through the whole length of Italy which the French penetrated without resistance, they seemed rather to be taking quarters in their own country than making conquests over an enemy. The maxims which the Italians during that age followed in negociations, were as ill calculated to support their

states as the habits to which they were addicted in war: a treacherous, deceitful, and inconsistent system of politics prevailed: and even those small remains of fidelity and honour, which were preserved in the councils of the other European princes, were ridiculed in Italy as proofs of ignorance and rusticity. Ludovico, duke of Milan, who invited the French to invade Naples, had never desired or expected their success; and was the first that felt terror from the prosperous issue of those projects which he himself had concerted. By his intrigues a league was formed among several potentates to oppose the progress of Charles's conquests, and secure their own independency. This league was composed of Ludovico himself, the pope, Maximilian, king of the Romans, Ferdinand of Spain, and the republic of Venice. Henry too entered into the confederacy; but was not put to any expense or trouble in consequence of his engagements. The king of France, terrified by so powerful a combination, retired from Naples with the greater part of his army, and returned to France. The forces which he left in his new conquest were, partly by the revolt of the inhabitants, partly by the invasion of the Spaniards, soon after subdued; and the whole kingdom of Naples suddenly returned to its allegiance under Ferdinand, son to Alphonso, who had been suddenly expelled by the irruption of the French. Ferdinand died soon after; and left his uncle Frederic in full possession of the throne.

CHAPTER XXVI.

Perkin retires to Scotland — Insurrection in the West — Battle of Blackheath — Truce with Scotland — Perkin taken Prisoner — Perkin executed — The Earl of Warwick executed — Marriage of Prince Arthur with Catherine of Aragon — His Death — Marriage of the Princess Margaret with the King of Scotland — Oppressions of the People — A Parliament — Arrival of the King of Castile — Intrigues of the Earl of Suffolk — Sickness of the King — His Death, and Character — His Laws.

AFTER Perkin was repulsed from the coast of Kent, he retired into Flanders; but as he found it impossible to procure subsistence for himself and his followers while he remained in tranquillity, he soon after made an attempt upon Ireland, which had always appeared forward to join every invader of Henry's authority. But Poynings had now put the affairs of that island in so good a posture, that Perkin met with little success; and being tired of the savage life which he was obliged to lead while skulking among the wild Irish, he bent his course towards Scotland, and presented himself to James IV., who then governed that kingdom. He had been previously recommended to this prince by the king of France, who was disgusted at Henry for entering into the general league against him; and this recommendation was even seconded by Maximilian, who, though one of the confederates, was also displeased with the king on account of his prohibiting in England all commerce with the Low Countries. The countenance given to Perkin by these princes procured him a favourable reception with the king of Scotland, who assured him, that, whatever he were, he never should repent putting himself in his hands: the insinuating address and plausible behaviour of the youth himself seem to have gained him credit and authority. James, whom years had not yet taught distrust or caution, was seduced to believe the story of Perkin's birth and adventures; and he carried his confidence so far as to give him in marriage the lady Catharine Gordon, daughter of the earl of Huntley, and related to himself; a young lady, too, eminent for virtue as well as beauty.

1496. There subsisted at that time a great jealousy between the courts of England and Scotland; and James was probably the more forward on that account to adopt any fiction which he thought might reduce his enemy to distress or difficulty. He suddenly resolved to make an inroad into England, attended by some of the borderers; and he carried Perkin along with him, in hopes that the appearance of the pretended prince might raise an insurrection in the northern counties. Perkin himself dispersed a manifesto, in which he set forth his own story, and craved the assistance of all his subjects in expelling the usurper, whose tyranny and mal-administration, whose depression of the nobility by the elevation of mean persons, whose oppression of the people by multiplied impositions and vexations, had justly, he said, rendered him odious to all men. But Perkin's pretensions, attended with repeated disappointments, were now become stale in the eyes even of the populace; and the hostile dispositions which subsisted between the kingdoms rendered a prince, supported by the Scots, but an unwelcome present to the English nation. The ravages also committed by the borderers, accustomed to licence and disorder, struck a terror into all men; and made the people prepare rather for repelling the invaders than for joining them. Perkin, that he might support his pretensions to royal birth, feigned great compassion for the misery of his plundered subjects; and publicly remonstrated with his ally against the depredations exercised by the Scottish army: but James told him, that he doubted his concern was employed only in behalf of an enemy, and that he was anxious to preserve what never should belong to him. That prince now began to perceive that his attempt would be fruitless; and hearing of an army which was on its march to attack him, he thought proper to retreat into his own country.

The king discovered little anxiety to procure either reparation or vengeance for this insult committed on him by the Scottish nation; his chief concern was to draw advantage from it, by the pretence which it might afford him to levy impositions on his own subjects. He summoned a parliament, to whom he made bitter complaints against the irruption of the Scots, the absurd imposture countenanced by that nation, the cruel devastations committed in the northern counties, and the multiplied insults thus offered both to the king and kingdom of England. The parliament made the expected return to this discourse, by granting a subsidy to the amount of 120,000 pounds, together with two fifteenths. After making this grant, they were dismissed.

1497. The vote of parliament for imposing the tax was without much difficulty procured by the authority of Henry; but he found it not so easy to levy the money upon his subjects. The people, who were acquainted with the immense treasures which he had amassed could ill brook the new impositions raised on every slight occasion; and it is probable that the flaw, which was universally known to be in his title, made his reign the more subject to insurrections and rebellions. When the subsidy began to be levied in Cornwall, the inhabitants, numerous and poor, robust and courageous, murmured against a tax occasioned by a sudden inroad of the Scots, from which they esteemed themselves entirely secure, and which had usually been repelled by the force of the northern counties. Their ill-humour was further incited by one Michael Joseph, a farrier of Bodmin, a notable prating fellow, who, by thrusting himself forward on every occasion, and being loudest in every complaint against the government, had acquired an authority among those rude people. Thomas Flammoc, too, a lawyer, who had become the oracle of the neighbourhood, encouraged the sedition, by informing them that the tax, though imposed by parliament, was entirely illegal; that the northern nobility were bound by their tenures to defend the nation against the Scots; and that if these new impositions were tamely submitted to, the avarice of Henry and of his ministers would soon render the burden intolerable to the nation. The Cornish, he said, must deliver to the king a petition, seconded by such a force as would give it authority;

and, in order to procure the concurrence of the rest of the kingdom, care must be taken, by their orderly deportment, to show that they had nothing in view but the public good, and the redress of all those grievances under which the people had so long laboured.

Encouraged by these speeches, the multitude flocked together, and armed themselves with axes, bills, bows, and such weapons as country people are usually possessed of. Flammoc and Joseph were chosen their leaders. They soon conducted the Cornish through the county of Devon, and reached that of Somerset. At Taunton the rebels killed in their fury an officious and eager commissioner of the subsidy, whom they called the provost of Perin. When they reached Wells, they were joined by lord Audley, a nobleman of an ancient family, popular in his deportment, but vain, ambitious, and restless in his temper. He had from the beginning maintained a secret correspondence with the first movers of the insurrection; and was now joyfully received by them as their leader. Proud of the countenance given them by so considerable a nobleman, they continued their march; breathing destruction to the king's ministers and favourites, particularly to Morton, now a cardinal, and sir Reginald Bray, who were deemed the most active instruments in all his oppressions. Notwithstanding their rage against the administration, they carefully followed the directions given them by their leaders; and as they met with no resistance, they committed, during their march, no violence or disorder.

The rebels had been told by Flammoc, that the inhabitants of Kent, as they had ever, during all ages, remained unsubdued, and had even maintained their independence during the Norman conquest, would surely embrace their party, and declare themselves for a cause which was no other than that of public good and general liberty. But the Kentish people had very lately distinguished themselves by repelling Perkin's invasion; and as they had received from the king many gracious acknowledgments for this service, their affections were, by that means, much conciliated to his government. It was easy, therefore, for the earl of Kent, lord Abergavenny, and lord Cobham, who possessed great authority in those parts, to retain the people in obodience; and the Cornish rebels, though they pitched their camp near Eltham, at the very gates of London, and invited all the people to join them, got re-enforcement from no quarter. There wanted not discontents everywhere; but no one would take part in so rash and ill-concerted an enterprise; and besides, the situation in which the king's affairs then stood, discouraged even the boldest and most daring.

Henry, in order to oppose the Scots, had already levied an army, which he put under the command of lord Daubeney, the chamberlain; and as soon as he heard of the Cornish insurrection, he ordered it to march southwards, and suppress the rebels. Not to leave the northern frontier defenceless, he dispatched thither the earl of Surrey, who assembled the forces on the borders, and made head against the enemy. Henry found here the concurrence of the three most fatal incidents that can befall a monarchy; a foreign enemy, a domestic rebellion, and a pretender to his crown; but he enjoyed great resources in his army and treasure; and still more, in the intrepidity and courage of his own temper. He did not, however, immediately give full scope to his military spirit. On other occasions, he had always hastened to a decision; and it was a usual saying with him, *that he desired but to see his rebels:* but as the Cornish mutineers behaved in an inoffensive manner, and committed no spoil on the country; as they received no accession of force on their march or in their encampment; and as such hasty and popular tumults might be expected to diminish every moment by delay; he took post in London, and assiduously prepared the means of ensuring victory.

BATTLE OF BLACKHEATH. *June 22.*

After all his forces were collected, he divided them into three bodies, and marched out to assail the enemy. The first body, commanded by the earls of Oxford, and under him by the earls of Essex and Suffolk, were appointed to place themselves behind the hill on which the rebels were encamped: the second and most considerable Henry put under the command of lord Daubeney, and ordered him to attack the enemy in front, and bring on the action. The third he kept as a body of reserve about his own person, and took post in St. George's Fields; where he secured the city, and could easily, as occasion served, either restore the fight or finish the victory. To put the enemy off their guard, he had spread a report that he was not to attack them till some days after; and the better to confirm them in this opinion, he began not the action till near the evening. Daubeney beat a detachment of the rebels from Deptford-bridge; and before the main body could be in order to receive him, he had gained the ascent of the hill, and placed himself in array before them. They were formidable from their numbers, being sixteen thousand strong, and were not defective in valour; but being tumultuary troops, ill-armed, and not provided with cavalry or artillery, they were but an unequal match for the king's forces. Daubeney began the attack with courage, and even with a contempt of the enemy, which had almost proved fatal to him. He rushed into the midst of them, and was taken prisoner; but soon after was released by his own troops. After some resistance, the rebels were broken, and put to flight. Lord Audley, Flammoc, and Joseph, their leaders, were taken, and all three executed. The latter seemed even to exult in his end, and boasted with a preposterous ambition, that he should make a figure in history. The rebels, being surrounded on every side by the king's troops, were almost all made prisoners, and immediately dismissed without further punishment: whether that Henry was satisfied with the victims who had fallen in the field, and who amounted to near two thousand, or that he pitied the ignorance and simplicity of the multitude, or favoured them on account of their inoffensive behaviour, or was pleased that they had never, during their insurrection, disputed his title, and had shown no attachment to the house of York, the highest crime of which, in his eyes, they could have been guilty.

The Scottish king was not idle during these commotions in England. He levied a considerable army, and sat down before the castle of Norham in Northumberland; but found that place, by the precaution of Fox, bishop of Durham, so well provided both with men and ammunition, that he made little or no progress in the siege. Hearing that the earl of Surrey had collected some forces, and was advancing upon him, he retreated into his own country, and left the frontiers exposed to the inroads of the English general, who besieged and took Aiton, a small castle lying a few miles beyond Berwick. These unsuccessful or frivolous attempts on both sides prognosticated a speedy end to the war; and Henry, notwithstanding his superior force, was no less desirous than James of terminating the differences between the nations. Not to depart, however, from his dignity, by making the first advances, he employed in this friendly office Peter Hialas, a man of address and learning, who had come to him as ambassador from Ferdinand and Isabella, and who was charged with a commission of negociating the marriage of the infanta Catherine, their daughter, with Arthur, prince of Wales.

Hialas took a journey northwards, and offered his mediation between James and Henry, as minister of a prince who was in alliance with both potentates. Commissioners were soon appointed to meet, and confer on terms of accommodation. The first demand of the English was, that Perkin should be put into their hands: James replied, that he himself was no judge

of the young man's pretensions; but having received him as a supplicant, and promised him protection, he was determined not to betray a man who had trusted to his good faith and his generosity. The next demand of the English met with no better reception: they required reparation for the ravages committed by the late inroads into England: the Scottish commissioners replied, that the spoils were like water spilt upon the ground, which could never be recovered, and that Henry's subjects were better able to bear the loss, than their masters to repair it. Henry's commissioners next proposed, that the two kings should have an interview at Newcastle, in order to adjust all differences; but James said, that he meant to treat of a peace, not to go a begging for it. Lest the conferences should break off altogether without effect, a truce was concluded for some months; and James, perceiving that, while Perkin remained in Scotland, he himself never should enjoy a solid peace with Henry, privately desired him to depart the kingdom.

Access was now barred Perkin into the Low Countries, his usual retreat in all his disappointments. The Flemish merchants, who severely felt the loss resulting from the interruption of commerce with England, had made such interest in the archduke's council, that commissioners were sent to London, in order to treat of an accommodation. The Flemish court agreed, that all English rebels should be excluded the Low Countries; and in this prohibition the demesnes of the duchess-dowager were expressly comprehended. When this principal article was agreed to, all the other terms were easily adjusted. A treaty of commerce was finished, which was favourable to the Flemings, and to which they long gave the appellation of *Intercursus magnus*, "the great treaty." And when the English merchants returned to their usual abode at Antwerp, they were publicly received, as in procession, with joy and festivity.

Perkin was a Fleming by descent, though born in England; and it might therefore be doubted, whether he were included in the treaty between the two nations: but as he must dismiss all his English retainers, if he took shelter in the Low Countries, and as he was sure of a cold reception, if not bad usage, among people who were determined to keep on terms of friendship with the court of England; he thought fit rather to hide himself, during some time, in the wilds and fastnesses of Ireland. Impatient, however, of a retreat, which was both disagreeable and dangerous, he held consultations with his followers, Herne, Skelton, and Astley, three broken tradesmen: by their advice, he resolved to try the affections of the Cornish, whose mutinous disposition, notwithstanding the king's lenity, still subsisted, after the suppression of their rebellion. No sooner did he appear at Bodmin in Cornwall, than the populace, to the number of three thousand, flocked to his standard; and Perkin, elated with this appearance of success, took on him, for the first time, the appellation of Richard IV., king of England. Not to suffer the expectations of his followers to languish, he presented himself before Exeter: and, by many fair promises, invited that city to join him. Finding that the inhabitants shut their gates against him, he laid siege to the place; but being unprovided with artillery, ammunition, and everything requisite for the attempt, he made no progress in his undertaking. Messengers were sent to the king, informing him of this insurrection: the citizens of Exeter, meanwhile, were determined to hold out to the last extremity, in expectation of receiving succour from the well-known vigilance of that monarch.

When Henry was informed that Perkin was landed in England, he expressed great joy, and prepared himself with alacrity to attack him, in hopes of being able, at length, to put a period to pretensions which had so long given him vexation and inquietude. All the courtiers, sensible that their activity on this occasion would be the most acceptable service which they could render the king, displayed their zeal for the enterprise, and forwarded his preparations. The lords Daubeney and Broke, with sir Rice ap Thomas, hastened forward with a small body of troops to the relief of Exeter. The earl of Devonshire, and the most considerable gentlemen in the county of that name, took arms of their own accord, and marched to join the king's generals. The duke of Buckingham put himself at the head of a troop, consisting of young nobility and gentry, who served as volunteers, and who longed for an opportunity of displaying their courage and their loyalty. The king himself prepared to follow with a considerable army; and thus all England seemed united against a pretender who had at first engaged their attention, and divided their affections.

Perkin, informed of these great preparations, immediately raised the siege of Exeter, and retired to Taunton. Though his followers now amounted to the number of near seven thousand, and seemed still resolute to maintain his cause, he himself despaired of success, and secretly withdrew to the sanctuary of Beaulieu in the New Forest. The Cornish rebels submitted to the king's mercy, and found that it was not yet exhausted in their behalf. Except a few persons of desperate fortunes who were executed, and some others who were severely fined, all the rest were dismissed with impunity. Lady Catherine Gordon, wife to Perkin, fell into the hands of the victor, and was treated with a generosity which does him honour. He soothed her mind with many marks of regard, placed her in a reputable station about the queen, and assigned her a pension, which she enjoyed even under his successor.

PERKIN TAKEN PRISONER. 1498.

Henry deliberated what course to take with Perkin himself. Some counselled him to make the privileges of the church yield to reasons of state, to take him by violence from the sanctuary, to inflict on him the punishment due to his temerity, and thus at once put an end to an imposture which had long disturbed the government, and which the credulity of the people, and the artifices of malcontents, were still capable of reviving. But the king deemed not the matter of such importance as to merit so violent a remedy. He employed some persons to deal with Perkin, and persuade him, under promise of pardon, to deliver himself into the king's hands. The king conducted him, in a species of mock triumph, to London. As Perkin passed along the road, and through the streets of the city, men of all ranks flocked about him, and the populace treated with the highest derision his fallen fortunes. They seemed desirous of revenging themselves, by their insults, for the shame which their former belief of his impostures had thrown upon them. Though the eyes of the nation were generally opened with regard to Perkin's real parentage, Henry required of him a confession of his life and adventures; and he ordered the account of the whole to be dispersed, soon after, for the satisfaction of the public. But as his regard to decency made him entirely suppress the share which the duchess of Burgundy had had in contriving and conducting the imposture, the people, who knew that she had been the chief instrument in the whole affair, were inclined, on account of the silence on that head, to pay the less credit to the authenticity of the narrative.

1499. But Perkin, though his life was granted him, was still detained in custody; and keepers were appointed to guard him. Impatient of confinement, he broke from his keepers, and flying to the sanctuary of Shyne, put himself into the hands of the prior of that monastery. The prior had obtained great credit by his character of sanctity; and he prevailed on the king again to grant a pardon to Perkin. But in order to reduce him to still greater contempt, he was set in the

stocks at Westminster and Cheapside, and obliged in both places to read aloud to the people the confession which had formerly been published in his name. He was then confined to the Tower, where his habits of restless intrigue and enterprise followed him. He insinuated himself into the intimacy of four servants of sir John Digby, lieutenant of the Tower; and, by their means opened a correspondence with the earl of Warwick, who was confined in the same prison. This unfortunate prince, who had, from his earliest youth, been shut up from the commerce of men, and who was ignorant even of the most common affairs of life, had fallen into a simplicity, which made him susceptible of any impression. The continued dread also of the more violent effects of Henry's tyranny, joined to the natural love of liberty, engaged him to embrace a project for his escape, by the murder of the lieutenant; and Perkins offered to conduct the whole enterprise. The conspiracy escaped not the king's vigilance: it was even generally believed that the scheme had been laid by himself, in order to draw Warwick and Perkin into the snare: but the subsequent execution of two of Digby's servants for the contrivance seems to clear the king of that imputation, which was indeed founded more on the general idea entertained of his character than on any positive evidence.

Perkin, by this new attempt, after so many enormities, had rendered himself totally unworthy of mercy; and he was accordingly arraigned, condemned, and soon after hanged at Tyburn, persisting still in the confession of his imposture. [*See note* 2 O, *at the end of this Vol.*] It happened about that very time, that one Wilford, a cordwainer's son, encouraged by the surprising credit given to other impostures, had undertaken to personate the earl of Warwick; and a priest had even ventured from the pulpit to recommend his cause to the people, who seemed still to retain a propensity to adopt it. This incident served Henry as a pretence for his severity towards that prince. He was brought to trial, and accused not of contriving his escape, (for as he was committed for no crime, the desire of liberty must have been regarded as natural and innocent,) but of forming designs to disturb the government, and raise an insurrection among the people. Warwick confessed the indictment, was condemned, and the sentence was executed upon him. (21st November.)

This violent act of tyranny, the great blemish of Henry's reign, by which he destroyed the last remaining male of the line of Plantagenet, begat great discontent among the people, who saw an unhappy prince, that had long been denied all the privileges of his high birth, even cut off from the common benefits of nature, now at last deprived of life itself, merely for attempting to shake off that oppression under which he laboured. In vain did Henry endeavour to alleviate the odium of this guilt, by sharing it with his ally, Ferdinand of Arragon, who, he said, had scrupled to give his daughter Catherine in marriage to Arthur, while any male descendant of the house of York remained. Men, on the contrary, felt higher indignation at seeing a young prince sacrificed, not to law and justice, but to the jealous politics of two subtle and crafty tyrants.

But though these discontents festered in the minds of men, they were so checked by Henry's watchful policy and steady severity, that they seemed not to weaken his government; and foreign princes, deeming his throne now entirely secure, paid him rather the greater deference and attention. The archduke Philip, in particular, desired an interview with him; and Henry who had passed over to Calais, agreed to meet him in St. Peter's church near that city. The archduke, on his approaching the king, made haste to alight, and offered to hold Henry's stirrup; a mark of condescension which that prince would not admit of. He called the king, *father; patron, protector;* and, by his whole behaviour, expressed a strong desire of conciliating the friendship of England. The duke of Orleans had succeeded to the crown of France by the appellation of Louis XII., and having carried his arms into Italy, and subdued the duchy of Milan, his progress begat jealousy in Maximilian, Philip's father, as well as in Ferdinand, his father-in-law. By the counsel, therefore, of these monarchs, the young prince endeavoured by every art to acquire the amity of Henry, whom they regarded as the chief counterpoise to the greatness of France. No particular plan, however, of alliance seems to have been concerted between these two princes in their interview: all passed in general professions of affection and regard; at least, in remote projects of a closer union, by the future intermarriages of their children, who were then in a state of infancy.

1500. The pope too, Alexander VI., neglected not the friendship of a monarch whose reputation was spread over Europe. He sent a nuncio into England, who exhorted the king to take part in the great alliance projected for the recovery of the Holy Land, and to lead in person his forces against the infidels. The general frenzy for crusades was now entirely exhausted in Europe; but it was still thought a necessary piece of decency to pretend zeal for those pious enterprises. Henry regretted to the nuncio the distance of his situation, which rendered it inconvenient for him to expose his person in defence of the Christian cause. He promised, however, his utmost assistance by aids and contributions; and rather than the pope should go alone to the holy wars, unaccompanied by any monarch, he even promised to overlook all other considerations, and to attend him in person. He only required as a necessary condition, that all difference should previously be adjusted among Christian princes, and that some sea port towns in Italy should be consigned to him for his retreat and security. It was easy to conclude, that Henry had determined not to intermeddle in any war against the Turk: but as a great name, without any real assistance, is sometimes of service, the knights of Rhodes, who were at that time esteemed the bulwark of Christendom, chose the king protector of their order.

MARRIAGE OF PRINCE ARTHUR WITH CATHERINE OF ARRAGON. 1501.

But the prince whose alliance Henry valued the most, was Ferdinand of Arragon, whose vigorous and steady policy, always attended with success, had rendered him in many respects the most considerable monarch in Europe. There was also a remarkable similarity of character between these two princes: both were full of craft, intrigue, and design; and though a resemblance of this nature be a slender foundation for confidence and amity, where the interests of the parties in the least interfere; such was the situation of Henry and Ferdinand, that no jealousy ever on any occasion arose between them. The king had now the satisfaction of completing a marriage, (12th November,) which had been projected and negociated during the course of seven years, between Arthur, prince of Wales, and the Infanta Catherine, fourth daughter of Ferdinand and Isabella; he near sixteen years of age, she eighteen. But this marriage proved in the issue unprosperous. The young prince a few months after sickened and died, much regretted by the nation. (2nd April, 1502.) Henry, desirous to continue his alliance with Spain, and also unwilling to restore Catherine's dowry, which was two hundred thousand ducats, obliged his second son, Henry, whom he created prince of Wales, to be contracted to the Infanta. The prince made all the opposition of which a youth of twelve years of age was capable; but as the king persisted in his resolution, the espousals were at length, by means of the pope's dispensation, contracted between the parties: an event which was afterwards attended with the most important consequences.

MARRIAGE OF THE PRINCESS MARGARET WITH THE KING OF SCOTLAND.

The same year another marriage was celebrated, which was also in the next age productive of great events: the marriage of Margaret, the king's elder daughter, with James, king of Scotland. This alliance had been negociated during three years, though interrupted by several broils; and Henry hoped, from the completion of it, to remove all source of discord with that neighbouring kingdom, by whose animosity England had so often been infested. When this marriage was deliberated on in the English council, some objected that England might, by means of that alliance, fall under the dominion of Scotland. "No," replied Henry: "Scotland in that event will only become an accession to England."……1503. Amidst these prosperous incidents the king met with a domestic calamity which made not such impression on him as it merited: his queen died in child-bed; (11th February;) and the infant did not long survive her. This princess was deservedly a favourite of the nation; and the general affection for her increased, on account of the harsh treatment which it was thought she met with from her consort.

The situation of the king's affairs, both at home and abroad, was now in every respect very fortunate. All the efforts of the European princes, both in war and negociation, were turned to the side of Italy; and the various events which there arose made Henry's alliance be courted by every party, yet interested him so little as never to touch him with concern or anxiety. His close connexions with Spain and Scotland ensured his tranquillity; and his continued success over domestic enemies, owing to the prudence and vigour of his conduct, had reduced the people to entire submission and obedience. Uncontrolled, therefore, by apprehension or opposition of any kind, he gave full scope to his natural propensity; and avarice, which had ever been his ruling passion, being increased by age and encouraged by absolute authority, broke all restraints of shame or justice. He had found two ministers, Empson and Dudley, perfectly qualified to second his rapacious and tyrannical inclinations, and to prey upon his defenceless people. These instruments of oppression were both lawyers; the first of mean birth, of brutal manners, of an unrelenting temper; the second better born, better educated, and better bred, but equally unjust, severe, and inflexible. By their knowledge in law these men were qualified to pervert the forms of justice to the oppression of the innocent; and the formidable authority of the king supported them in all their iniquities.

It was their usual practice at first to observe so far the appearance of law as to give indictments to those whom they intended to oppress: upon which the persons were committed to prison, but never brought to trial; and were at length obliged, in order to recover their liberty, to pay heavy fines and ransoms, which were called mitigations and compositions. By degrees the very appearance of law was neglected: the two ministers sent forth their precepts to attach men, and summon them before themselves and some others, at their private houses, in a court of commission, where, in a summary manner, without trial or jury, arbitrary decrees were issued, both in pleas of the crown, and controversies between private parties. Juries themselves, when summoned, proved but small security to the subject; being brow-beaten by these oppressors, nay, fined, imprisoned, and punished, if they gave sentence against the inclination of the ministers. The whole system of the feudal law, which still prevailed, was turned into a scheme of oppression. Even the king's wards, after they came of age, were not suffered to enter into possession of their lands without paying exorbitant fines. Men were also harassed with informations of intrusion upon scarce colourable titles. When an outlawry in a personal action was issued against any man, he was not allowed to purchase his charter of pardon, except on the payment of a great sum; and if he refused the composition required of him, the strict law, which in such cases allows forfeiture of goods, was rigorously insisted on. Nay, without any colour of law, the half of men's lands and rents were seized during two years, as a penalty in case of outlawry. But the chief means of oppression employed by these ministers were the penal statutes, which, without consideration of rank, quality, or services, were rigidly put in execution against all men: spies, informers, and inquisitors, were rewarded and encouraged in every quarter of the kingdom: and no difference was made whether the statute were beneficial or hurtful, recent or obsolete, possible or impossible to be executed. The sole end of the king and his ministers was to amass money, and bring every one under the lash of their authority.

Through the prevalence of such an arbitrary and iniquitous administration, the English, it may safely be affirmed, were considerable losers by their ancient privileges, which secured them from all taxations, except such as were imposed by their own consent in parliament. Had the king been empowered to levy general taxes at pleasure, he would naturally have abstained from these oppressive expedients, which destroyed all security in private property, and begat an universal diffidence throughout the nation. In vain did the people look for protection from the parliament, which was pretty frequently summoned during this reign. That assembly was so overawed, that, at this very time, (25th January 1504,) during the greatest rage of Henry's oppressions, the commons chose Dudley their speaker, the very man who was the chief instrument of his iniquities. And though the king was known to be immensely opulent, and had no pretence of wars or expensive enterprises of any kind, they granted him the subsidy which he demanded. But so insatiable was his avarice, that next year [1505] he levied a new benevolence, and renewed that arbitrary and oppressive method of taxation. By all these arts of accumulation, joined to a rigid frugality in his expense, he so filled his coffers, that he is said to have possessed in ready money the sum of 1,800,000 pounds: a treasure almost incredible, if we consider the scarcity of money in those times.*

But while Henry was enriching himself by the spoils of his oppressed people, there happened an event abroad which engaged his attention, and was even the object of his anxiety and concern. Isabella, queen of Castile, died about this time; and it was foreseen, that by this incident the fortunes of Ferdinand, her husband, would be much affected. The king was not only attentive to the fate of his ally, and watchful lest the general system of Europe should be affected by so important an event; he also considered the similarity of his own situation with that of Ferdinand, and regarded the issue of these transactions as a precedent for himself. Joan, the daughter of Ferdinand by Isabella, was married to the archduke Philip, and being in right of her mother heir of Castile, seemed entitled to dispute with Ferdinand the present possession of that kingdom. Henry knew, that notwithstanding his own pretensions by the house of Lancaster, the greater part of the nation was convinced of the superiority of his wife's title; and he dreaded lest the prince of Wales, who was daily advancing towards manhood, might be tempted by ambition to lay immediate claim to the crown. By his perpetual attention to depress the partisans of the York family, he had more closely united them into one party, and increased their desire of shaking off that yoke under which they had so long laboured, and of taking every advantage which his op-

* Silver was, during this reign, at thirty-seven shillings and sixpence a pound, which makes Henry's treasure near three millions of our present money. Besides, many commodities have become above three as dear by the increase of gold and silver in Europe. And, what is a circumstance of still greater weight, all other states were then very poor in comparison of what they are at present. These circumstances make Henry's treasure appear very great; and may lead us to conceive the oppressions of his government.

pressive government should give his enemies against him. And as he possessed no independent force like Ferdinand, and governed a kingdom more turbulent and unruly, which he himself by his narrow politics had confirmed in factious prejudices, he apprehended that his situation would prove in the issue still more precarious.

ARRIVAL OF THE KING OF CASTILE. 1506.

Nothing at first could turn out more contrary to the king's wishes than the transactions in Spain. Ferdinand, as well as Henry, had become very unpopular, and from a like cause, his former exactions and impositions; and the states of Castile discovered an evident resolution of preferring the title of Philip and Joan. In order to take advantage of these favourable dispositions, the archduke, now king of Castile, attended by his consort, embarked for Spain during the winter season; but meeting with a violent tempest in the Channel, was obliged to take shelter in the harbour of Weymouth. Sir John Trenchard, a gentleman of authority in the county of Dorset, hearing of a fleet upon the coast, had assembled some forces; and being joined by sir John Cary, who was also at the head of an armed body, he came to that town. Finding that Philip, in order to relieve his sickness and fatigue, was already come ashore, he invited him to his house; and immediately dispatched a messenger to inform the court of this important incident. The king sent in all haste the earl of Arundel to compliment Philip on his arrival in England, and to inform him that he intended to pay him a visit in person, and to give him a suitable reception in his dominion. Philip knew that he could not now depart without the king's consent; and therefore, for the sake of dispatch, he resolved to anticipate his visit, and to have an interview with him at Windsor. Henry received him with all the magnificence possible, and with all the seeming cordiality; but he resolved, notwithstanding, to draw some advantage from this involuntary visit paid him by his royal guest.

INTRIGUES OF THE EARL OF SUFFOLK.

Edmond de la Pole, earl of Suffolk, nephew to Edward IV., and brother to the earl of Lincoln, slain in the battle of Stoke, had some years before killed a man in a sudden fit of passion, and had been obliged to apply to the king for a remission of the crime. The king had granted his request; but being little indulgent to all persons connected with the house of York, he obliged him to appear openly in court and plead his pardon. Suffolk, more resenting the affront than grateful for the favour, had fled into Flanders, and taken shelter with his aunt, the duchess of Burgundy: but being promised forgiveness by the king, he returned to England, and obtained a new pardon. Actuated, however, by the natural inquietude of his temper, and uneasy from debts which he had contracted by his great expense at prince Arthur's wedding, he again made an elopement into Flanders. The king, well acquainted with the general discontent which prevailed against his administration, neglected not this incident, which might become of importance; and he employed his usual artifices to elude the efforts of his enemies. He directed sir Robert Curson, governor of the castle of Hammes, to desert his charge, and to insinuate himself into the confidence of Suffolk, by making him a tender of his services. Upon information secretly conveyed by Curson, the king seized William Courtney, eldest son to the earl of Devonshire, and married to the lady Catherine, sister of the queen; William de la Pole, brother to the earl of Suffolk; sir James Tirrel, and sir James Windham, with some persons of inferior quality; and he committed them to custody. Lord Abergavenny and sir Thomas Green were also apprehended; but were soon after released from their confinement. William de la Pole was long detained in prison; Courtney was attainted, and though not executed, he recovered not his liberty during the king's lifetime. But Henry's chief severity fell upon sir James Windham and sir James Tirrel, who were brought to their trial, condemned, and executed: the fate of the latter gave general satisfaction, on account of his participation in the murder of the young princes, sons of Edward IV. Notwithstanding these discoveries and executions, Curson was still able to maintain his credit with the earl of Suffolk: Henry, in order to remove all suspicion, had ordered him to be excommunicated, together with Suffolk himself, for his pretended rebellion. But after that traitor had performed all the services expected from him, he suddenly deserted the earl, and came over to England, where the king received him with unusual marks of favour and confidence. Suffolk, astonished at this instance of perfidy, finding that even the duchess of Burgundy, tired with so many fruitless attempts, had become indifferent to his cause, fled secretly into France, thence into Germany, and returned at last into the Low Countries; where he was protected, though not countenanced by Philip, then in close alliance with the king.

Henry neglected not the present opportunity of complaining to his guest of the reception which Suffolk had met with in his dominions. "I really thought," replied the king of Castile, "that your greatness and felicity had set you far above apprehensions from any person of so little consequence: but, to give you satisfaction, I shall banish him my state."—"I expect that you will carry your complaisance further," said the king; "I desire to have Suffolk put into my hands, where alone I can depend upon his submission and obedience."—"That measure," said Philip, "will reflect dishonour upon you as well as myself. You will be thought to have treated me as a prisoner."—"Then the matter is at an end," replied the king, "for I will take that dishonour upon me; and so your honour is saved." The king of Castile found himself under a necessity of complying; but he first exacted Henry's promise that he would spare Suffolk's life. That nobleman was invited over to England by Philip; as if the king would grant him a pardon, on the intercession of his friend and ally. Upon his appearance he was committed to the Tower; and the king of Castile, having fully satisfied Henry, as well by this concession as by signing a treaty of commerce between England and Castile, which was advantageous to the former kingdom, was at last allowed to depart, after a stay of three months. [1507.] He landed in Spain, was joyfully received by the Castilians, and put in possession of the throne He died soon after; and Joan, his widow, falling into deep melancholy, Ferdinand was again enabled to reinstate himself in authority, and to govern till the day of his death the whole Spanish monarchy.

SICKNESS AND DEATH OF THE KING.

The king survived these transactions two years; but nothing memorable occurs in the remaining part of his reign, except his affiancing his second daughter, Mary, to the young archduke Charles, son of Philip of Castile. [1506.] He entertained also some intentions of marriage for himself, first with the queen-dowager of Naples, relict of Ferdinand; afterwards with the duchess-dowager of Savoy, daughter of Maximilian, and sister of Philip. But the decline of his health put an end to all such thoughts; and he began to cast his eye towards that future existence, which the iniquities and severities of his reign rendered a very dismal prospect to him. To allay the terrors under which he laboured, he endeavoured, by distributing alms, and founding religious houses, to make atonement for his crimes, and to purchase, by the sacrifice of part of his ill-gotten treasures, a reconciliation with his offended

Maker. Remorse even seized him, at intervals, for the abuse of his authority by Empson and Dudley; but not sufficient to make him stop the rapacious hand of these oppressors. Sir William Capel was again fined two thousand pounds, under some frivolous pretence, and was committed to the Tower for daring to murmur against the iniquity. Harris, an alderman of London, was indicted, and died of vexation before his trial came to an issue. Sir Laurence Ailmer, who had been mayor, and his two sheriffs, were condemned in heavy fines, and sent to prison till they made payment. The king gave countenance to all these oppressions; till death, by its nearer approaches, impressed new terrors upon him; and he then ordered, by a general clause in his will, that restitution should be made to all those whom he had injured. He died, (22nd April, 1509,) of a consumption, at his favourite palace of Richmond, after a reign of twenty-three years and eight months, and in the fifty-second year of his age.

HIS CHARACTER.

The reign of Henry VII. was, in the main, fortunate for his people at home, and honourable abroad. He put an end to the civil wars with which the nation had long been harassed, he maintained peace and order in the state, he depressed the former exorbitant power of the nobility, and, together with the friendship of some foreign princes, he acquired the consideration and regard of all. He loved peace without fearing war: though agitated with continual suspicions of his servants and ministers, he discovered no timidity, either in the conduct of his affairs, or in the day of battle; and though often severe in his punishments, he was commonly less actuated by revenge than by maxims of policy. The services which he rendered the people were derived from his views of private advantage rather than the motives of public spirit; and where he deviated from interested regards, it was unknown to himself, and ever from the malignant prejudices of faction, or the mean projects of avarice; not from the sallies of passion, or allurements of pleasure; still less from the benign motives of friendship and generosity. His capacity was excellent, but somewhat contracted by the narrowness of his heart; he possessed insinuation and address, but never employed these talents except where some great point of interest was to be gained; and while he neglected to conciliate the affections of his people, he often felt the danger of resting his authority on their fear and reverence alone. He was always extremely attentive to his affairs; but possessed not the faculty of seeing far into futurity; and was more expert at providing a remedy for his mistakes, than judicious in avoiding them. Avarice was, on the whole, his ruling passion;* and he remains an instance, almost singular, of a man placed in a high station, and possessed of talents for great affairs, in whom that passion predominated above ambition. Even among private persons, avarice is commonly nothing but a species of ambition, and is chiefly incited by the prospect of that regard, distinction, and consideration, which attend on riches.

The power of the kings of England had always been somewhat irregular or discretionary; but was scarcely ever so absolute during any former reign, at least after the establishment of the Great Charter, as during that of Henry. Besides the advantages derived from the personal character of the man, full of vigour, industry, and severity, deliberate in all projects, steady in every purpose, and attended with caution as well as good fortune in every enterprise; he came to the throne after long and bloody civil wars, which had destroyed all the great nobility, who alone could resist the encroachments of his authority: the people were tired with discord and intestine convulsions, and willing to submit to usurpations, and even to injuries, rather than plunge themselves anew into like miseries: the fruitless efforts made against him served always, as is usual, to confirm his authority: as he ruled by a faction, and the lesser faction, all those on whom he conferred offices, sensible that they owed everything to his protection, were willing to support his power though at the expense of justice and national privileges. These seem the chief causes which at this time bestowed on the crown so considerable an addition of prerogative, and rendered the present reign a kind of epoch in the English constitution.

HIS LAWS.

This prince, though he exalted his prerogative above law, is celebrated by his historian for many good laws which he made be enacted for the government of his subjects. Several considerable regulations, indeed, are found among the statutes of this reign, both with regard to the police of the kingdom, and its commerce: but the former are generally contrived with much better judgment than the latter. The more simple ideas of order and equity are sufficient to guide a legislator in everything that regards the internal administration of justice: but the principles of commerce are much more complicated, and require long experience and deep reflection to be well understood in any state. The real consequence of a law or practice is there often contrary to first appearances. No wonder that during the reign of Henry VII. these matters were frequently mistaken; and it may safely be affirmed, that even in the age of lord Bacon very imperfect and erroneous ideas were formed on that subject.

Early in Henry's reign the authority of the Star-chamber, which was before founded on common law and ancient practice, was in some cases confirmed by act of parliament. [*See note* 2 P, *at the end of this Vol.*] Lord Bacon extols the utility of this court; but men began, even during the age of that historian, to feel that so arbitrary a jurisdiction was incompatible with liberty; and in proportion as the spirit of independence still rose higher in the nation, the aversion to it increased, till it was entirely abolished by act of parliament in the reign of Charles I., a little before the commencement of the civil wars.

Laws were passed in this reign, ordaining the king's suit for murder to be carried on within a year and a day. Formerly it did not usually commence till after; and as the friends of the person murdered often in the interval compounded matters with the criminal, the crime frequently passed unpunished. Suits were given to the poor *in forma pauperis*, as it is called: that is, without paying dues for the writs, or any fees to the council: a good law at all times, especially in that age, when the people laboured under the oppression of the great; but a law difficult to be carried into execution. A law was made against carrying off any woman by force. The benefit of clergy was abridged; and the criminal, on the first offence, was ordered to be burned in the hand with a letter denoting his crime; after which he was punished capitally for any new offence. Sheriffs were no longer allowed to fine any person without previously summoning him before their court. It is strange that such a practice should ever have prevailed. Attaint of juries was granted in cases which exceeded forty pounds value: a law which has an appearance of equity, but which was afterwards found inconvenient. Actions popular were not allowed to be eluded by fraud or covin. If any servant of the king's conspired against the life of the steward, treasurer, or comptroller of the king's household, this design, though not followed by any overt act, was made liable to the punishment of felony. This statute was enacted for the security of archbishop Morton, who found himself exposed to the enmity of great numbers.

* As a proof of Henry's attention to the smallest profits, Bacon tells us, that he had seen a book of accounts kept by Empson, and subscribed in almost every leaf by the king's own hand. Among other articles was the following: "*Item*, Received of such a one, five marks for a pardon, which, if it do not pass, the money to be repaved, or the party otherwise satisfied." Opposite to the memorandum the king had writ with his own hand, "Otherwise satisfied." Bacon, p. 930.

There scarcely passed any session during this reign without some statute against engaging retainers, and giving them badges or liveries; a practice by which they were in a manner enlisted under some great lord, and were kept in readiness to assist him in all wars, insurrections, riots, violences, and even in bearing evidence for him in courts of justice. This disorder, which had prevailed during many reigns, when the law could give little protection to the subject, was then deeply rooted in England; and it required all the vigilance and rigour of Henry to extirpate it. There is a story of his severity against this abuse; and it seems to merit praise, though it is commonly cited as an instance of his avarice and rapacity. The earl of Oxford, his favourite general, in whom he always placed great and deserved confidence, having splendidly entertained him at his castle of Heningham, was desirous of making a parade of his magnificence at the departure of his royal guest; and ordered all his retainers, with their liveries and badges, to be drawn up in two lines, that their appearance might be the more gallant and splendid. "My lord," said the king, "I have heard much of your hospitality; but the truth far exceeds the report. These handsome gentlemen and yeomen, whom I see on both sides of me, are no doubt your menial servants." The earl smiled, and confessed that his fortune was too narrow for such magnificence. "They are most of them," subjoined he, "my retainers, who are come to do me service at this time, when they know I am honoured with your majesty's presence." The king started a little, and said, "By my faith, my lord, I thank you for your good cheer; but I must not allow my laws to be broken in my sight. My attorney must speak with you." Oxford is said to have paid no less than fifteen thousand marks, as a composition for his offence.

The increase of the arts, more effectually than all the severities of law, put an end to this pernicious practice. The nobility, instead of vieing with each other in the number and boldness of their retainers, acquired by degrees a more civilized species of emulation, and endeavoured to excel in the splendour and elegance of their equipage, houses, and tables. The common people, no longer maintained in vicious idleness by their superiors, were obliged to learn some calling or industry, and become useful both to themselves and to others. And it must be acknowledged, in spite of those who declaim so violently against refinement in the arts, or what they are pleased to call luxury, that as much as an industrious tradesman is both a better man and a better citizen than one of those idle retainers who formerly depended on the great families, so much is the life of a modern nobleman more laudable than that of an ancient baron. [*See note* 2 Q, *at the end of this Vol.*]

But the most important law in its consequences which was enacted during the reign of Henry, was that by which the nobility and gentry acquired a power of breaking the ancient entails, and of alienating their estates.* By means of this law, joined to the beginning luxury and refinement of the age, the great fortunes of the barons were gradually dissipated, and the property of the commons increased in England. It is probable that Henry foresaw and intended this consequence, because the constant scheme of his policy consisted in depressing the great, and exalting churchmen, lawyers, and men of new families, who were more dependent on him.

This king's love of money naturally led him to encourage commerce, which increased his customs; but if we may judge by most of the laws enacted during his reign, trade and industry were rather hurt than promoted by the care and attention given to them. Severe laws were made against taking interest for money, which was then denominated usury. Even the profits of exchange were prohibited as savouring of usury, which the superstition of the age zealously proscribed. All evasive contracts, by which profits could be made from the loan of money, were also carefully guarded against. It is needless to observe how unreasonable and iniquitous were these laws, how impossible to be executed, and how hurtful to trade if they could take place. We may observe, however, to the praise of this king, that sometimes, in order to promote commerce, he lent to merchants sums of money without interest, when he knew that their stock was not sufficient for those enterprises which they had in view.

Laws were made against the exportation of money, plate, or bullion: a precaution which serves to no other purpose than to make more be exported. But so far was the anxiety on this head carried, that merchants alien, who imported commodities into the kingdom, were obliged to invest in English commodities all the money acquired by their sales, in order to prevent their conveying it away in a clandestine manner.

It was prohibited to export horses; as if that exportation did not encourage the breed, and render them more plentiful in the kingdom. In order to promote archery, no bows were to be sold at a higher price than six shillings and fourpence, reducing money to the denomination of our time. The only effect of this regulation must be, either that the people would be supplied with bad bows, or none at all. Prices were also affixed to woollen cloth, to caps and hats; and the wages of labourers were regulated by law. It is evident that these matters ought always to be left free, and be intrusted to the common course of business and commerce. To some it may appear surprising, that the price of a yard of scarlet cloth should be limited to six and twenty shillings, money of our age; that of a yard of coloured cloth to eighteen; higher prices than these commodities bear at present; and that the wages of a tradesman, such as a mason, bricklayer, tiler, &c., should be regulated at near tenpence a-day; which is not much inferior to the present wages given in some parts of England. Labour and commodities have certainly risen since the discovery of the West Indies; but not so much in every particular as is generally imagined. The great industry of the present times has increased the number of tradesmen and labourers, so as to keep wages nearer a par than could be expected from the great increase of gold and silver. And the additional art employed in the finer manufactures has even made some of these commodities fall below their former value. Not to mention that merchants and dealers, being contented with less profit than formerly, afford the goods cheaper to their customers. It appears by a statute of this reign, that goods bought for sixteenpence would sometimes be sold by the merchants for three shillings. The commodities whose price has chiefly risen, are butchers' meat, fowl, and fish, (especially the latter,) which cannot be much augmented in quantity by the increase of art and industry. The profession which then abounded most, and was sometimes embraced by persons of the lowest rank, was the church: by a clause of a statute, all clerks or students of the university were forbidden to beg, without a permission from the vice-chancellor.

One great cause of the low state of industry during this period was the restraints put upon it; and the parliament, or rather the king, (for he was the prime mover in everything,) enlarged a little some of these limitations, but not to the degree that was requisite. A law had been enacted during the reign of Henry IV., that no man could bind his son or daughter to an apprenticeship, unless he were possessed of twenty shillings a year in land; and Henry VII., because the decay of manufactures was complained of in Norwich from the want of hands, exempted that city from the penalties of the law. Afterwards the whole county of Norfolk obtained a like exemption with regard to some

* 4 Hen. VII. cap. 24. The practice of breaking entails by means of a fine and recovery was introduced in the reign of Edward IV.; but it was not, properly speaking, law till the statute of Henry VII., which, by correcting some abuses that attended that practice, gave indirectly a sanction to it.

branches of the woollen manufacture. These absurd limitations proceeded from a desire of promoting husbandry, which, however, is never more effectually encouraged than by the increase of manufactures. For a like reason, the law enacted against inclosures, and for the keeping up of farm-houses, scarcely deserves the high praises bestowed on it by Lord Bacon. If husbandmen understand agriculture, and have a ready vent for their commodities, we need not dread a diminution of the people employed in the country. All methods of supporting populousness, except by the interest of the proprietors, are violent and ineffectual. During a century and a half after this period, there was a frequent renewal of laws and edicts against depopulation; whence we may infer that none of them were ever executed. The natural course of improvement at last provided a remedy.

One check to industry in England was the erecting of corporations; an abuse which is not yet entirely corrected. A law was enacted, that corporations should not pass any bye-laws without the consent of three of the chief officers of state. They were prohibited from imposing tolls at their gates. The cities of Gloucester and Worcester had even imposed tolls on the Severn, which were abolished.

There is a law of this reign, containing a preamble, by which it appears that the company of merchant adventurers in London had, by their own authority, debarred all the other merchants of the kingdom from trading to the great marts in the Low Countries, unless each trader previously paid them the sum of near seventy pounds. It is surprising that such a bye-law (if it deserves the name) could ever be carried into execution, and that the authority of parliament should be requisite to abrogate it.

It was during this reign, on the second of August, 1492, a little before sunset, that Christopher Columbus, a Genose, set out from Spain on his memorable voyage for the discovery of the western world; and a few years after, Vasquez de Gama, a Portuguese, passed the Cape of Good Hope, and opened a new passage to the East Indies. These great events were attended with important consequences to all the nations of Europe, even to such as were not immediately concerned in those naval enterprises. The enlargement of commerce and navigation increased industry and the arts everywhere: the nobles dissipated their fortunes in expensive pleasures: men of an inferior rank both acquired a share in the landed property, and created to themselves a considerable property of a new kind, in stock, commodities, art, credit, and correspondence. In some nations the privileges of the commons increased by this increase of property: in most nations the kings, finding arms to be dropped by the barons, who could no longer endure their former rude manner of life, established standing armies, and subdued the liberties of their kingdoms: but in all places the condition of the people, from the depression of the petty tyrants by whom they had formerly been oppressed rather than governed, received great improvement; and they acquired, if not entire liberty, at least the most considerable advantages of it. And as the general course of events thus tended to depress the nobles and exalt the people, Henry VII., who also embraced that system of policy, has acquired more praise than his institutions, strictly speaking, seem of themselves to deserve, on account of any profound wisdom attending them.

It was by accident only that the king had not a considerable share in those great naval discoveries by which the present age was so much distinguished. Columbus, after meeting with many repulses from the courts of Portugal and Spain, sent his brother Bartholomew to London, in order to explain his projects to Henry, and crave his protection for the execution of them. The king invited him over to England; but his brother being taken by pirates, was detained in his voyage; and Columbus meanwhile having obtained the countenance of Isabella, was supplied with a small fleet, and happily executed his enterprise. Henry was not discouraged by this disappointment: he fitted out Sebastian Cabot, a Venetian, settled in Bristol; and sent him westward, in 1498, in search of new countries. Cabot discovered the main land of America towards the sixteenth degree of northern latitude: he sailed southwards along the coast, and discovered Newfoundland, and other countries; but returned to England without making any conquest or settlement. Elliot, and other merchants in Bristol, made a like attempt in 1502. The king expended fourteen thousand pounds in building one ship, called the "Great Harry." She was, properly speaking, the first ship in the English navy. Before this period, when the prince wanted a fleet, he had no other expedient than hiring or pressing ships from the merchants.

But though this improvement of navigation, and the discovery of both the Indies, was the most memorable incident that happened during this or any other period, it was not the only great event by which the age was distinguished. In 1453, Constantinople was taken by the Turks; and the Greeks, among whom some remains of learning were still preserved, being scattered by these barbarians, took shelter in Italy, and imported, together with their admirable language, a tincture of their science, and of their refined taste in poetry and eloquence. About the same time the purity of the Latin tongue was revived, the study of antiquity became fashionable, and the esteem for literature gradually propagated itself throughout every nation in Europe. The art of printing, invented about that time, extremely facilitated the progress of all these improvements: the invention of gunpowder changed the whole art of war: mighty innovations were soon after made in religion, such as not only affected those states that embraced them, but even those that adhered to the ancient faith and worship: and thus a general revolution was made in human affairs throughout this part of the world: and men gradually attained that situation with regard to commerce, arts, science, government, police, and cultivation, in which they have ever since persevered. Here, therefore, commences the useful, as well as the more agreeable part of modern annals; certainty has place in all the considerable, and even most of the minute parts of historical narration; a great variety of events, preserved by printing, give the author the power of selecting, as well as adorning the facts which he relates: and as each incident has a reference to our present manners and situation, instructive lessons occur every moment during the course of the narration. Whoever carries his anxious researches into preceding periods, is moved by a curiosity, liberal indeed and commendable; not by any necessity for acquiring knowledge of public affairs, or the arts of civil government.

CHAPTER XXVII.

HENRY VIII.

Popularity of the new King—His Ministers—Punishment of Empson and Dudley—King's Marriage—Foreign Affairs—Julius II.—League of Cambray—War with France—Expedition to Fontarabia—Deceit of Ferdinand—Return of the English—Leo X.—A Parliament—War with Scotland—Wolsey Minister—His Character—Invasion of France—Battle of Guinegate—Battle of Flouden—Peace with France.

POPULARITY OF THE NEW KING. 1509.

THE death of Henry VII. had been attended with as open and visible a joy among the people as decency would permit; and the accession and corona-

tion of his son, Henry VIII., spread universally a declared and unfeigned satisfaction. Instead of a monarch jealous, severe, and avaricious, who, in proportion as he advanced in years, was sinking still deeper in those unpopular vices, a young prince of eighteen had succeeded to the throne, who even in the eyes of men of sense gave promising hopes of his future conduct, much more in those of the people, always enchanted with novelty, youth, and royal dignity. The beauty and vigour of his person, accompanied with dexterity in every manly exercise, was further adorned with a blooming and ruddy countenance, with a lively air, with the appearance of spirit and activity in all his demeanour. His father, in order to remove him from the knowledge of public business, had hitherto occupied him entirely in the pursuits of literature; and the proficiency which he made gave no bad prognostic of his parts and capacity. Even the vices of vehemence, ardour, and impatience, to which he was subject, and which afterwards degenerated into tyranny, were considered only as faults incident to unguarded youth, which would be corrected when time had brought him to greater moderation and maturity. And as the contending titles of York and Lancaster were now at last fully united in his person, men justly expected from a prince, obnoxious to no party, that impartiality of administration which had long been unknown in England.

These favourable prepossessions of the public were encouraged by the measures which Henry embraced in the commencement of his reign. His grandmother, the countess of Richmond and Derby, was still alive; and as she was a woman much celebrated for prudence and virtue, he wisely showed great deference to her opinion in the establishment of his new council. The members were, Warham, archbishop of Canterbury, and chancellor; the earl of Shrewsbury, steward; lord Herbert, chamberlain; sir Thomas Lovel, master of the wards and constable of the Tower; sir Edward Poynings, comptroller; sir Henry Marney, afterwards lord Marney; sir Thomas Darcy, afterwards lord Darcy; Thomas Ruthal, doctor of laws; and sir Henry Wyat. These men had long been accustomed to business under the late king, and were the least unpopular of all the ministers employed by that monarch.

But the chief competitors for favour and authority under the new king were the earl of Surrey, treasurer, and Fox, bishop of Winchester, secretary and privy-seal. This prelate, who enjoyed great credit during all the former reign, had acquired such habits of caution and frugality as he could not easily lay aside; and he still opposed, by his remonstrances, those schemes of dissipation and expense which the youth and passions of Henry rendered agreeable to him. But Surrey was a more dexterous courtier; and though few had borne a greater share in the frugal politics of the late king, he knew how to conform himself to the humour of his new master; and no one was so forward in promoting that liberality, pleasure, and magnificence, which began to prevail under the young monarch. By this policy he ingratiated himself with Henry; he made advantage, as well as the other courtiers, of the lavish disposition of his master; and he engaged him in such a course of play and idleness as rendered him negligent of affairs, and willing to entrust the government of the state entirely into the hands of his ministers. The great treasures amassed by the late king were gradually dissipated in the giddy expenses of Henry. One party of pleasure succeeded to another: tilts, tournaments, and carousals were exhibited with all the magnificence of the age: and as the present tranquillity of the public permitted the court to indulge itself in every amusement, serious business was but little attended to. Or if the king intermitted the course of his festivity, he chiefly employed himself in an application to music and literature, which were his favourite pursuits, and which were well adapted to his genius. He had made such proficiency in the former art, as even to compose some pieces of church-music which were sung in his chapel. He was initiated in the elegant learning of the ancients. And though he was so unfortunate as to be seduced into a study of the barren controversies of the schools, which were then fashionable, and had chosen Thomas Aquinas for his favourite author, he still discovered a capacity fitted for more useful and entertaining knowledge.

PUNISHMENT OF EMPSON AND DUDLEY.

The frank and careless humour of the king, as it led him to dissipate the treasures amassed by his father, rendered him negligent in protecting the instruments whom that prince had employed in his extortions. A proclamation being issued to encourage complaints, the rage of the people was let loose on all informers, who had so long exercised an unbounded tyranny over the nation: they were thrown into prison, condemned to the pillory, and most of them lost their lives by the violence of the populace. Empson and Dudley, who were most exposed to public hatred, were immediately summoned before the council, in order to answer for their conduct, which had rendered them so obnoxious. Empson made a shrewd apology for himself, as well as for his associate. He told the council, that so far from his being justly exposed to censure for his past conduct, his enemies themselves grounded their clamour on actions which seemed rather to merit reward and approbation: that a strict execution of law was the crime of which he and Dudley were accused; though that law had been established by general consent, and though they had acted in obedience to the king, to whom the administration of justice was entrusted by the constitution: that it belonged not to them, who were instruments in the hands of supreme power, to determine what laws were recent or obsolete, expedient or hurtful; since they were all alike valid, so long as they remained unrepealed by the legislature: that it was natural for a licentious populace to murmur against the restraints of authority; but all wise states had ever made their glory consist in the just distribution of rewards and punishments, and had annexed the former to the observance and enforcement of the laws, the latter to their violation and infraction; and that a sudden overthrow of all government might be expected, where the judges were committed to the mercy of the criminals, the rulers to that of the subjects.

Notwithstanding this defence, Empson and Dudley were sent to the Tower; and soon after brought to their trial. The strict execution of laws, however obsolete, could never be imputed to them as a crime in a court of judicature; and it is likely that, even where they had exercised arbitrary power, the king, as they had acted by the secret commands of his father, was not willing that their conduct should undergo too severe a scrutiny. In order, therefore, to gratify the people with the punishment of these obnoxious ministers, crimes very improbable, or indeed absolutely impossible, were charged upon them; that they had entered into a conspiracy against the sovereign, and had intended, on the death of the late king, to have seized by force the administration of government. The jury were so far moved by popular prejudices, joined to court influence, as to give a verdict against them; which was afterwards confirmed by a bill of attainder in parliament,* and at the earnest desire of the people was executed by warrant from the king. Thus, in those arbitrary times, justice was equally violated, whether the king sought power and riches, or courted popularity.

* This parliament met on the 21st January, 1510. A law was there enacted, in order to prevent some abuses which had prevailed during the late reign. The forfeiture upon the penal statutes was reduced to the term of three years. Costs and damages were given against informers who acquitted of the accused: more severe punishments were enacted against perjury: the rise inquisitions practised by Empson and Dudley were declared null and invalid. Traverses were allowed; and the time of tendering them enlarged. 1 Hen. VIII. c. 8. 10, 11, 12.

KING'S MARRIAGE.

Henry, while he punished the instruments of past tyranny, had yet such deference to former engagements as to deliberate, immediately after his accession, concerning the celebration of his marriage with the infanta Catherine, to whom he had been affianced during his father's lifetime. Her former marriage with his brother and the inequality of their years, were the chief objections urged against his espousing her: but on the other hand, the advantages of her known virtue, modesty, and sweetness of disposition were insisted on; the affection which she bore to the king; the large dowry to which she was entitled as princess of Wales; the interest of cementing a close alliance with Spain; the necessity of finding some confederate to counterbalance the power of France; the expediency of fulfilling the engagements of the late king: when these considerations were weighed, they determined the council, though contrary to the opinion of the primate, to give Henry their advice for celebrating the marriage. The countess of Richmond, who had concurred in the same sentiments with the council, died soon after the marriage of her grandson. (June 3.)

FOREIGN AFFAIRS. 1510.

The popularity of Henry's government, his undisputed title, his extensive authority, his large treasures, the tranquillity of his subjects, were circumstances which rendered his domestic administration easy and prosperous: the situation of foreign affairs was no less happy and desirable. Italy continued still, as during the late reign, to be the centre of all the wars and negociations of the European princes; and Henry's alliance was courted by all parties; at the same time that he was not engaged by any immediate interest or necessity to take part with any. Louis XII. of France, after his conquest of Milan, was the only great prince that possessed any territory in Italy; and could he have remained in tranquillity, he was enabled by his situation to prescribe laws to all the Italian princes and republics, and to hold the balance among them. But the desire of making a conquest of Naples, to which he had the same title or pretensions with his predecessor, still engaged him in new enterprises; and as he foresaw opposition from Ferdinand, who was connected both by treaties and affinity with Frederic of Naples, he endeavoured by the offers of interest, to which the ears of that monarch were ever open, to engage him in an opposite confederacy. He settled with him a plan for the partition of the kingdom of Naples, and the expulsion of Frederic: a plan which the politicians of that age regarded as the most egregious imprudence in the French monarch, and the greatest perfidy in the Spanish. Frederic, supported only by subjects who were either discontented with his government, or indifferent about his fortunes, was unable to resist so powerful a confederacy, and was deprived of his dominions: but he had the satisfaction to see Naples immediately prove the source of contention among his enemies. Ferdinand gave secret orders to his general, Gonsalvo, whom the Spaniards honour with the appellation of the *great captain*, to attack the armies of France, and make himself master of all the dominions of Naples. Gonsalvo prevailed in every enterprise, defeated the French in two pitched battles, and insured to his prince the entire possession of that kingdom. Louis, unable to procure redress by force of arms, was obliged to enter into a fruitless negociation with Ferdinand for the recovery of his share of the partition; and all Italy during some time was held in suspense between these two powerful monarchs.

There has scarcely been any period when the balance of power was better secured in Europe, and seemed more able to maintain itself without any anxious concern or attention of the princes. Several great monarchies were established; and no one so far surpassed the rest as to give any foundation or even pretence for jealousy. England was united in domestic peace, and by its situation happily secured from the invasion of foreigners. The coalition of the several kingdoms of Spain had formed one powerful monarchy, which Ferdinand administered with arts, fraudulent indeed and deceitful, but full of vigour and ability. Louis XII., a gallant and generous prince, had, by espousing Anne of Britanny, widow to his predecessor, preserved the union with that principality, on which the safety of his kingdom so much depended. Maximilian, the emperor, besides the hereditary dominions of the Austrian family, maintained authority in the empire; and, notwithstanding the levity of his character, was able to unite the German princes in any great plan of interest, at least of defence. Charles, prince of Castile, grandson to Maximilian and Ferdinand, had already succeeded to the rich dominions of the house of Burgundy; and being as yet in early youth, the government was entrusted to Margaret of Savoy, his aunt, a princess endowed with signal prudence and virtue. The internal force of these several powerful states, by balancing each other, might long have maintained general tranquillity, had not the active and enterprising genius of Julius II., an ambitious pontiff, first excited the flames of war and discord among them.

LEAGUE OF CAMBRAY.

By his intrigues, a league had been formed at Cambray between himself, Maximilian, Louis, and Ferdinand; and the object of this great confederacy was to overwhelm, by their united arms, the commonwealth of Venice. Henry, without any motive from interest or passion, allowed his name to be inserted in the confederacy. This oppressive and iniquitous league was but too successful against the republic.

The great force and secure situation of the considerable monarchies prevented any one from aspiring to any conquest of moment; and though this consideration could not maintain general peace, or remedy the natural inquietude of men, it rendered the princes of this age more disposed to desert engagements, and change their alliances, in which they were retained by humour and caprice, rather than by any natural or durable interest. Julius had no sooner humbled the Venetian republic, than he was inspired with a nobler ambition, that of expelling all foreigners from Italy, or, to speak in the style affected by the Italians of that age, the freeing of that country entirely from the dominion of barbarians. He was determined to make the tempest fall first upon Louis; and, in order to pave the way for this great enterprise, he at once sought for a ground of quarrel with the monarch, and courted the alliance of other princes. He declared war against the duke of Ferrara, the confederate of Louis. He solicited the favour of England, by sending Henry a sacred rose, perfumed with musk, and anointed with chrism. He engaged in his interests Bambridge, archbishop of York, and Henry's ambassador at Rome, whom he soon after created a cardinal. He drew over Ferdinand to his party, though that monarch at first made no declaration of his intentions. And, what he chiefly valued, he formed a treaty with the Swiss cantons, who, enraged by some neglects put upon them by Louis, accompanied with contumelious expressions, had quitted the alliance of France, and waited for an opportunity of revenging themselves on that nation.

1511. While the French monarch repelled the attacks of his enemies, he thought it also requisite to make an attempt on the pope himself, and to despoil him as much as possible of that sacred character which chiefly rendered him formidable. He engaged some cardinals, disgusted with the violence of Julius, to desert him; and by their authority, he was determined, in conjunction with Maximilian, who still adhered to his alliance, to call a general council, which might reform the church, and check the exorbitancies of the Roman pontiff. A council was summoned at Pisa which from the beginning bore a very inauspicious as-

pect, and promised little success to its adherents. Except a few French bishops, who unwillingly obeyed their king's commands in attending the council, all the other prelates kept aloof from an assembly which they regarded as the offspring of faction, intrigue, and worldly politics. Even Pisa, the place of their residence, showed them signs of contempt; which engaged them to transfer their session to Milan, a city under the dominion of the French monarch. Notwithstanding this advantage, they did not experience much more respectful treatment from the inhabitants of Milan; and found it necessary to make another remove to Lyons. Louis himself fortified these violent prejudices in favour of papal authority, by the symptoms which he discovered of regard, deference, and submission to Julius, whom he always spared, even when fortune had thrown into his hands the most inviting opportunities of humbling him. And as it was known that his consort, who had great influence over him, was extremely disquieted in mind on account of his dissensions with the holy father, all men prognosticated to Julius final success in this unequal contest.

The enterprising pontiff knew his advantages, and availed himself of them with the utmost temerity and insolence. So much had he neglected his sacerdotal character, that he acted in person at the siege of Mirandola, visited the trenches, saw some of his attendants killed by his side, and, like a young soldier, cheerfully bore all the rigours of winter and a severe season, in pursuit of military glory: yet was he still able to throw, even on his most moderate opponents, the charge of impiety and profaneness. He summoned a council at the Lateran: he put Pisa under an interdict, and all the places which gave shelter to the schismatical council: he excommunicated the cardinals and prelates who attended it: he even pointed his spiritual thunder against the princes who adhered to it: he freed their subjects from all oaths of allegiance, and gave their dominions to every one who could take possession of them.

Ferdinand of Arragon, who had acquired the sirname of Catholic, regarded the cause of the pope and of religion only as a cover to his ambition and selfish politics: Henry, naturally sincere and sanguine in his temper, and the more so on account of his youth and inexperience, was moved with a hearty desire of protecting the pope from the oppression to which he believed him exposed from the ambitious enterprises of Louis. Hopes had been given him by Julius, that the title of *Most Christian King*, which had hitherto been annexed to the crown of France, and which was regarded as its most precious ornament, should, in reward of his services, be transferred to that of England. Impatient also of acquiring that distinction in Europe to which his power and opulence entitled him, he could not long remain neuter amidst the noise of arms; and the natural enmity of the English against France, as well as their ancient claims upon that kingdom, led Henry to join that alliance, which the pope, Spain, and Venice had formed against the French monarch. A herald was sent to Paris, to exhort Louis not to wage impious war against the sovereign pontiff; and when he returned without success, another was sent to demand the ancient patrimonial provinces, Anjou, Maine, Guienne, and Normandy. This message was understood to be a declaration of war; and a parliament being summoned, readily granted supplies for a purpose so much favoured by the English nation.

WAR WITH FRANCE. *February* 4, 1512.

Buonaviso, an agent of the pope's at London, had been corrupted by the court of France, and had previously revealed to Louis all the measures which Henry was concerting against him. But this infidelity did the king inconsiderable prejudice, in comparison of the treachery which he experienced from the selfish purposes of the ally on whom he chiefly relied for assistance. Ferdinand, his father-in-law, had so long persevered in a course of crooked politics, that he began even to value himself on his dexterity in fraud and artifice: and he made a boast of those shameful successes. Being told one day, that Louis, a prince of a very different character, had complained of his having once cheated him, "He lies, the drunkard!" said he; "I have cheated him above twenty times." This prince considered his close connexion with Henry only as the means which enabled him the better to take advantage of his want of experience. He advised him not to invade France by the way of Calais, where he himself should not have it in his power to assist him: he exhorted him rather to send forces to Fontarabia, whence he could easily make a conquest of Guienne, a province in which it was imagined the English had still some adherents. He promised to assist this conquest by the junction of a Spanish army. And so forward did he seem to promote the interests of his son-in-law, that he even sent vessels to England, in order to transport over the forces which Henry had levied for that purpose. The Marquis of Dorset commanded this armament, which consisted of ten thousand men, mostly infantry; lord Howard, son of the earl of Surrey, lord Broke, lord Ferrars, and many others of the young gentry and nobility, accompanied him in this service. All were on fire to distinguish themselves in military achievements, and to make a conquest of importance for their master. The secret purpose of Ferdinand, in this unexampled generosity, was suspected by nobody.

The small kingdom of Navarre lies on the frontiers between France and Spain; and as John d'Albert the sovereign was connected by friendship and alliance with Louis, the opportunity seemed favourable to Ferdinand, while the English forces were conjoined with his own, and while all adherents to the council of Pisa lay under the sentence of excommunication, to put himself in possession of these dominions. No sooner, therefore, was Dorset landed in Guipiscoa, than the Spanish monarch declared his readiness to join him with his forces, to make with united arms an invasion of France, and to form the siege of Bayonne, which opened the way into Guienne: but he remarked to the English general how dangerous it might prove to leave behind them the kingdom of Navarre, which, being in close alliance with France, could easily give admittance to the enemy, and cut off all communication between Spain and the combined armies. To provide against so dangerous an event, he required, that John should stipulate a neutrality in the present war; and when that prince expressed his willingness to enter into any engagement for that purpose, he also required, that security should be given for the observance of it. John having likewise agreed to this condition, Ferdinand demanded, that he should deliver into his hands six of the most considerable places of his dominions, together with his eldest son as a hostage. These were not terms to be proposed to a sovereign; and as the Spanish monarch expected a refusal, he gave immediate orders to the duke of Alva, his general, to make an invasion on Navarre, and to reduce that kingdom. Alva soon made himself master of all the smaller towns; and being ready to form the siege of Pampeluna, the capital, he summoned the marquis of Dorset to join him with the English army, and concert together all their operations.

DECEIT OF FERDINAND.

Dorset began to suspect, that the interests of his master were very little regarded in all these transactions; and having no orders to invade the kingdom of Navarre, or make war anywhere but in France, he refused to take any part in the enterprise. He remained therefore in his quarters at Fontarabia; but so subtle was the contrivance of Ferdinand, that, even while the English army lay in that situation, it was almost equally serviceable to his purpose, as if it had acted in conjunction with his own. It kept the French army

in awe, and prevented it from advancing to succour the kingdom of Navarre; so that Alva, having full leisure to conduct the siege, made himself master of Pampeluna, and obliged John to seek for shelter in France. The Spanish general applied again to Dorset, and proposed to conduct with united counsels the operations of the *holy league*, so it was called, against Louis: but as he still declined forming the siege of Bayonne, and rather insisted on the invasion of the principality of Bearne, a part of the king of Navarre's dominions, which lies on the French side of the Pyrenees, Dorset, justly suspicious of his sinister intentions, represented, that, without new orders from his master, he could not concur in such an undertaking. In order to procure these orders, Ferdinand despatched Martin de Ampios to London; and persuaded Henry, that, by the refractory and scrupulous humour of the English general, the most favourable opportunities were lost, and that it was necessary he should, on all occasions, act in concert with the Spanish commander, who was best acquainted with the situation of the country, and the reasons of every operation. But before orders to this purpose reached Spain, Dorset had become extremely impatient; and observing that his further stay served not to promote the main undertaking, and that his army was daily perishing by want and sickness, he demanded shipping from Ferdinand to transport them back into England. Ferdinand, who was bound by treaty to furnish him with this supply, whenever demanded, was at length, after many delays, obliged to yield to his importunity; and Dorset, embarking his troops, prepared himself for the voyage. Meanwhile the messenger arrived with orders from Henry, that the troops should remain in Spain; but the soldiers were so discontented with the treatment which they had met with, that they mutinied, and obliged their commanders to set sail for England. Henry was much displeased with the ill success of this enterprise; and it was with difficulty that Dorset, by explaining the fraudulent conduct of Ferdinand, was at last able to appease him.

There happened this summer an action at sea, which brought not any more decisive advantage to the English. Sir Thomas Knevet, master of horse, was sent to the coast of Britanny with a fleet of forty-five sail; and he carried with him sir Charles Brandon, sir John Carew, and many other young courtiers, who longed for an opportunity of displaying their valour. After they had committed some depredations, a French fleet of thirty-nine sail issued from Brest, under the command of Primauget, and began an engagement with the English. Fire seized the ship of Primauget, who, finding his destruction inevitable, bore down upon the vessel of the English admiral, and grappling with her, resolved to make her share his fate. Both fleets stood some time in suspense, as spectators of this dreadful engagement, and all men saw with horror the flames which consumed both vessels, and heard the cries of fury and despair, which came from the miserable combatants. At last, the French vessel blew up; and at the same time destroyed the English. The rest of the French fleet made their escape into different harbours.

The war which England waged against France, though it brought no advantage to the former kingdom, was of great prejudice to the latter; and by obliging Louis to withdraw his forces for the defence of his own dominions, lost him that superiority, which his arms, in the beginning of the campaign, had attained in Italy. Gaston de Foix, his nephew, a young hero, had been entrusted with the command of the French forces; and in a few months performed such feats of military art and prowess, as were sufficient to render illustrious the life of the oldest captain. His career finished with the great battle of Ravenna, which after the most obstinate conflict, he gained over the Spanish and papal armies. He perished the very moment his victory was complete; and with him perished the fortune of the French arms in Italy. The Swiss, who had rendered themselves extremely formidable by their bands of disciplined infantry, invaded the Milanese with a numerous army, and raised up that inconstant people to a revolt against the dominion of France. Genoa followed the example of the duchy; and thus Louis, in a few weeks, entirely lost his Italian conquests, except some garrisons; and Maximilian Sforza, the son of Ludovic, was reinstated in possession of Milan. [1513.]

Julius discovered extreme joy on the discomfiture of the French; and the more so, as he had been beholden for it to the Swiss, a people whose councils, he hoped, he should always be able to influence and govern. The pontiff survived this success a very little time; and in his place was chosen (21st February) John de Medicis, who took the appellation of Leo X., and proved one of the most illustrious princes that ever sat on the papal throne. Humane, beneficent, generous, affable; the patron of every art, and friend of every virtue; he had a soul no less capable of forming great designs than his predecessor, but was more gentle, pliant, and artful in employing means for the execution of them. The sole defect, indeed, of his character, was too great finesse and artifice; a fault which, both as a priest and an Italian, it was difficult for him to avoid. By the negociations of Leo, the emperor Maximilian was detached from the French interest; and Henry, notwithstanding his disappointments in the former campaign, was still encouraged to prosecute his warlike measures against Louis.

A PARLIAMENT.

Henry had summoned a new session of parliament,* and obtained a supply for his enterprise. It was a poll-tax, and imposed different sums according to the station and riches of the person. A duke paid ten marks, an earl five pounds, a baron four pounds, a knight four marks; every man valued at eight hundred pounds in goods, four marks. An imposition was also granted of two-fifteenths and four tenths. By these supplies, joined to the treasure which had been left by his father, and which was not yet entirely dissipated, he was enabled to levy a great army, and render himself formidable to his enemy. The English are said to have been much encouraged in this enterprise, by the arrival of a vessel in the Thames, under the papal banner. It carried presents of wine and hams to the king, and the more eminent courtiers; and such fond devotion was at that time entertained towards the court of Rome, that these trivial presents were everywhere received with the greatest triumph and exultation.

In order to prevent all disturbances from Scotland, while Henry's arms should be employed on the continent, Dr. West, dean of Windsor, was dispatched on an embassy to James, the king's brother-in-law; and instructions were given him to accommodate all differences between the kingdoms, as well as to discover the intentions of the court of Scotland. Some complaints had already been made on both sides. One Barton, a Scotchman, having suffered injuries from the Portuguese, for which he could obtain no redress, had procured letters of marque against that nation; but he had no sooner put to sea, than he was guilty of the grossest abuses, committed depredations upon the English, and much infested the narrow seas. Lord Howard and sir Edward Howard, admirals and sons of the earl of Surrey, sailing out against him, fought him in a desperate action, where the pirate was killed; and they brought his ships into the Thames. As Henry refused all satisfaction for this act of justice, some of the borderers, who wanted but a pretence for depredations, entered England under the command of lord Hume, warden of the marches, and committed great ravages on that kingdom. Notwithstanding these mu-

* 4th November, 1512.

tual grounds of dissatisfaction, matters might easily have been accommodated, had it not been for Henry's intended invasion of France, which roused the jealousy of the Scottish nation. The ancient league, which subsisted between France and Scotland, was conceived to be the strongest band of connexion; and the Scots universally believed, that, were it not for the countenance which they received from this foreign alliance, they had never been able so long to maintain their independence against a people so much superior. James was further incited to take part in the quarrel by the invitations of Anne, queen of France, whose knight he had ever in all tournaments professed himself, and who summoned him, according to the ideas of romantic gallantry prevalent in that age, to take the field in her defence, and prove himself her true and valorous champion. The remonstrances of his consort and of his wisest counsellors were in vain opposed to the martial ardour of this prince. He first sent a squadron of ships to the assistance of France; the only fleet which Scotland seems ever to have possessed. And though he still made professions of maintaining a neutrality, the English ambassador easily foresaw, that a war would in the end prove inevitable; and he gave warning of the danger to his master, who sent the earl of Surrey to put the borders in a posture of defence, and to resist the expected invasion of the enemy.

Henry, all on fire for military fame, was little discouraged by this appearance of a diversion from the north; and so much the less, as he flattered himself with the assistance of all the considerable potentates of Europe in his invasion of France. The pope still continued to thunder out his excommunications against Louis, and all the adherents of the schismatical council: the Swiss cantons made professions of violent animosity against France: the ambassadors of Ferdinand and Maximilian had signed with those of Henry a treaty of alliance against that power, and had stipulated the time and place of their intended invasion: and though Ferdinand disavowed his ambassador, and even signed a truce for a twelvemonth with the common enemy; Henry was not yet fully convinced of his selfish and sinister intentions, and still hoped for his concurrence after the expiration of that term. He had now got a minister who complied with all his inclinations, and flattered him in every scheme to which his sanguine and impetuous temper was inclined.

WOLSEY MINISTER.

Thomas Wolsey, dean of Lincoln, and almoner to the king, surpassed in favour all his ministers, and was fast advancing towards that unrivalled grandeur which he afterwards attained. This man was son of a butcher at Ipswich; but having got a learned education, and being endowed with an excellent capacity, he was admitted into the marquis of Dorset's family as tutor to that nobleman's children, and soon gained the friendship and countenance of his patron. He was recommended to be chaplain to Henry VII., and being employed by that monarch in a secret negociation, which regarded his intended marriage with Margaret of Savoy, Maximilian's daughter, he acquitted himself to the king's satisfaction, and obtained the praise both of diligence and dexterity in his conduct. That prince having given him a commission to Maximilian, who at that time resided in Brussels, was surprised in less than three days after, to see Wolsey present himself before him; and supposing that he had protracted his departure, he began to reprove him for the dilatory execution of his orders. Wolsey informed him, that he had just returned from Brussels, and had successfully fulfilled all his majesty's commands. "But on second thoughts," said the king, "I found that somewhat was omitted in your orders; and have sent a messenger after you with fuller instructions." "I met the messenger," replied Wolsey, "on my return; but as I had reflected on that omission, I ventured of myself to execute what, I knew, must be your majesty's intentions." The death of Henry, soon after this incident, retarded the advancement of Wolsey, and prevented his reaping any advantage from the good opinion which that monarch had entertained of him: but thenceforwards he was looked on at court as a rising man; and Fox, bishop of Winchester, cast his eyes upon him as one who might be serviceable to him in his present situation. This prelate observing that the earl of Surrey had totally eclipsed him in favour, resolved to introduce Wolsey to the young prince's familiarity, and hoped that he might rival Surrey in his insinuating arts, and yet be contented to act in the cabinet a part subordinate to Fox himself, who had promoted him. In a little time, Wolsey gained so much on the king, that he supplanted both Surrey in his favour, and Fox in his trust and confidence. Being admitted to Henry's parties of pleasure, he took the lead in every jovial conversation, and promoted all that frolic and entertainment which he found suitable to the age and inclination of the young monarch. Neither his own years, which were near forty, nor his character of a clergyman, were any restraint upon him, or engaged him to check, by any useless severity, the gaiety in which Henry, who had small propension to debauchery, passed his careless hours. During the intervals of amusement he introduced business, and insinuated those maxims of conduct which he was desirous his master should adopt. He observed to him, that, while he entrusted his affairs into the hands of his father's counsellors, he had the advantage indeed of employing men of wisdom and experience, but men who owed not their promotion to his favour, and who scarcely thought themselves accountable to him for the exercise of their authority: that by the factions, and cabals, and jealousies, which had long prevailed amongst them, they more obstructed the advancement of his affairs, than they promoted it by the knowledge which age and practice had conferred upon them: that while he thought proper to pass his time in those pleasures, to which his age and royal fortune invited him, and in those studies, which would in time enable him to sway the sceptre with absolute authority, his best system of government would be to entrust his authority into the hands of some one person, who was the creature of his will, and who could entertain no view but that of promoting his service; and that if this minister had also the same relish for pleasure with himself, and the same taste for science, he could more easily, at intervals, account to him for his whole conduct, and introduce his master gradually into the knowledge of public business; and thus, without tedious constraint or application, initiate him in the science of government.

Henry entered into all the views of Wolsey; and finding no one so capable of executing this plan of administration as the person who proposed it, he soon advanced his favourite, from being the companion of his pleasures, to be a member of his council; and from being a member of his council, to be his sole and absolute minister. By this rapid advancement and uncontrolled authority, the character and genius of Wolsey had full opportunity to display itself. Insatiable in his acquisitions, but still more magnificent in his expense; of extensive capacity, but still more unbounded enterprise; ambitious of power, but still more desirous of glory; insinuating, engaging, persuasive; and by turns, lofty, elevated, commanding; haughty to his equals, but affable to his dependents; oppressive to the people, but liberal to his friends; more generous than grateful; less moved by injuries than by contempt; he was framed to take the ascendant in every intercourse with others, but exerted this superiority of *nature* with such ostentation as exposed him to envy, and made every one willing to recall the original inferiority, or rather meanness of his *fortune*.

The branch of administration in which Henry most exerted himself, while he gave his entire confidence to

Wolsey, was the military, which, as it suited the natural gallantry and bravery of his temper, as well as the ardour of his youth, was the principal object of his attention. Finding that Louis had made great preparations both by sea and land to resist him, he was no less careful to levy a formidable army, and equip a considerable fleet for the invasion of France. The command of the fleet was entrusted to sir Edward Howard; who, after scouring the Channel for some time, presented himself before Brest, where the French navy then lay; and he challenged them to a combat. The French admiral, who expected from the Mediterranean a re-enforcement of some galleys under the command of Prejeant de Bidoux, kept within the harbour, and saw with patience the English burn and destroy the country in the neighbourhood. At last, Prejeant arrived with six galleys, and put into Conquet, (25th April,) a place within a few leagues of Brest; where he secured himself behind some batteries, which he had planted on rocks that lay on each side of him. Howard was, notwithstanding, determined to make an attack upon him; and as he had but two galleys, he took himself the command of one, and gave the other to lord Ferrars. He was followed by some row-barges, and some crayers under the command of sir Thomas Cheyney, sir William Sidney, and other officers of distinction. He immediately fastened on Prejeant's ship, and leaped on board of her, attended by one Carroz, a Spanish cavalier, and seventeen Englishmen. The cable, meanwhile, which fastened his ship to that of the enemy, being cut, the admiral was thus left in the hands of the French; and as he still continued the combat with great gallantry, he was pushed overboard by their pikes.* Lord Ferrars, seeing the admiral's galley fall off, followed with the other small vessels; and the whole fleet was so discouraged by the loss of their commander that they retired from before Brest. The French navy came out of harbour, and even ventured to invade the coast of Sussex. They were repulsed, and Prejeant, their commander, lost an eye by the shot of an arrow. Lord Howard, brother to the deceased admiral, succeeded to the command of the English fleet; and little memorable passed at sea, during this summer.

Great preparations had been making at land, during the whole winter, for an invasion on France by the way of Calais; but the summer was well advanced before everything was in sufficient readiness for the intended enterprise. The long peace which the kingdom had enjoyed, had somewhat unfitted the English for military expeditions; and the great change which had lately been introduced in the art of war, had rendered it still more difficult to enure them to the use of the weapons now employed in action. The Swiss, and after them the Spaniards, had shown the advantage of a stable infantry, who fought with pike and sword, and were able to repulse even the heavy-armed cavalry, in which the great force of the armies formerly consisted. The practice of fire-arms was become common; though the caliver, which was the weapon now in use, was so inconvenient, and attended with so many disadvantages, that it had not entirely discredited the bow, a weapon in which the English excelled all European nations. A considerable part of the forces, which Henry levied for the invasion of France, consisted of archers; and as soon as affairs were in readiness, the vanguard of the army, amounting to 8000 men, under the command of the earl of Shrewsbury, sailed over to Calais. Shrewsbury was accompanied by the earl of Deroy, the lords Fitzwater, Hastings, Cobham, and sir Rice ap Thomas, captain of the light-horse. Another body of 6000 men soon after followed under the command of lord Herbert, the chamberlain, attended by the earls of Northumberland and Kent, the lords Audley and Delawar, together with Carew, Curson, and other gentlemen.

The king himself prepared to follow with the main body and rear of the army; and he appointed the queen regent of the kingdom during his absence. That he might secure her administration from all disturbance, he ordered Edmond de la Pole, earl of Suffolk, to be beheaded in the Tower, the nobleman who had been attainted and imprisoned during the late reign. Henry was led to commit this act of violence by the dying commands, as is imagined, of his father, who told him, that he never would be free from danger, while a man of so turbulent a disposition as Suffolk was alive. And as Richard de la Pole, brother of Suffolk, had accepted of a command in the French service, and foolishly attempted to revive the York faction, and to instigate them against the present government, he probably, by that means, drew more suddenly the king's vengeance on this unhappy nobleman.

INVASION OF FRANCE.

At last Henry, attended by the duke of Buckingham, and many others of the nobility, arrived at Calais (30th June,) and entered upon his French expedition, from which he fondly expected so much success and glory. Of all those allies on whose assistance he relied, the Swiss alone fully performed their engagements. Being put in motion by a sum of money sent them by Henry, and incited by their victories obtained in Italy, and by their animosity against France, they were preparing to enter that kingdom with an army of twenty-five thousand men; and no equal force could be opposed to their incursion. Maximilian had received an advance of 120,000 crowns from Henry, and had promised to re-enforce the Swiss with 8,000 men; but failed in his engagements. That he might make atonement to the king, he himself appeared in the Low Countries, and joined the English army with some German and Flemish soldiers, who were useful in giving an example of discipline to Henry's new-levied forces. Observing the disposition of the English monarch to be more bent on glory than on interest, he enlisted himself in his service, wore the cross of St. George, and received pay, an hundred crowns a day, as one of his subjects and captains. But while he exhibited this extraordinary spectacle, of an emperor of Germany serving under a king of England, he was treated with the highest respect by Henry, and really directed all the operations of the English army.

Before the arrival of Henry and Maximilian in the camp, the earl of Shrewsbury and lord Herbert had formed the siege of Teroüane, a town situated on the frontiers of Picardy; and they began to attack the place with vigour. Teligni and Crequi commanded in the town, and had a garrison not exceeding two thousand men; yet made they such stout resistance as protracted the siege a month; and they at last found themselves more in danger from want of provisions and ammunition, than from the assaults of the besiegers. Having conveyed intelligence of their situation to Louis, who had advanced to Amiens with his army, that prince gave orders to throw relief into the place. Fontrailles appeared (16th August) at the head of 800 horsemen, each of whom carried a sack of gunpowder behind him, and two quarters of bacon. With this small force he made a sudden and unexpected irruption into the English camp, and, surmounting all resistance, advanced to the fosse of the town, where each horseman threw down his burden. They immediately returned at the gallop, and were so fortunate as again to break through the English, and to suffer little or no loss in this dangerous attempt.

BATTLE OF GUINEGATE.

But the English had, soon after, full revenge for the insult. Henry had received intelligence of the ap-

* It was a maxim of Howard's, that no admiral was good for anything that was not even brave to a degree of madness. As the sea service requires much less plan and contrivance and capacity than the land, this maxim has great plausibility and appearance of truth; though the fate of Howard himself may serve as a proof, that even their courage ought to be tempered with discretion.

proach of the French horse, who had advanced to protect another incursion of Fontrailles; and he ordered some troops to pass the Lis, in order to oppose them. The cavalry of France, though they consisted chiefly of gentlemen who had behaved with great gallantry in many desperate actions in Italy, were, on sight of the enemy, seized with so unaccountable a panic, that they immediately took to flight, and were pursued by the English. The duke of Longueville, who commanded the French, Bussi d'Amboise, Clermont, Imbercourt, the chevalier Bayard, and many other officers of distinction, were made prisoners. This action, or rather rout, is sometimes called the battle of Guinegate, from the place where it was fought; but more commonly the *Battle of Spurs*, because the French, that day, made more use of their spurs than of their swords, or military weapons.

After so considerable an advantage, the king, who was at the head of a complete army of above 50,000 men, might have made incursions to the gates of Paris, and spread confusion and desolation everywhere. It gave Louis great joy, when he heard that the English, instead of pushing their victory, and attacking the dismayed troops of France, returned to the siege of so inconsiderable a place as Teroüane. The governors were obliged soon after to capitulate; and Henry found his acquisition of so little moment, though gained at the expense of some blood, and what, in his present circumstances, was more important, of much valuable time, that he immediately demolished the fortifications. The anxieties of the French were again revived with regard to the motions of the English. The Swiss, at the same time, had entered Burgundy with a formidable army, and laid siege to Dijon, which was in no condition to resist them. Ferdinand himself, though he had made a truce with Louis, seemed disposed to lay hold of every advantage which fortune should present to him. Scarcely ever was the French monarchy in greater danger, or less in a condition to defend itself against those powerful armies which on every side assailed or threatened it. Even many of the inhabitants of Paris, who believed themselves exposed to the rapacity and violence of the enemy, began to dislodge, without knowing what place could afford them greater security.

But Louis was extricated from his present difficulties by the manifold blunders of his enemies. The Swiss allowed themselves to be seduced into a negociation by Tremoille, governor of Burgundy; and, without making inquiry whether that nobleman had any powers to treat, they accepted of the conditions which he offered them. Tremoille, who knew that he should be disavowed by his master, stipulated whatever they were pleased to demand, and thought himself happy, at the expense of some payments and very large promises, to get rid of so formidable an enemy.

The measures of Henry showed equal ignorance in the art of war with that of the Swiss in negociation. Tournay was a great and rich city, which, though it lay within the frontiers of Flanders, belonged to France, and afforded the troops of that kingdom a passage into the heart of the Netherlands. Maximilian, who was desirous of freeing his grandson from so troublesome a neighbour, advised Henry to lay siege to the place; and the English monarch, not considering that such an acquisition nowise advanced his conquests in France, was so imprudent as to follow this interested counsel. The city of Tournay, by its ancient charters, being exempted from the burden of a garrison, the burghers, against the remonstrance of their sovereign, strenuously insisted on maintaining this dangerous privilege; and they engaged, by themselves, to make a vigorous defence against the enemy. Their courage failed them when matters came to trial; and, after a few days siege, the place was surrendered to the English. (24th September.) The bishop of Tournay was lately dead; and, as a new bishop was already elected by the chapter, but not installed in his office, the king bestowed the administration of the see on his favourite, Wolsey, and put him in immediate possession of the revenues, which were considerable. Hearing of the retreat of the Swiss, and observing the season to be far advanced, he thought proper to return to England; and he carried the greater part of his army with him. Success had attended him in every enterprise; and his youthful mind was much elated with this seeming prosperity; but all men of judgment, comparing the advantages of his situation with his progress, his expense with his acquisitions, were convinced that this campaign, so much vaunted, was in reality both ruinous and inglorious to him.

The success which, during this summer, had attended Henry's arms in the north, was much more decisive. The king of Scotland had assembled the whole force of his kingdom: and having passed the Tweed with a brave though a tumultuary army of above 50,000 men, he ravaged those parts of Northumberland which lay nearest that river, and he employed himself in taking the castles of Norham, Etal, Werke, Ford, and other places of small importance. Lady Ford being taken prisoner in her castle, was presented to James, and so gained on the affections of the prince, that he wasted in pleasure the critical time which, during the absence of his enemy, he should have employed in pushing his conquests. His troops, lying in a barren country, where they soon consumed all the provisions, began to be pinched with hunger; and, as the authority of the prince was feeble, and military discipline, during that age, extremely relaxed, many of them had stolen from the camp, and retired homewards. Meanwhile the earl of Surrey, having collected a force of 26,000 men, of which 5000 had been sent over from the king's army in France, marched to the defence of the country, and approached the Scots, who lay on some high ground near the hills of Cheviot. The river Till ran between the armies, and prevented an engagement: Surrey, therefore, sent a herald to the Scottish camp, challenging the enemy to descend into the plain of Milfield, which lay towards the south; and there, appointing a day for the combat, to try their valour on equal ground. As he received no satisfactory answer, he made a feint of marching towards Berwick; as if he intended to enter Scotland, to lay waste the borders, and cut off the provisions of the enemy. The Scottish army, in order to prevent his purpose, put themselves in motion; and having set fire to the huts in which they had quartered, they descended from the hills. Surrey, taking advantage of the smoke, which was blown towards him, and which concealed his movements, passed the Till with his artillery and van-guard at the bridge of Twisel, and sent the rest of his army to seek a ford higher up the river.

BATTLE OF FLOUDEN. *Sept.* 9.

An engagement was now become inevitable, and both sides prepared for it with tranquillity and order. The English divided their army into two lines: lord Howard led the main body of the first line, sir Edmond Howard the right wing, sir Marmaduke Constable the left. The earl of Surrey, himself, commanded the main body of the second line, lord Dacres the right wing, sir Edward Stanley the left. The front of the Scots presented three divisions to the enemy: the middle was led by the king himself: the right by the earl of Huntley, assisted by lord Hume: the left by the earls of Lenox and Argyle. A fourth division, under the earl of Bothwel, made a body of reserve. Huntley began the battle; and after a sharp conflict put to flight the left wing of the English, and chased them off the field: but, on returning from the pursuit, he found the whole Scottish army in great disorder. The division under Lenox and Argyle, elated with the success of the other wing, had broken their ranks, and, notwithstanding the remonstrances and entreaties of La Motte, the French ambassador, had rushed headlong upon the enemy. Not only sir Edmond Howard,

at the head of his division, received them with great valour, but Dacres, who commanded in the second line, wheeling about during the action, fell upon their rear, and put them to the sword without resistance. The division under James, and that under Bothwel, animated by the valour of their leaders, still made head against the English, and throwing themselves into a circle, protracted the action, till night separated the combatants. The victory seemed yet undecided, and the numbers that fell on each side were nearly equal, amounting to above 5000 men: but the morning discovered where the advantage lay. The English had lost only persons of small note; but the flower of the Scottish nobility had fallen in battle, and their king himself, after the most diligent inquiry, could nowhere be found. In searching the field, the English met with a dead body which resembled him, and was arrayed in a similar habit; and they put it in a leaden coffin and sent it to London. During some time it was kept unburied; because James died under sentence of excommunication, on account of his confederacy with France, and his opposition to the holy see: but, upon Henry's application, who pretended that this prince had, in the instant before his death, discovered signs of repentance, absolution was given him, and his body was interred. The Scots, however, still asserted that it was not James's body which was found on the field of battle, but that of one Elphinstone, who had been arrayed in arms resembling their king's, in order to divide the attention of the English, and share the danger with his master. It was believed that James had been seen crossing the Tweed at Kelso; and some imagined that he had been killed by the vassals of lord Hume, whom that nobleman had instigated to commit so enormous a crime. But the populace entertained the opinion that he was still alive, and, having secretly gone in pilgrimage to the Holy Land, would soon return and take possession of the throne. This fond conceit was long entertained among the Scots.

The king of Scotland and most of his chief nobles being slain in the field of Flouden, so this battle was called, an inviting opportunity was offered to Henry of gaining advantages over that kingdom, perhaps of reducing it to subjection. But he discovered, on this occasion, a mind truly great and generous. When the queen of Scotland, Margaret, who was created regent during the infancy of her son, applied for peace, he readily granted it; and took compassion of the helpless condition of his sister and nephew. The earl of Surrey, who had gained him so great a victory, was restored to the title of duke of Norfolk, [1514,] which had been forfeited by his father for engaging on the side of Richard III. Lord Howard was honoured with the title of earl of Surrey. Sir Charles Brandon, the king's favourite, whom he had before created viscount Lisle, was now raised to the dignity of duke of Suffolk. Wolsey, who was both his favourite and his minister, was created bishop of Lincoln. Lord Herbert obtained the title of earl of Worcester: sir Edward Stanley that of lord Monteagle.

Though peace with Scotland gave Henry security on that side, and enabled him to prosecute, in tranquillity, his enterprise against France, some other incidents had happened, which more than counterbalanced this fortunate event, and served to open his eyes with regard to the rashness of an undertaking into which his youth and high fortune had betrayed him.

Louis, fully sensible of the dangerous situation to which his kingdom had been reduced during the former campaign, was resolved, by every expedient, to prevent the return of like perils, and to break the confederacy of his enemies. The pope was nowise disposed to push the French to extremity; and, provided they did not return to take possession of Milan, his interests rather led him to preserve the balance among the contending parties. He accepted, therefore, of Louis's offer to renounce the council of Lyons; and he took off the excommunication which his predecessor and himself had fulminated against that king and his kingdom. Ferdinand was now fast declining in years; and as he entertained no further ambition than that of keeping possession of Navarre, which he had subdued by his arms and policy, he readily hearkened to the proposals of Louis for prolonging the truce another year; and he even showed an inclination of forming a more intimate connexion with that monarch. Louis had dropped hints of his intention to marry his second daughter, Renée, either to Charles, prince of Spain, or his brother Ferdinand, both of them grandsons of the Spanish monarch; and he declared his resolution of bestowing on her, as her portion, his claim to the duchy of Milan. Ferdinand not only embraced these proposals with joy, but also engaged the emperor, Maximilian, in the same views, and procured his accession to a treaty, which opened so inviting a prospect of aggrandizing their common grandchildren.

When Henry was informed of Ferdinand's renewal of the truce with Louis, he fell into a violent rage, and loudly complained, that his father-in-law had first, by high promises and profession, engaged him in enmity with France, and afterwards, without giving him the least warning, had now again sacrificed his interests to his own selfish purposes, and had left him exposed alone to all the danger and expense of the war. In proportion to his easy credulity, and his unsuspecting reliance on Ferdinand, was the vehemence with which he exclaimed against the treatment which he met with; and he threatened revenge for this egregious treachery and breach of faith. But he lost all patience when informed of the other negociation by which Maximilian was also seduced from his alliance, and in which proposals had been agreed to, for the marriage of the prince of Spain with the daughter of France. Charles, during the lifetime of the late king, had been affianced to Mary, Henry's younger sister; and, as the prince now approached the age of puberty, the king had expected the immediate completion of the marriage, and the honourable settlement of a sister for whom he had entertained a tender affection. Such a complication, therefore, of injuries gave him the highest displeasure, and inspired him with a desire of expressing his disdain towards those who had imposed on his youth and inexperience, and had abused his too great facility.

The duke of Longueville, who had been made prisoner at the battle of Guinegate, and who was still detained in England, was ready to take advantage of all these dispositions of Henry, in order to procure a peace, and even an alliance, which he knew to be passionately desired by his master. He represented to the king that Anne, queen of France, being lately dead, a door was thereby opened for an affinity which might tend to the advantage of both kingdoms, and which would serve to terminate honourably all the differences between them: that she had left Louis no male children; and as he had ever entertained a strong desire of having heirs to the crown, no marriage seemed more suitable to him than that with the princess of England, whose youth and beauty afforded the most flattering hopes in that particular: that though the marriage of a princess of sixteen with a king of fifty-three might seem unsuitable, yet the other advantages attending the alliance were more than a sufficient compensation for this inequality; and that Henry, in loosening his connexions with Spain, from which he had never reaped any advantage, would contract a close affinity with Louis, a prince who, through his whole life, had invariably maintained the character of probity and honour.

PEACE WITH FRANCE. *August 7.*

As Henry seemed to hearken to this discourse with willing ears, Longueville informed his master of the probability which he discovered of bringing the matter to a happy conclusion; and he received full powers for negociating the treaty. The articles were easily

adjusted between the monarchs. Louis agreed that Tournay should remain in the hands of the English; that Richard de la Pole should be banished to Metz, there to live on a pension assigned him by Louis; that Henry should receive payment of a million of crowns, being the arrears due by treaty to his father and himself; and that the princess Mary should bring four hundred thousand crowns as her portion, and enjoy as large a jointure as any queen of France, even the former, who was heiress of Britanny. The two princes also agreed on the succours with which they should mutually supply each other, in case either of them were attacked by an enemy.

In consequence of this treaty, Mary was sent over to France with a splendid retinue, and Louis met her at Abbeville, (October 9,) where the espousals were celebrated. He was enchanted with the beauty, grace, and numerous accomplishments of the young princess; and, being naturally of an amorous disposition, which his advanced age had not entirely cooled, he was seduced into such a course of gaiety and pleasure, as proved very unsuitable to his declining state of health. He died (1st January, 1515) in less than three months after the marriage, to the extreme regret of the French nation, who, sensible of his tender concern for their welfare, gave him, with one voice, the honourable appellation of *father of his people*.

Francis, duke of Angouleme, a youth of one and twenty, who had married Louis's eldest daughter, succeeded him on the throne; and by his activity, valour, generosity, and other virtues, gave prognostics of a happy and glorious reign. This young monarch had been extremely struck with the charms of the English princess; and, even during his predecessor's lifetime, had paid her such assiduous court, as made some of his friends apprehend that he had entertained views of gallantry towards her. But being warned that, by indulging this passion, he might probably exclude himself from the throne, he forbore all further addresses; and even watched the young dowager with a very careful eye during the first months of her widowhood. Charles Brandon, duke of Suffolk, was at that time, in the court of France, the most comely personage of his time, and the most accomplished in all the exercises which were then thought to befit a courtier and a soldier. He was Henry's chief favourite; and that monarch had even once entertained thoughts of marrying him to his sister, and had given indulgence to the mutual passion which took place between them. The queen asked Suffolk, whether he had now the courage, without further reflection to espouse her? And she told him, that her brother would more easily forgive him for not asking his consent, than for acting contrary to his orders. Suffolk declined not so inviting an offer; and their nuptials were secretly celebrated at Paris. Francis, who was pleased with this marriage, as it prevented Henry from forming any powerful alliance, by means of his sister, interposed his good offices in appeasing him: and even Wolsey, having entertained no jealousy of Suffolk, who was content to participate in the king's pleasures, and had no ambition to engage in public business, was active in reconciling the king to his sister and brother-in-law; and he obtained them permission to return to England.

CHAPTER XXVIII.

Wolsey's Administration——Scotch Affairs——Progress of Francis I.——Jealousy of Henry——Tournay delivered to France——Wolsey appointed Legate——His Manner of exercising that Office——Death of the Emperor Maximilian——Charles, King of Spain, chosen Emperor——Interview between Henry and Francis near Calais——The Emperor Charles arrives in England——Mediation of Henry——Trial and Condemnation of the Duke of Buckingham.

WOLSEY'S ADMINISTRATION.

THE numerous enemies whom Wolsey's sudden elevation, his aspiring character, and his haughty deportment, had raised him, served only to rivet him faster in Henry's confidence; who valued himself on supporting the choice which he had made, and who was incapable of yielding either to the murmurs of the people, or to the discontents of the great. That artful prelate likewise, well acquainted with the king's imperious temper, concealed from him the absolute ascendant which he had acquired; and while he secretly directed all public councils, he ever pretended a blind submission to the will and authority of his master. By entering into the king's pleasures, he preserved his affection; by conducting his business, he gratified his indolence; and by his unlimited complaisance in both capacities, he prevented all that jealousy to which his exorbitant acquisitions, and his splendid ostentatious train of life, should naturally have given birth. The archbishopric of York falling vacant by the death of Bambridge, Wolsey was promoted to that see, and resigned the bishopric of Lincoln. Besides enjoying the administration of Tournay, he got possession, on easy leases, of the revenues of Bath, Worcester, and Hereford, bishoprics filled by Italians, who were allowed to reside abroad, and who were glad to compound for this indulgence, by yielding a considerable share of their income. He held in commendam the abbey of St. Albans, and many other church preferments. He was even allowed to unite with the see of York, first that of Durham, next that of Winchester; and there seemed to be no end of his acquisitions. His further advancement in ecclesiastical dignity served him as a pretence for engrossing still more revenues: the pope, observing his great influence over the king, was desirous of engaging him in his interests, and created him a cardinal. No churchman, under colour of exacting respect to religion, ever carried to a greater height the state and dignity of that character. His train consisted of eight hundred servants, of whom many were knights and gentlemen: some even of the nobility put their children into his family as a place of education; and in order to gain them favour with their patron, allowed them to bear offices as his servants. Whoever was distinguished by any art or science paid court to the cardinal; and none paid court in vain. Literature, which was then in its infancy, found in him a generous patron; and both by his public institutions and private bounty, he gave encouragement to every branch of erudition. Not content with this munificence, which gained him the approbation of the wise, he strove to dazzle the eyes of the populace, by the splendour of his equipage and furniture, the costly embroidery of his liveries, the lustre of his apparel. He was the first clergyman in England that wore silk and gold, not only on his habit, but also on his saddles and the trappings of his horses. He caused his cardinal's hat to be borne aloft by a person of rank; and when he came to the king's chapel, would permit it to be laid on no place but the altar. A priest, the tallest and most comely he could find, carried before him a pillar of silver, on whose top was placed a cross: but not satisfied with this parade, to which he thought himself entitled as cardinal, he provided another priest of equal stature and beauty, who marched along, bearing the cross of York, even in the diocese of Canterbury; contrary to the ancient rule and the agreement between the prelates of these rival sees. The people made merry with the cardinal's ostentation: and said they were now sensible, that one crucifix alone was not sufficient for the expiation of his sins and offences.

Warham, chancellor and archbishop of Canterbury, a man of a moderate temper, averse to all disputes, chose rather to retire from public employment, than maintain an unequal contest with the haughty cardinal. He resigned his office of chancellor; and the great seal was immediately delivered to Wolsey. If this new accumulation of dignity increased his enemies, it also served to exalt his personal character, and prove the extent of his capacity. A strict administration of justice took place during his enjoyment of this high

office; and no chancellor ever discovered greater impartiality in his decisions, deeper penetration of judgment, or more enlarged knowledge of law and equity.

The duke of Norfolk, finding the king's money almost entirely exhausted by projects and pleasures, while his inclination for expense still continued, was glad to resign his office of treasurer, and retire from court. His rival, Fox, bishop of Winchester, reaped no advantage from his absence; but, partly overcome by years and infirmities, partly disgusted at the ascendant acquired by Wolsey, withdrew himself wholly to the care of his diocese. The duke of Suffolk had also taken offence that the king, by the cardinal's persuasion, had refused to pay a debt which he had contracted during his residence in France; and he henceforth affected to live in privacy. These incidents left Wolsey to enjoy, without a rival, the whole power and favour of the king; and they put into his hands every kind of authority. In vain did Fox, before his retirement, warn the king "not to suffer the servant to be greater than his master:" Henry replied, "that he well knew how to retain all his subjects in obedience;" but he continued still an unlimited deference in everything to the directions and counsels of the cardinal.

The public tranquillity was so well established in England, the obedience of the people so entire, the general administration of justice by the cardinal's means so exact, that no domestic occurrence happened considerable enough to disturb the repose of the king and his minister; they might even have dispensed with giving any strict attention to foreign affairs, were it possible for men to enjoy any situation in absolute tranquillity, or abstain from projects and enterprises, however fruitless and unnecessary.

SCOTCH AFFAIRS.

The will of the late king of Scotland, who left his widow regent of the kingdom, and the vote of the convention of states, which confirmed the destination, had expressly limited her authority to the condition of her remaining unmarried; but notwithstanding this limitation, a few month after her husband's death, she espoused the earl of Angus, of the name of Douglas, a young nobleman of great family and promising hopes. Some of the nobility now proposed the electing of Angus to the regency, and recommended this choice as the most likely means of preserving peace with England; but the jealousy of the great families, and the fear of exalting the Douglases, begat opposition to the measure. Lord Hume, in particular, the most powerful chieftain in the kingdom, insisted on recalling the duke of Albany, son to a brother of James III., who had been banished into France, and who, having there married, had left posterity that were the next heirs to the crown, and the nearest relations to their young sovereign. Albany, though first prince of the blood, had never been in Scotland, was totally unacquainted with the manners of the people, ignorant of their situation, unpractised in their language; yet such was the favour attending the French alliance, and so great the authority of Hume, that this prince was invited to accept the reins of government. Francis, careful not to give offence to the king of England, detained Albany some time in France; but at length, sensible how important it was to keep Scotland in his interests, he permitted him to go over and take possession of the regency; he even renewed the ancient league with that kingdom, though it implied such a close connexion as might be thought somewhat to intrench on his alliance with England.

When the regent arrived in Scotland, he made inquiries concerning the state of the country and character of the people; and he discovered a scene with which he was hitherto but little acquainted. That turbulent kingdom, he found, was rather to be considered as a confederacy, and that not a close one, of petty princes, than a regular system of civil polity; and even the king, much more a regent, possessed an authority very uncertain and precarious. Arms more than laws prevailed; and courage, preferably to equity or justice, was the virtue most valued and respected. The nobility, in whom the whole power resided, were so connected by hereditary alliances, or so divided by inveterate enmities, that it was impossible, without employing an armed force, either to punish the most flagrant guilt, or give security to the most entire innocence. Rapine and violence, when exercised on a hostile tribe, instead of making a person odious among his own clan, rather recommended him to their esteem and approbation; and by rendering him useful to the chieftain, entitled him to a preference above his fellows. And though the necessity of mutual support served as a close cement of amity among those of the same kindred, the spirit of revenge against enemies, and the desire of prosecuting the deadly feuds, (so they were called,) still appeared to be passions the most predominant among that uncultivated people.

The persons to whom Albany on his arrival first applied for information with regard to the state of the country happened to be inveterate enemies of Hume; and they represented that powerful nobleman as the chief source of public disorders, and the great obstacle to the execution of the laws and the administration of justice. Before the authority of the magistrate could be established, it was necessary, they said, to make an example of this great offender; and by the terror of his punishment, teach all lesser criminals to pay respect to the power of their sovereign. Albany, moved by these reasons, was induced to forget Hume's past services, to which he had in a great measure been indebted for the regency; and he no longer bore towards him that favourable countenance with which he was wont to receive him. Hume perceived the alteration, and was incited, both by regard to his own safety, and from motives of revenge, to take measures in opposition to the regent. He applied himself to Angus and the queen-dowager, and represented to them the danger to which the infant prince was exposed from the ambition of Albany, next heir to the crown, to whom the states had imprudently entrusted the whole authority of government. By his persuasion, Margaret formed the design of carrying off the young king, and putting him under the protection of her brother; and when that conspiracy was detected, she herself, attended by Hume and Angus, withdrew into England, where she was soon after delivered of a daughter.

Henry, in order to check the authority of Albany and the French party, gave encouragement to these malcontents, and assured them of his support. Matters being afterwards in appearance accommodated between Hume and the regent, that nobleman returned into his own country; but mutual suspicions and jealousies still prevailed. He was committed to custody, under the care of the earl of Arran, his brother-in-law; and was for some time detained prisoner in his castle. But having persuaded Arran to enter into the conspiracy with him, he was allowed to make his escape; and he openly levied war upon the regent. A new accommodation ensued, not more sincere than the foregoing; and Hume was so imprudent as to entrust himself, together with his brother, into the hands of that prince. They were immediately seized, committed to custody, brought to trial, condemned, and executed. No legal crime was proved against these brothers: it was only alleged, that at the battle of Flouden they had not done their duty in supporting the king; and as this backwardness could not, from the course of their past life, be ascribed to cowardice, it was commonly imputed to a more criminal motive. The evidence, however, of guilt produced against them was far from being valid or convincing; and the people, who hated them while living, were much dissatisfied with their execution.

Such violent remedies often produce, for some time,

a deceitful tranquillity; but as they destroy mutual confidence, and beget the most inveterate animosities, their consequences are commonly fatal, both to the public and to those who have recourse to them. The regent, however, took advantage of the present calm which prevailed; and being invited over by the French king, who was at that time willing to gratify Henry, he went into France; and was engaged to remain there for some years. During the absence of the regent some confusions prevailed in Scotland, and such mutual enmity, rapine, and violence, among the great families, that that kingdom was for a long time utterly disabled, both from offending its enemies and assisting its friends. We have carried on the Scottish history some years beyond the present period, that, as that country had little connexion with the general system of Europe, we might be the less interrupted in the narration of those more memorable events which were transacted in the other kingdoms.

It was foreseen, that a young, active prince like Francis, and of so martial a disposition, would soon employ the great preparations which his predecessor before his death had made for the conquest of Milan. He had been observed even to weep at the recital of the military exploits of Gaston de Foix; and these tears of emulation were held to be sure presages of his future valour. He renewed the treaty which Louis had made with Henry; and having left everything secure behind him, he marched his armies towards the south of France; pretending that his sole purpose was to defend his kingdom against the incursions of the Swiss. This formidable people still retained their animosity against France; and having taken Maximilian, duke of Milan, under his protection, and in reality reduced him to absolute dependence, they were determined, from views both of honour and of interest, to defend him against the invader. They fortified themselves in all those valleys of the Alps through which they thought the French must necessarily pass; and when Francis, with great secresy, industry, and perseverance, made his entrance into Piedmont by another passage, they were not dismayed, but descended into the plain, though unprovided with cavalry, and opposed themselves to the progress of the French arms. At Marignan, near Milan, (13th September,) they fought with Francis one of the most furious and best contested battles that is to be met with in the history of those later ages; and it required all the heroic valour of this prince to inspire his troops with courage sufficient to resist the desperate assault of those mountaineers. After a bloody action in the evening, night and darkness parted the combatants; but next morning the Swiss renewed the attack with unabated ardour; and it was not till they had lost all their bravest troops that they could be prevailed on to retire. The field was strewed with twenty thousand slain on both sides; and the mareschal Trivulzio, who had been present at eighteen pitched battles, declared that every engagement which he had yet seen was only the play of children; the action of Marignan was a combat of heroes. After this great victory, the conquest of the Milanese was easy and open to Francis.

The success and glory of the French monarch began to excite jealousy in Henry; and his rapid progress, though in so distant a country, was not regarded without apprehensions by the English ministry. Italy was, during that age, the seat of religion, of literature, and of commerce: and as it possessed alone that lustre which has since been shared out among other nations, it attracted the attention of all Europe, and every acquisition which was made there appeared more important than its weight in the balance of power was, strictly speaking, entitled to. Henry also thought that he had reason to complain of Francis for sending the duke of Albany into Scotland, and undermining the power and credit of his sister, the queen-dowager. The repairing of the fortifications of Teroüane was likewise regarded as a breach of treaty. But above all, what tended to alienate the court of England, was the disgust which Wolsey had entertained against the French monarch.

Henry, on the conquest of Tournay, had refused to admit Louis Gaillart, the bishop elect, to the possession of the temporalities, because that prelate declined taking the oath of allegiance to his new sovereign; and Wolsey was appointed, as above related, administrator of the bishopric. As the cardinal wished to obtain the free and undisturbed enjoyment of his revenue, he applied to Francis, and desired him to bestow on Gaillart some see of equal value in France, and to obtain his resignation of Tournay. Francis, who still hoped to recover possession of that city, and who feared that the full establishment of Wolsey in the bishopric would prove an obstacle to his purpose, had hitherto neglected to gratify the haughty prelate; and the bishop of Tournay, by applying to the court of Rome, had obtained a bull for his settlement in the see. Wolsey, who expected to be indulged in every request, and who exacted respect from the greatest princes, resented the slight put upon him by Francis; and he pushed his master to seek an occasion of quarrel with that monarch.

Maximilian, the emperor, was ready to embrace every overture for a new enterprise; especially if attended with an offer of money, of which he was very greedy, very prodigal, and very indigent. Richard Pace, formerly secretary to cardinal Bambridge, and now secretary of state, was dispatched to the court of Vienna, and had a commission to propose some considerable payments to Maximilian: he thence made a journey into Switzerland, and by like motives engaged some of the cantons to furnish troops to the emperor. That prince invaded Italy with a considerable army; but being repulsed from before Milan, he retreated with his army into Germany, made peace with France and Venice, ceded Verona to that republic for a sum of money, and thus excluded himself in some measure from all future access into Italy. And Henry found, that after expending five or six hundred thousand ducats in order to gratify his own and the cardinal's humour, he had only weakened his alliance with Francis, without diminishing the power of that prince.

There were many reasons which engaged the king not to proceed further at present in his enmity against France. He could hope for assistance from no power in Europe. Ferdinand, his father-in-law, who had often deceived him, was declining through age and infirmities; and a speedy period was looked for to the long and prosperous reign of that great monarch. Charles, prince of Spain, sovereign of the Low Countries, desired nothing but peace with Francis, who had it so much in his power, if provoked, to obstruct his peaceable accession to that rich inheritance which was awaiting him. The pope was overawed by the power of France, and Venice was engaged in a close alliance with that monarchy. Henry, therefore, was constrained to remain in tranquillity during some time; and seemed to give himself no concern with regard to the affairs of the continent. In vain did Maximilian endeavour to allure him into some expense, by offering to make a resignation of the imperial crown in his favour. The artifice was too gross to succeed, even with a prince so little politic as Henry: and Pace, his envoy, who was perfectly well acquainted with the emperor's motives and character, gave him warning that the sole view of that prince, in making him so liberal an offer, was to draw money from him.

1516. While an universal peace prevailed in Europe, that event happened which had been so long looked for, and from which such important consequences were expected, the death of Ferdinand the Catholic, and the succession of his grandson Charles to his extensive dominions. The more Charles advanced in power and authority, the more was Francis sensible of the necessity he himself lay under of gaining the confidence and friendship of Henry; and he took at last

the only method by which he could obtain success, the paying of court by presents and flattery to the haughty cardinal.

1518. Bonnivet, admiral of France, was dispatched to London, and he was directed to employ all his insinuation and address, qualities in which he excelled, to procure himself a place in Wolsey's good graces. After the ambassador had succeeded in his purpose, he took an opportunity of expressing his master's regret, that by mistakes and misapprehensions he had been so unfortunate as to lose a friendship which he so much valued as that of his eminence. Wolsey was not deaf to these honourable advances from so great a monarch; and he was thenceforth observed to express himself on all occasions in favour of the French alliance. The more to engage him in his interests, Francis entered into such confidence with him, that he asked his advice even in his most secret affairs; and had recourse to him in all difficult emergencies, as to an oracle of wisdom and profound policy. The cardinal made no secret to the king of this private correspondence: and Henry was so prepossessed in favour of the great capacity of his minister, that he said he verily believed he would govern Francis as well as himself.

When matters seemed sufficiently prepared, Bonnivet opened to the cardinal his master's desire of recovering Tournay; and Wolsey immediately, without hesitation, engaged to effect his purpose. He took an opportunity of representing to the king and council, that Tournay lay so remote from Calais, that it would be very difficult, if not impossible, in case of war, to keep the communication open between these two places: that as it was situated on the frontiers both of France and the Netherlands, it was exposed to attacks from both these countries, and must necessarily, either by force or famine, fall into the hands of the first assailant: that even in time of peace it could not be preserved without a large garrison, to restrain the numerous and mutinous inhabitants, ever discontented with the English government: and that the possession of Tournay, as it was thus precarious and expensive, so was it entirely useless, and afforded little or no means of annoying, on occasion, the dominions either of Charles or of Francis.

TOURNAY CEDED TO FRANCE.

These reasons were of themselves convincing, and were sure of meeting with no opposition when they came from the mouth of the cardinal. A treaty, therefore, was entered into for the ceding of Tournay; and in order to give to that measure a more graceful appearance, it was agreed that the dauphin and the princess Mary, both of them infants, should be betrothed, and that this city should be considered as the dowry of the princess. Such kinds of agreement were then common among sovereigns, though it was very rare that the interests and views of the parties continued so steady as to render the intended marriages effectual. But as Henry had been at considerable expense in building a citadel at Tournay, Francis agreed to pay him 600,000 crowns at twelve annual payments, and to put into his hands eight hostages, all of them men of quality, for the performance of the article: and lest the cardinal should think himself neglected in these stipulations, Francis promised him a yearly pension of twelve thousand livres, as an equivalent for his administration of the bishopric of Tournay.

The French monarch having succeeded so well in this negociation, began to enlarge his views, and to hope for more considerable advantages, by practising on the vanity and self-conceit of the favourite. He redoubled his flatteries to the cardinal, consulted him more frequently in every doubt or difficulty, called him in each letter *father*, *tutor*, *governor*, and professed the most unbounded deference to his advice and opinion. All these caresses were preparatives to a negociation for the delivery of Calais, in consideration of a sum of money to be paid for it; and if we may credit Polydore Virgil, who bears a particular ill-will to Wolsey, on account of his being dispossessed of his employment and thrown into prison by that minister, so extraordinary a proposal met with a favourable reception from the cardinal. He ventured not, however, to lay the matter before the council: he was content to sound privately the opinion of the other ministers, by dropping hints in conversation, as if he thought Calais a useless burden to the kingdom; but when he found that all men were strongly rivetted in a contrary persuasion, he thought it dangerous to proceed any further in his purpose; and as he fell soon after into new connexions with the king of Spain, the great friendship between Francis and him began gradually to decline.

WOLSEY APPOINTED LEGATE.

The pride of Wolsey was now further increased by a great accession of power and dignity. Cardinal Campeggio had been sent as legate into England, in order to procure a tithe from the clergy, for enabling the pope to oppose the progress of the Turks; a danger which was become real, and was formidable to all Christendom, but on which the politics of the court of Rome had built so many interested projects, that it had lost all influence on the minds of men. The clergy refused to comply with Leo's demands: Campeggio was recalled: and the king desired of the pope that Wolsey, who had been joined in this commission, might alone be invested with the legatine power, together with the right of visiting all the clergy and monasteries, and even with suspending all the laws of the church during a twelvemonth. Wolsey having obtained this new dignity, made a new display of that state and parade to which he was so much addicted. On solemn feast-days, he was not content with saying mass after the manner of the pope himself: not only he had bishops and abbots to serve him; he even engaged the first nobility to give him water and the towel. He affected a rank superior to what had ever been claimed by any churchman in England. Warham, the primate, having written him a letter, in which he subscribed himself *your loving brother*, Wolsey complained of his presumption in thus challenging an equality with him. When Warham was told what offence he had given, he made light of the matter:—"Know ye not," said he, "that this man is drunk with too much prosperity!"

HIS MANNER OF EXERCISING THAT OFFICE.

But Wolsey carried the matter much further than vain pomp and ostentation. He erected an office, which he called the legatine court: and as he was now, by means of the pope's commission, and the king's favour, invested with all power, both ecclesiastical and civil, no man knew what bounds were to be set to the authority of his new tribunal. He conferred on it a kind of inquisitorial and censorial power even over the laity, and directed it to inquire into all matters of conscience; into all conduct which had given scandal; into all actions which, though they escaped the law, might appear contrary to good morals. Offence was taken at this commission, which was really unbounded; and the people were the more disgusted, when they saw a man who indulged himself in pomp and pleasure, so severe in repressing the least appearance of licentiousness in others. But, to render his court more obnoxious, Wolsey made one John Allen judge in it, a person of scandalous life, whom he himself, as chancellor, had, it is said, condemned for perjury: and as it is pretended, that this man either extorted fines from every one whom he was pleased to find guilty, or took bribes to drop prosecutions, men

concluded, and with some appearance of reason, that he shared with the cardinal those wages of iniquity. The clergy, and in particular the monks, were exposed to this tyranny; and as the libertinism of their lives often gave a just handle against them, they were obliged to purchase an indemnity, by paying large sums of money to the legate or his judge. Not content with this authority, Wolsey pretended, by virtue of his commission, to assume the jurisdiction of all the bishops' courts: particularly that of judging of wills and testaments; and his decisions in those important points were deemed not a little arbitrary. As if he himself were pope, and as if the pope could absolutely dispose of every ecclesiastical preferment, he presented to whatever priories or benefices he pleased, without regard to the right of election in the monks, or of patronage in the nobility and gentry.*

No one durst carry to the king any complaint against these usurpations of Wolsey, till Warham ventured to inform him of the discontents of his people. Henry professed his ignorance of the whole matter. "A man," said he, "is not so blind anywhere as in his own house: but do you, father," added he to the primate, "go to Wolsey, and tell him, if anything be amiss, that he amend it." A reproof of this kind was not likely to be effectual: it only served to augment Wolsey's enmity to Warham: but one London having prosecuted Allen, the legate's judge, in a court of law, and having convicted him of malversation and iniquity, the clamour at last reached the king's ears; and he expressed such displeasure to the cardinal, as made him ever after more cautious in exerting his authority.

DEATH OF THE EMPEROR MAXIMILIAN.

While Henry, indulging himself in pleasure and amusement, entrusted the government of his kingdom to this imperious minister, an incident happened abroad, which excited his attention. Maximilian, the emperor, died; (January 12, 1519;) a man who, of himself, was indeed of little consequence; but as his death left vacant the first station among Christian princes, it set the passions of men in agitation, and proved a kind of era in the general system of Europe. The kings of France and Spain immediately declared themselves candidates for the imperial crown; and employed every expedient of money or intrigue, which promised them success in so great a point of ambition. Henry also was encouraged to advance his pretensions; but his minister, Pace, who was dispatched to the electors, found that he began to solicit too late, and that the votes of all these princes were already pre-engaged either on one side or the other.

CHARLES, KING OF SPAIN, CHOSEN EMPEROR.

Francis and Charles made profession from the beginning of carrying on this rivalship with emulation but without enmity; and Francis in particular declared that his brother Charles and he were, fairly and openly, suitors to the same mistress: the more fortunate, added he, will carry her; the other must rest contented. But all men apprehended, that this extreme moderation, however reasonable, would not be of long duration; and that incidents would certainly occur to sharpen the minds of the candidates against each other. It was Charles who at length prevailed, to the great disgust of the French monarch, who still continued to the last in the belief that the majority of the electoral college was engaged in his favour. And as he was some years superior in age to his rival, and, after his victory at Marignan, and conquest of the Milanese, much superior in renown, he could not suppress his indignation at being thus, in the face of the world, after long and anxious expectation, disappointed in so important a pretension From this competition, as much as from opposition of interests, arose that emulation between those two great monarchs; which while it kept their whole age in movement, sets them in so remarkable a contrast to each other: both of them princes endowed with talents and abilities; brave, aspiring, active, warlike; beloved by their servants and subjects, dreaded by their enemies, and respected by all the world: Francis, open, frank, liberal, munificent, carrying these virtues to an excess which prejudiced his affairs: Charles, political, close, artful, frugal; better qualified to obtain success in wars and in negociation, especially the latter. The one the more amiable man; the other the greater monarch. The king, from his oversights and indiscretions, naturally exposed to misfortunes; but qualified by his spirit and magnanimity, to extricate himself from them with honour: the emperor, by his designing, interested character, fitted, in his greatest successes, to excite jealousy and opposition even among his allies, and to rouse up a multitude of enemies in the place of one whom he had subdued. And as the personal qualities of these princes thus counterpoised each other, so did the advantages and disadvantages of their dominions. Fortune alone, without the concurrence of prudence or valour, never reared up, of a sudden, so great a power as that which centred in the emperor Charles. He reaped the succession of Castile, of Arragon, of Austria, of the Netherlands: he inherited the conquest of Naples, of Grenada: election entitled him to the empire: even the bounds of the globe seemed to be enlarged a little before his time, that he might possess the whole treasure, as yet entire and unrifled, of the new world. But though the concurrence of all these advantages formed an empire, greater and more extensive than any known in Europe since that of the Romans, the kingdom of France alone, being close, compact, united, rich, populous, and being interposed between the provinces of the emperor's dominions, was able to make a vigorous opposition to his progress, and maintain the contest against him.

Henry possessed the felicity of being able, both by the native force of his kingdom and its situation, to hold the balance between those two powers; and had he known to improve, by policy and prudence, this singular and inestimable advantage, he was really by means of it, a greater potentate than either of these mighty monarchs, who seemed to strive for the dominion of Europe. But this prince was, in his character, heedless, inconsiderate, capricious, impolitic; guided by his passions or his favourite: vain, imperious, haughty; sometimes actuated by friendship for foreign powers, oftener by resentment, seldom by his true interest. And thus, though he exulted in that superiority which his situation in Europe gave him, he never employed it to his own essential and durable advantage, or to that of his kingdom.

INTERVIEW BETWEEN HENRY AND FRANCIS AT CALAIS. 1520.

Francis was well acquainted with Henry's character, and endeavoured to accommodate his conduct to it. He solicited an interview near Calais; in expectation of being able, by familiar conversation, to gain upon his friendship and confidence. Wolsey earnestly seconded this proposal; and hoped, in the presence of both courts, to make parade of his riches, his splendour, and his influence over both monarchs. And as Henry himself loved show and magnificence, and had entertained a curiosity of being personally acquainted with the French king, he cheerfully adjusted all the preliminaries of this interview. The nobility of both nations vied with each other in pomp and expense

* Polydore Virgil, lib. 27. This whole narrative has been copied by all the historians from the author here cited: there are many circumstances, however, very suspicious, both because of the obvious partiality of the historian, and because the parliament, when they afterwards examined Wolsey's conduct, could find no proof of any material offence he had ever committed.

many of them involved themselves in great debts, and were not able, by the penury of their whole lives, to repair the vain splendour of a few days. The duke of Buckingham, who though very rich, was somewhat addicted to frugality, finding his preparations for this festival amount to immense sums, threw out some expressions of displeasure against the cardinal, whom he believed the author of that measure: an imprudence which was not forgotten by this minister.

THE EMPEROR CHARLES ARRIVES IN ENGLAND. *May* 25.

While Henry was preparing to depart for Calais, he heard that the emperor was arrived at Dover; and he immediately hastened thither with the queen, in order to give a suitable reception to his royal guest. That great prince, politic though young, being informed of the intended interview between Francis and Henry, was apprehensive of the consequences, and was resolved to take the opportunity, in his passage from Spain to the Low Countries, to make the king still a higher compliment by paying him a visit in his own dominions. Besides the marks of regard and attachment which he gave to Henry, he strove by every testimony of friendship, by flattery, protestations, promises, and presents, to gain on the vanity, the avarice, and the ambition of the cardinal. He here instilled into this aspiring prelate the hope of attaining the papacy; and as that was the sole point of elevation beyond his present greatness, it was sure to attract his wishes with the same ardour as if fortune had never yet favoured him with any of her presents. In confidence of reaching this dignity by the emperor's assistance, he secretly devoted himself to that monarch's interests; and Charles was perhaps the more liberal of his promises because Leo was a very young man; and it was not likely that, for many years, he should be called upon to fulfil his engagements. Henry easily observed this courtship paid to his minister; but instead of taking umbrage at it, he only made it a subject of vanity; and believed that, as his favour was Wolsey's sole support, the obeisance of such mighty monarchs to his servant, was in reality a more conspicuous homage to his own grandeur.

The day of Charles's departure, (30th May,) Henry went over to Calais with the queen and his whole court; and thence proceeded to Guisnes, a small town near the frontiers. Francis, attended in like maner, came to Ardres, a few miles distant; and the two monarchs met, for the first time, in the fields, at a place situated between these two towns, but still within the English pale: for Francis agreed to pay this compliment to Henry, in consideration of that prince's passing the sea that he might be present at the interview. Wolsey, to whom both kings had entrusted the regulation of the ceremonial, contrived this circumstance, in order to do honour to his master. The nobility both of France and England here displayed their magnificence with such emulation and profuse expense, as procured to the place of interview the name of *the field of the cloth of gold.*

The two monarchs, after saluting each other in the most cordial manner, retired into a tent which had been erected on purpose, and they held a secret conference together. Henry here proposed to make some amendments on the articles of their former alliance; and he began to read the treaty, *I Henry, King:* these were the first words; and he stopped a moment. He subjoined only the words *of England*, without adding *France*, the usual style of the English monarchs. Francis remarked this delicacy, and expressed by a smile his approbation of it.

He took an opportunity soon after of paying a compliment to Henry of a more flattering nature. That generous prince, full of honour himself, and incapable of distrusting others, was shocked at all the precautions which were observed, whenever he had an interview with the English monarch: the number of their guards and attendants was carefully reckoned on both sides: every step was scrupulously measured and adjusted: and if the two kings intended to pay a visit to the queens, they departed from their respective quarters at the same instant, which was marked by the firing of a culverin; they passed each other in the middle point between the places; and the moment that Henry entered Ardres, Francis put himself into the hands of the English at Guisnes. In order to break off this tedious ceremonial, which contained so many dishonourable implications, Francis, one day, took with him two gentlemen and a page, and rode directly into Guisnes. The guards were surprised at the presence of the monarch, who called aloud to them, *You are all my prisoners: carry me to your master.* Henry was equally astonished at the appearance of Francis; and taking him in his arms, "My brother," said he, "you have here played me the most agreeable trick in this world, and have showed me the full confidence I may place in you: I surrender myself your prisoner from this moment." He took from his neck a collar of pearls, worth 15,000 angels;* and putting it about Francis's, begged him to wear it for the sake of his prisoner. Francis agreed, but on condition that Henry should wear a bracelet, of which he made him a present, and which was was double in value to the collar. The king went next day to Ardres, without guards or attendants; and confidence being now fully established between the monarchs, they employed the rest of the time entirely in tournaments and festivals.

A defiance had been sent by the two kings to each other's court, and through all the chief cities in Europe, importing, that Henry and Francis, with fourteen aids, would be ready, in the plains of Picardy, to answer all comers that were gentlemen, at tilt, tournament, and barriers. The monarchs, in order to fulfil this challenge, advanced into the field on horseback, Francis surrounded with Henry's guards, and Henry with those of Francis. They were gorgeously apparelled; and were both of them the most comely personages of their age, as well as the most expert in every military exercise. They carried away the prize at all trials in those rough and dangerous pastimes; and several horses and riders were overthrown by their vigour and dexterity. The ladies were the judges in these feats of chivalry, and put an end to the rencounter, whenever they judged it expedient. Henry erected a spacious house of wood and canvass, which had been framed in London; and he there feasted the French monarch. He had placed a motto on this fabric, under the figure of an English archer embroidered on it, *Cui adhæreo præst: He prevails whom I favour:* expressing his own situation as holding in his hands the balance of power among the potentates of Europe. In these entertainments, more than in any serious business, did the two kings pass their time, till their departure.

Henry paid then a visit to the emperor and Margaret of Savoy at Gravelines, (24th June,) and engaged them to go along with him to Calais, and pass some days in that fortress. The artful and politic Charles here completed the impression which he had begun to make on Henry and his favourite, and effaced all the friendship to which the frank and generous nature of Francis had given birth. As the house of Austria began sensibly to take the ascendant over the French monarchy, the interests of England required, that some support should be given to the latter, and, above all, that any important wars should be prevented, which might bestow on either of them a decisive superiority over the other. But the jealousy of the English against France has usually prevented a cordial union between these nations: and Charles, sensible of this hereditary animosity, and desirous further to flatter Henry's vanity, had made him an offer (an offer in which Francis was afterwards obliged to concur) that he should be entirely

* An angel was then estimated at seven shillings, or near twelve of our present money.

arbiter in any dispute or difference that might arise between the monarchs. But the masterpiece of Charles's politics was the securing of Wolsey in his interests, by very important services, and still higher promises. He renewed assurances of assisting him in obtaining the papacy; and he put him in present possession of the revenues belonging to the sees of Badajox and Placencia in Castile. The acquisitions of Wolsey were now become so exorbitant, that, joined to the pensions from foreign powers, which Henry allowed him to possess, his revenues were computed nearly equal to those which belonged to the crown itself; and he spent them with a magnificence, or rather an ostentation, which gave general offence to the people, and even lessened his master in the eyes of all foreign nations.

WAR BETWEEN CHARLES AND FRANCIS—MEDIATION OF HENRY. 1521.

The violent personal emulation and political jealousy which had taken place between the emperor and the French king soon broke out in hostilities. But while these ambitious and warlike princes were acting against each other in almost every part of Europe, they still made professions of the strongest desire of peace; and both of them incessantly carried their complaints to Henry, as to the umpire between them. The king, who pretended to be neutral, engaged them to send their ambassadors to Calais, there to negociate a peace under the mediation of Wolsey and the pope's nuncio. The emperor was well apprized of the partiality of these mediators; and his demands in the conference were so unreasonable, as plainly proved him conscious of the advantage. He required the restitution of Burgundy, a province which many years before had been ceded to France by treaty, and which, if in his possession, would have given him entrance into the heart of that kingdom: and he demanded to be freed from the homage which his ancestors had always done for Flanders and Artois, and which he himself had, by the treaty of Noyon, engaged to renew. On Francis's rejecting these terms, the congress of Calais broke up, and Wolsey, soon after, took a journey to Bruges, where he met with the emperor. (24th November.) He was received with the same state, magnificence, and respect as if he had been the king of England himself; and he concluded, in his master's name, an offensive alliance with the pope and the emperor against France. He stipulated, that England should next summer invade that kingdom with forty thousand men; and he betrothed to Charles the princess Mary, the king's only child, who had now some prospect of inheriting the crown. This extravagant alliance, which was prejudicial to the interests, and might have proved fatal to the liberty and independence of the kingdom, was the result of the humours and prejudices of the king, and the private views and expectations of the cardinal.

TRIAL AND CONDEMNATION OF THE DUKE OF BUCKINGHAM.

The people saw every day new instances of the uncontrolled authority of this minister. The duke of Buckingham, constable of England, the first nobleman both for family and fortune in the kingdom, had imprudently given disgust to the cardinal; and it was not long before he found reason to repent of his indiscretion. He seems to have been a man full of levity and rash projects; and being infatuated with judicial astrology, he entertained a commerce with one Hopkins, a Carthusian friar, who encouraged him in the notion of his mounting one day the throne of England. He was descended by a female from the duke of Gloucester, youngest son of Edward III.; and though his claim to the crown was thereby very remote, he had been so unguarded as to let fall some expressions, as if he thought himself best entitled, in case the king should die without issue, to possess the royal dignity. He had not even abstained from threats against the king's life, and had provided himself with arms, which he intended to employ, in case a favourable opportunity should offer. He was brought to a trial; and the duke of Norfolk, whose son, the earl of Surrey, had married Buckingham's daughter, was created lord-steward, in order to preside at this solemn procedure. The jury consisted of a duke, a marquis, seven earls, and twelve barons; and they gave their verdict against Buckingham, which was soon after carried into execution. There is no reason to think the sentence unjust; but as Buckingham's crimes seemed to proceed more from indiscretion than deliberate malice, the people, who loved him, expected that the king would grant him a pardon, and imputed their disappointment to the animosity and revenge of the cardinal. The king's own jealousy, however, of all persons allied to the crown, was, notwithstanding his undoubted title, very remarkable during the whole course of his reign; and was alone sufficient to render him implacable against Buckingham. The office of constable, which this nobleman inherited from the Bohuns, earls of Hereford, was forfeited, and was never after revived in England.

CHAPTER XXIX.

Digression concerning the Ecclesiastical State—Origin of the Reformation—Martin Luther—Henry receives the Title of Defender of the Faith—Causes of the Progress of the Reformation—War with France—Invasion of France—War with Scotland—A Parliament—Invasion of France—Italian Wars—The King of France invades Italy—Battle of Pavia and Captivity of Francis—Francis recovers his Liberty—Sack of Rome—League with France.

DURING some years, many parts of Europe had been agitated with those religious controversies which produced the Reformation, one of the greatest events in history: but as it was not till this time that the king of England publicly took part in the quarrel, we had no occasion to give any account of its rise and progress. It will now be necessary to explain these theological disputes, or, what is more material, to trace from their origin those abuses which so generally diffused the opinion, that a reformation of the church, or ecclesiastical order, was become highly expedient, if not absolutely necessary. We shall be better enabled to comprehend the subject, if we take the matter a little higher, and reflect a moment on the reasons why there must be an ecclesiastical order and a public establishment of religion in every civilized community. The importance of the present occasion will, I hope, excuse this short digression.

DIGRESSION CONCERNING THE ECCLESIASTICAL STATE.

Most of the arts and professions in a state are of such a nature, that, while they promote the interests of the society, they are also useful or agreeable to some individuals; and in that case, the constant rule of the magistrate, except, perhaps, on the first introduction of any art, is to leave the profession to itself, and trust its encouragement to those who reap the benefit of it. The artisans, finding their profits to rise by the favour of their customers, increase, as much as possible, their skill and industry; and as matters are not disturbed by any injudicious tampering, the commodity is always sure to be at all times nearly proportioned to the demand.

But there are also some callings which, though useful and even necessary in a state, bring no particular advantage or pleasure to any individual; and the supreme power is obliged to alter its conduct with regard to the retainers of those professions. It must give them public encouragement in order to their subsistence; and it must provide against that negligence to which they will

naturally be subject, either by annexing peculiar honours to the profession, by establishing a long subordination of ranks and a strict dependence, or by some other expedient. The persons employed in the finances, armies, fleets, and magistracy, are instances of this order of men.

It may naturally be thought, at first sight, that the ecclesiastics belong to the first class, and that their encouragement, as well as that of lawyers and physicians, may safely be entrusted to the liberality of individuals who are attached to their doctrines, and who find benefit or consolation from their spiritual ministry and assistance. Their industry and vigilance will, no doubt, be whetted by such an additional motive; and their skill in their profession, as well as their address in governing the minds of the people, must receive daily increase, from their increasing practice, study, and attention.

But if we consider the matter more closely, we shall find, that this interested diligence of the clergy is what every wise legislator will study to prevent; because in every religion, except the true, it is highly pernicious, and it has even a natural tendency to pervert the true, by infusing into it a strong mixture of superstition, folly, and delusion. Each ghostly practitioner, in order to render himself more precious and sacred in the eyes of his retainers, will inspire them with the most violent abhorrence of all other sects, and continually endeavour, by some novelty, to excite the languid devotion of his audience. No regard will be paid to truth, morals, or decency, in the doctrines inculcated. Every tenet will be adopted that best suits the disorderly affections of the human frame. Customers will be drawn to each conventicle by new industry and address, in practising on the passions and credulity of the populace. And in the end, the civil magistrate will find, that he has dearly paid for his pretended frugality, in saving a fixed establishment for the priests; and that in reality the most decent and advantageous composition, which he can make with the spiritual guides, is to bribe their indolence, by assigning stated salaries to their profession, and rendering it superfluous for them to be further active, than merely to prevent their flock from straying in quest of new pastures. And in this manner ecclesiastical establishments, though commonly they arose at first from religious views, prove in the end advantageous to the political interests of society.

But we may observe, that few ecclesiastical establishments have been fixed upon a worse foundation than that of the church of Rome, or have been attended with circumstances more hurtful to the peace and happiness of mankind.

The large revenues, privileges, immunities, and powers of the clergy rendered them formidable to the civil magistrate, and armed with too extensive authority an order of men, who always adhere closely together, and who never want a plausible pretence for their encroachments and usurpations. The higher dignities of the church served, indeed, to the support of gentry and nobility; but by the establishment of monasteries, many of the lowest vulgar were taken from the useful arts, and maintained in those receptacles of sloth and ignorance. The supreme head of the church was a foreign potentate, guided by interests always different from those of the community, sometimes contrary to them. And as the hierarchy was necessarily solicitous to preserve an unity of faith, rites, and ceremonies, all liberty of thought ran a manifest risk of being extinguished; and violent persecutions, or, what was worse, a stupid and abject credulity, took place everywhere.

To increase these evils, the church, though she possessed large revenues, was not contented with her acquisitions, but retained a power of practising further on the ignorance of mankind. She even bestowed on each individual priest a power of enriching himself by the voluntary oblations of the faithful, and left him still an urgent motive for diligence and industry in his calling. And thus, that church though an expensive and burdensome establishment, was liable to many of the inconveniences which belong to an order of priests trusting entirely to their own art and invention for attaining a subsistence.

The advantages attending the Romish hierarchy were but a small compensation for its inconveniences. The ecclesiastical privileges during barbarous times had served as a check on the despotism of kings. The union of all the western churches under the supreme pontiff facilitated the intercourse of nations, and tended to bind all the parts of Europe into a close connexion with each other. And the pomp and splendour of worship which belonged to so opulent an establishment, contributed in some respect to the encouragement of the fine arts, and began to diffuse a general elegance of taste, by uniting it with religion.

It will easily be conceived, that though the balance of evil prevailed in the Romish church, this was not the chief reason which produced the Reformation. A concurrence of incidents must have contributed to forward that great revolution.

ORIGIN OF THE REFORMATION.

Leo X., by his generous and enterprising temper, had much exhausted his treasury, and was obliged to employ every invention which might yield money, in order to support his projects, pleasures, and liberalities. The scheme of selling indulgences was suggested to him, as an expedient which had often served in former times to draw money from the Christian world, and make devout people willing contributors to the grandeur and riches of the court of Rome. The church, it was supposed, was possessed of a great stock of merit, as being entitled to all the good works of all the saints, beyond what were employed in their own justification; and even to the merits of Christ himself, which were infinite and unbounded: and from this unexhausted treasury the pope might retain particular portions, and by that traffic acquire money, to be employed in pious purposes, in resisting the infidels, or subduing schismatics. When the money came into his exchequer, the greater part of it was usually diverted to other purposes.

It is commonly believed that Leo, from the penetration of his genius, and his familiarity with ancient literature, was fully acquainted with the ridicule and falsity of the doctrines which, as supreme pontiff, he was obliged by his interest to promote: it is the less wonder, therefore, that he employed for his profit those pious frauds which his predecessors, the most ignorant and credulous, had always, under plausible pretences, made use of for their selfish purposes. He published the sale of a general indulgence; and as his expenses had not only exhausted his usual revenue, but even anticipated the money expected from this extraordinary expedient, the several branches of it were openly given away to particular persons, who were entitled to levy the imposition. The produce, particularly of Saxony and the countries bordering on the Baltic, was assigned to his sister Magdalene, married to Cibo, natural son of Innocent VIII.; and she, in order to enhance her profit, had farmed out the revenue to one Arcemboldi, a Genoese, once a merchant, now a bishop, who still retained all the lucrative arts of his former profession. The Austin friars had usually been employed in Saxony to preach the indulgences, and from this trust had derived both profit and consideration; but Arcemboldi, fearing lest practice might have taught them means to secrete the money, and expecting no extraordinary success from the ordinary methods of collection, gave this occupation to the Dominicans. These monks, in order to prove themselves worthy of the distinction conferred on them, exaggerated the benefits of indulgences by the most unbounded panegyrics; and advanced doctrines on that head, which, though not more ridiculous than those already received, were not as yet entirely familiar to the ears of the people [*See note* 2 R, *at the end of this Vol.*] To add to the scandal, the collectors of this re-

venue are said to have lived very licentious lives, and to have spent in taverns, gaming-houses, and places still more infamous, the money which devout persons had saved from their usual expenses, in order to purchase a remission of their sins.

MARTIN LUTHER.

All these circumstances might have given offence, but would have been attended with no event of any importance, had there not arisen a man qualified to take advantage of the incident. Martin Luther, an Austin friar, professor in the university of Wittemberg, resenting the affront put upon his order, began to preach against these abuses in the sale of indulgences; and being naturally of a fiery temper, and provoked by opposition, he proceeded even to decry indulgences themselves; and was thence carried, by the heat of dispute, to question the authority of the pope, from which his adversaries derived their chief arguments against him. Still as he enlarged his reading, in order to support these tenets, he discovered some new abuse or error in the church of Rome; and finding his opinions greedily hearkened to, he promulgated them by writing, discourse, sermon, conference, and daily increased the number of his disciples. All Saxony, all Germany, all Europe, were in a very little time filled with the voice of this daring innovator; and men, roused from that lethargy in which they had so long slept, began to call in question the most ancient and most received opinions. The elector of Saxony, favourable to Luther's doctrine, protected him from the violence of the papal jurisdiction: the republic of Zurich even reformed their church according to the new model: many sovereigns of the empire, and the Imperial diet itself, showed a favourable disposition towards it: and Luther, a man naturally inflexible, vehement, opinionative, was become incapable, either from promises of advancement or terrors of severity, to relinquish a sect of which he was himself the founder, and which brought him a glory superior to all others, the glory of dictating the religious faith and principles of multitudes.

HENRY RECEIVES THE TITLE OF DEFENDER OF THE FAITH.

The rumour of these innovations soon reached England; and as there still subsisted in that kingdom great remains of the Lollards, whose principles resembled those of Luther, the new doctrines secretly gained many partisans among the laity of all ranks and denominations. But Henry had been educated in a strict attachment to the church of Rome, and he bore a particular prejudice against Luther, who in his writings spoke with contempt of Thomas Aquinas, the king's favourite author: he opposed himself therefore to the progress of the Lutheran tenets, by all the influence which his extensive and almost absolute authority conferred upon him: he even undertook to combat them with weapons not usually employed by monarchs, especially those in the flower of their age and force of their passions. He wrote a book in Latin against the principles of Luther; a performance which, if allowance be made for the subject and the age, does no discredit to his capacity. He sent a copy of it to Leo, who received so magnificent a present with great testimony of regard; and conferred on him the title of "defender of the faith;" an appellation still retained by the kings of England. Luther, who was in the heat of controversy, soon published an answer to Henry; and, without regard to the dignity of his antagonist, treated him with all the acrimony of style to which in the course of his polemics he had so long been accustomed. The king by this ill usage was still more prejudiced against the new doctrines; but the public, who naturally favour the weaker party, were inclined to attribute to Luther the victory in the dispute. And as the controversy became more illustrious by Henry's entering the lists, it drew still more the attention of mankind; and the Lutheran doctrine daily acquired new converts in every part of Europe.

CAUSES OF THE PROGRESS OF THE REFORMATION.

The quick and surprising progress of this bold sect may justly in part be ascribed to the late invention of printing, and revival of learning. Not that reason bore any considerable share in opening men's eyes with regard to the impostures of the Romish church: for of all branches of literature, philosophy had, as yet, and till long afterwards, made the most inconsiderable progress; neither is there any instance that argument has ever been able to free the people from that enormous load of absurdity with which superstition has everywhere overwhelmed them: not to mention, that the rapid advance of the Lutheran doctrine, and the violence with which it was embraced, prove sufficiently that it owed not its success to reason and reflection. The art of printing and the revival of learning forwarded its progress in another manner. By means of that art the books of Luther and his sectaries, full of vehemence, declamation, and a rude eloquence, were propagated more quickly, and in greater numbers. The minds of men, somewhat awakened from a profound sleep of so many centuries, were prepared for every novelty, and scrupled less to tread in any unusual path which was opened to them. And as copies of the scriptures and other ancient monuments of the Christian faith became more common, men perceived the innovations which were introduced after the first centuries; and though argument and reasoning could not give conviction, an historical fact, well supported, was able to make impression on their understandings. Many of the powers, indeed, assumed by the church of Rome, were very ancient, and were prior to almost every political government established in Europe: but as the ecclesiastics would not agree to possess their privileges as matters of civil right, which time might render valid, but appealed still to a divine origin, men were tempted to look into their primitive charter; and they could, without much difficulty, perceive its defect in truth and authenticity.

In order to bestow on this topic the greater influence, Luther and his followers, not satisfied with opposing the pretended divinity of the Romish church, and displaying the temporal inconveniences of that establishment, carried matters much further, and treated the religion of their ancestors as abominable, detestable, damnable; foretold by sacred writ itself as the source of all wickedness and pollution. They denominated the pope antichrist, called his communion the scarlet whore, and gave to Rome the appellation of Babylon; expressions which, however applied, were to be found in scripture, and which were better calculated to operate on the multitude than the most solid argument. Excited by contest and persecution on the one hand, by success and applause on the other, many of the reformers carried to the greatest extremity their opposition to the church of Rome; and in contradiction to the multiplied superstitions with which that communion was loaded, they adopted an enthusiastic strain of devotion, which admitted of no observances, rites, or ceremonies, but placed all merit in a mysterious species of faith, inward vision, rapture, and ecstasy. The new sectaries, seized with this spirit, were indefatigable in the propagation of their doctrine, and set at defiance all the anathemas and punishments with which the Roman pontiff endeavoured to overwhelm them.

That the civil power, however, might afford them protection against the ecclesiastical jurisdiction, the Lutherans advanced doctrines favourable in some respect to the temporal authority of sovereigns. They inveighed against the abuses of the court of Rome, with which men were at that time generally discontented; and they exhorted princes to reinstate them-

selves in those powers of which the encroaching spirit of the ecclesiastics, especially of the sovereign pontiff, had so long bereaved them. They condemned celibacy and monastic vows, and thereby opened the doors of the convents to those who were either tired of the obedience and chastity, or disgusted with the licence in which they had hitherto lived. They blamed the excessive riches, the idleness, the libertinism of the clergy; and pointed out their treasures and revenues as lawful spoil to the first invader. And as the ecclesiastics had hitherto conducted a willing and stupid audience, and were totally unacquainted with controversy, much more with every species of true literature, they were unable to defend themselves against men armed with authorities, quotations, and popular topics, and qualified to triumph in every altercation or debate. Such were the advantages with which the reformers began their attack on the Romish hierarchy; and such were the causes of their rapid and astonishing success.

Leo X., whose oversights and too supine trust in the profound ignorance of the people, had given rise to this sect, but whose sound judgment, moderation, and temper, were well qualified to retard its progress, died in the flower of his age, a little after he received the king's book against Luther; and he was succeeded in the papal chair by Adrian, a Fleming, (1st December,) who had been tutor to the emperor Charles. This man was fitted to gain on the reformers by the integrity, candour, and simplicity of manners which distinguished his character; but so violent were their prejudices against the church, he rather hurt the cause by his imprudent exercise of those virtues. He frankly confessed that many abominable and detestable practices prevailed in the court of Rome; and by this sincere avowal he gave occasion of much triumph to the Lutherans. This pontiff also, whose penetration was not equal to his good intentions, was seduced to concur in that league which Charles and Henry had formed against France; and he thereby augmented the scandal occasioned by the practice of so many preceding popes, who still made their spiritual arms subservient to political purposes.

1522. The emperor, who knew that Wolsey had received a disappointment in his ambitious hopes by the election of Adrian, and who dreaded the resentment of that haughty minister, was solicitous to repair the breach made in their friendship by this incident. He paid another visit to England; (26th May;) and besides flattering the vanity of the king and the cardinal, he renewed to Wolsey all the promises which he had made him, of seconding his pretensions to the papal throne. Wolsey, sensible that Adrian's great age and infirmities promised a speedy vacancy, dissembled his resentment, and was willing to hope for a more prosperous issue to the next election. The emperor renewed the treaty made at Bruges, to which some articles were added; and he agreed to indemnify both the king and Wolsey for the revenue which they should lose by a breach with France. The more to ingratiate himself with Henry and the English nation, he gave to Surrey, admiral of England, a commission for being admiral of his dominions; and he himself was installed knight of the garter at London. After a stay of six weeks in England, he embarked at Southampton, and in ten days arrived in Spain, where he soon pacified the tumults which had arisen in his absence.

WAR WITH FRANCE.

The king declared war against France; and this measure was founded on so little reason, that he could allege nothing as a ground of quarrel, but Francis's refusal to submit to his arbitration, and his sending Albany into Scotland. This last step had not been taken by the French king, till he was quite assured of Henry's resolution to attack him. Surrey landed some troops at Cherbourg, in Normandy; and after laying waste the country, he sailed to Morlaix, a rich town in Britanny, which he took and plundered. The English merchants had great property in that place, which was no more spared by the soldiers than the goods of the French. Surrey then left the charge of the fleet to the vice-admiral; and sailed to Calais, where he took the command of the English army, destined for the invasion of France. This army, when joined by forces from the Low Countries, under the command of the count de Buren, amounted in the whole to 18,000 men.

INVASION OF FRANCE.

The French had made it a maxim in almost all their wars with the English since the reign of Charles V., never without great necessity to hazard a general engagement; and the duke of Vendôme, who commanded the French army, now embraced this wise policy. He supplied the towns most exposed, especially Boulogne, Montreuil, Teroüane, Hedin, with strong garrisons and plenty of provisions: he himself took post at Abbeville, with some Swiss and French infantry, and a body of cavalry: the count of Guise encamped under Montreuil with six thousand men. These two bodies were in a situation to join upon occasion; to throw supply into any town that was threatened; and to harass the English in every movement. Surrey, who was not provided with magazines, first divided his troops for the convenience of subsisting them; but finding that his quarters were every moment beaten up by the activity of the French generals, he drew together his forces, and laid siege to Hedin. But neither did he succeed in this enterprise. The garrison made vigorous sallies upon his army: the French forces assaulted him from without: great rains fell: fatigue and bad weather threw the soldiers into dysenteries: and Surrey was obliged to raise the siege, and put his troops into winter-quarters about the end of October. His rear-guard was attacked at Pas, in Artois, and five or six hundred men were cut off; nor could all his efforts make him master of one place within the French frontier.

The allies were more successful in Italy. Lautrec, who commanded the French, lost a great battle at Bicocca, near Milan; and was obliged to retire with the remains of his army. This misfortune, which proceeded from Francis's negligence in not supplying Lautrec with money, was followed by the loss of Genoa. The castle of Cremona was the sole fortress in Italy which remained in the hands of the French.

WAR WITH SCOTLAND.

Europe was now in such a situation, and so connected by different alliances and interests, that it was almost impossible for war to be kindled in one part and not diffuse itself throughout the whole: but of all the leagues among kingdoms, the closest was that which had so long subsisted between France and Scotland; and the English, while at war with the former nation, could not hope to remain long unmolested on the northern frontier. No sooner had Albany arrived in Scotland, than he took measures for kindling a war with England; and he summoned the whole force of the kingdom to meet in the fields of Rosline. He thence conducted the army southwards into Annandale; and prepared to pass the borders at Solway-Frith. But many of the nobility were disgusted with the regent's administration: and observing that his connexions with Scotland were feeble in comparison of those which he maintained with France, they murmured that, for the sake of foreign interests, their peace should so often be disturbed, and war during their king's minority be wantonly entered into with a neighbouring nation, so much superior in force and riches. The Gordons, in particular, refused to advance

any further: and Albany, observing a general discontent to prevail, was obliged to conclude a truce with lord Dacres, warden of the English west marches. Soon after he departed for France; and lest the opposite faction should gather force in his absence, he sent thither before him the earl of Angus, husband to the queen-dowager.

1523. Next year Henry, that he might take advantage of the regent's absence, marched an army into Scotland, under the command of Surrey, who ravaged the Merse and Teviotdale without opposition, and burned the town of Jedburgh. The Scots had neither king nor regent to conduct them: the two Humes had been put to death: Angus was in a manner banished: no nobleman of vigour or authority remained, who was qualified to assume the government: and the English monarch, who knew the distressed situation of the country, determined to push them to extremity, in hopes of engaging them, by the sense of their present weakness, to make a solemn renunciation of the French alliance, and to embrace that of England. He even gave them hopes of contracting a marriage between the lady Mary, heiress of England, and their young monarch; an expedient which would for ever unite the two kingdoms: and the queen-dowager, with her whole party, recommended everywhere the advantages of this alliance, and of a confederacy with Henry. They said that the interest of Scotland had too long been sacrificed to those of the French nation, who, whenever they found themselves reduced to difficulties, called for the assistance of their allies; but were ready to abandon them as soon as they found their advantage in making peace with England: that where a small state entered into so close a confederacy with a greater, it must always expect this treatment, as a consequence of unequal alliance; but there were peculiar circumstances in the situation of the kingdoms which in the present case rendered it inevitable: that France was so distant and so divided from them by sea, that she scarcely could by any means, and never could in time, send succours to the Scots, sufficient to protect them against ravages from the neighbouring kingdom: that nature had in a manner formed an alliance between the two British nations; having inclosed them in the same island; given them the same manners, language, laws, and form of government; and prepared everything for an intimate union between them: and that if national antipathies were abolished, which would soon be the effect of peace, these two kingdoms, secured by the ocean and by their domestic force, could set at defiance all foreign enemies, and remain for ever safe and unmolested.

The partisans of the French alliance, on the other hand, said, that the very reasons which were urged in favour of a league with England, the vicinity of the kingdom and its superior force, were the real causes why a sincere and durable confederacy could never be formed with that hostile nation: that among neighbouring states occasions of quarrel were frequent; and the more powerful would be sure to seize every frivolous pretence for oppressing the weaker, and reducing it to subjection: that as the near neighbourhood of France and England had kindled a war almost perpetual between them, it was the interest of the Scots, if they wished to maintain their independence, to preserve their league with the former kingdom, which balanced the force of the latter: that if they deserted that old and salutary alliance on which their importance in Europe chiefly depended, their ancient enemies, stimulated both by interest and by passion, would soon invade them with superior force, and bereave them of all their liberties: or if they delayed the attack, the insidious peace, by making the Scots forget the use of arms, would only prepare the way for a slavery more certain and more irretrievable.

The arguments employed by the French party, being seconded by the natural prejudices of the people, seemed most prevalent: and when the regent himself, who had been long detained beyond his appointed time by the danger from the English fleet, at last appeared among them, he was able to throw the balance entirely on that side. By authority of the convention of states he assembled an army with a view of avenging the ravages committed by the English in the beginning of the campaign; and he led them southwards towards the borders. But when they were passing the Tweed at the bridge of Melross, the English party raised again such opposition, that Albany thought proper to make a retreat. He marched downwards along the banks of the Tweed, keeping that river on his right; and fixed his camp opposite to Werk-castle, which Surrey had lately repaired. He sent over some troops to besiege this fortress, who made a breach in it, and stormed some of the outworks: but the regent, hearing of the approach of an English army, and discouraged by the advanced season, thought proper to disband his forces, and retire to Edinburgh. Soon after he went over to France, and never again returned to Scotland. The Scottish nation, agitated by their domestic factions, were not during several years in a condition to give any more disturbance to England; and Henry had full leisure to persecute his designs on the continent.

The reason why the war against France proceeded so slowly on the part of England, was the want of money. All the treasures of Henry VII. were long ago dissipated; the king's habits of expense still remained, and his revenues were unequal even to the ordinary charge of government, much more to his military enterprises. He had last year caused a general survey to be made of the kingdom; the numbers of men, their years, profession, stock, revenue; and expressed great satisfaction on finding the nation so opulent. He then issued privy-seals to the most wealthy, demanding loans of particular sums: this act of power, though somewhat irregular and tyrannical, had been formerly practised by kings of England; and the people were now familiarized to it. But Henry this year carried his authority much further. He published an edict for a general tax upon his subjects, which he still called a loan; and he levied five shilling in the pound upon the clergy, two shillings upon the laity. This pretended loan, as being more regular, was really more dangerous to the liberties of the people; and was a precedent for the king's imposing taxes without consent of parliament.

A PARLIAMENT. *April* 15.

Henry soon after summoned a parliament, together with a convocation; and found neither of them in a disposition to complain of the infringement of their privileges. It was only doubted how far they would carry their liberality to the king. Wolsey, who had undertaken the management of the affairs, began with the convocation, in hopes that their example would influence the parliament to grant a large supply. He demanded a moiety of the ecclesiastical revenues to be levied in five years, or two shillings in the pound during that time; and though he met with opposition, he reprimanded the refractory members in such severe terms, that his request was at last complied with. The cardinal afterwards, attended by several of the nobility and prelates, came to the house of commons; and in a long and elaborate speech laid before them the public necessities, the danger of an invasion from Scotland, the affronts received from France, the league in which the king was engaged with the pope and the emperor; and he demanded a grant of 800,000 pounds, divided into four yearly payments; a sum computed, from the late survey or valuation, to be equal to four shillings in the pound of one year's revenue, or one shilling in the pound yearly, according to the division proposed.* So large a grant was un-

* This survey or valuation is liable to much suspicion, as fixing the rents a great deal too high; unless the sum comprehend the revenues of all kinds, industry as well as land and money.

usual from the commons; and though the cardinal's demand was seconded by Sir Thomas More, the speaker, and several other members attached to the court, the house could not be prevailed with to comply. They only voted two shillings in the pound on all who enjoyed twenty pounds a year and upwards; one shilling on all who possessed between twenty pounds and forty pounds a year; and on the other subjects above sixteen years of age, a groat a-head. This last sum was divided into two yearly payments; the former into four; and was not, therefore, at the utmost above sixpence in the pound. The grant of the commons was but the moiety of the sum demanded; and the cardinal, therefore, much mortified with the disappointment, came again to the house, and desired to reason with such as refused to comply with the king's request. He was told that it was a rule of the house never to reason but among themselves; and his desire was rejected. The commons, however, enlarged a little their former grant, and voted an imposition of three shillings in the pound on all possessed of fifty pounds a-year and upwards. [*See note* 2 S, *at the end of this Vol.*] The proceedings of this house of commons evidently discover the humour of the times: they were extremely tenacious of their money, and refused a demand of the crown, which was far from being unreasonable; but they allowed an encroachment on national privileges to pass uncensured, though its direct tendency was to subvert entirely the liberties of the people. The king was so dissatisfied with this saving disposition of the commons, that as he had not called a parliament during seven years before, he allowed seven more to elapse before he summoned another: and on pretence of necessity, he levied in one year, from all who were worth forty pounds, what the parliament had granted him payable in four years; a new invasion of national privileges. These irregularities were commonly ascribed to the cardinal's counsels, who, trusting to the protection afforded him by his ecclesiastical character, was the less scrupulous in his encroachments on the civil rights of the nation.

That ambitious prelate received this year a new disappointment in his aspiring views. The pope, Adrian VI., died; and Clement VII., of the family of Medicis, was elected in his place, by the concurrence of the Imperial party. Wolsey could now perceive the insincerity of the emperor, and he concluded that that prince would never second his pretensions to the papal chair. As he highly resented this injury, he began thenceforth to estrange himself from the Imperial court, and to pave the way for an union between his master and the French king. Meanwhile he concealed his disgust; and after congratulating the new pope on his promotion, applied for a continuation of the legatine powers which the two former popes had conferred upon him. Clement, knowing the importance of gaining his friendship, granted him a commission for life; and, by this unusual concession, he in a manner transferred to him the whole papal authority in England. In some particulars, Wolsey made a good use of this extensive power. He erected two colleges, one at Oxford, another at Ipswich, the place of his nativity: he sought all over Europe for learned men to supply the chairs of these colleges; and, in order to bestow endowments on them, he suppressed some smaller monasteries, and distributed the monks into other convents. The execution of this project became the less difficult for him, because the Romish church began to perceive that she overabounded in monks, and that she wanted some supply of learning, in order to oppose the inquisitive, or rather disputative humour of the reformers.

The confederacy against France seemed more formidable than ever on the opening of the campaign. Adrian, before his death, had renewed the league with Charles and Henry. The Venetians had been induced to desert the French alliance, and to form engagements for securing Francis Sforza, brother to Maximillian, in possession of the Milanese. The Florentines, the dukes of Ferrara and Mantua, and all the powers of Italy combined in the same measure. The emperor, in person, menaced France with a powerful invasion on the side of Guienne; the forces of England and the Netherlands hovered over Picardy; a numerous body of Germans were preparing to ravage Burgundy; but all these perils from foreign enemies were less threatening than a domestic conspiracy which had been formed, and which was now come to full maturity, against the French monarch.

Charles, duke of Bourbon, constable of France, was a prince of the most shining merit; and, besides distinguishing himself in many military enterprises, he was adorned with every accomplishment which became a person of his high station. His virtues, embellished with the graces of youth, had made such impression on Louise of Savoy, Francis's mother, that, without regard to the inequality of their years, she made him proposals of marriage; and, meeting with a repulse, she formed schemes of unrelenting vengeance against him. She was a woman, false, deceitful, vindictive, malicious; but unhappily for France, had by her capacity, which was considerable, acquired an absolute ascendant over her son. By her instigation, Francis put many affronts on the constable, which it was difficult for a gallant spirit to endure; and, at last, he permitted Louise to prosecute a law-suit against him, by which, on the most frivolous pretences, he was deprived of his ample possessions; and inevitable ruin was brought upon him.

Bourbon, provoked at all these indignities, and thinking that, if any injuries could justify a man in rebelling against his prince and country, he must stand acquitted, had entered into a secret correspondence with the emperor and the king of England. Francis, pertinacious in his purpose of recovering the Milanese, had intended to lead his army in person into Italy; and Bourbon, who feigned sickness, in order to have a pretence for staying behind, purposed, as soon as the king should have passed the Alps, to raise an insurrection among his numerous vassals, by whom he was extremely beloved, and to introduce foreign enemies into the heart of the kingdom. Francis got intimation of his design; but as he was not expeditious enough in securing so dangerous a foe, the constable made his escape; and entering into the emperor's service, employed all the force of his enterprising spirit, and his great talents for war, to the prejudice of his native country.

INVASION OF FRANCE.

The king of England, desirous that Francis should undertake his Italian expedition, did not openly threaten Picardy this year with an invasion; and it was late before the duke of Suffolk, who commanded the English forces, passed over to Calais. (24th August.) He was attended by the lords Montacute, Herbert, Ferrars, Morney, Sandys, Berkeley, Powis, and many other noblemen and gentlemen. The English army, re-enforced by some troops drawn from the garrison of Calais, amounted to about 12,000 men; and having joined an equal number of Flemings under the count de Buren, they prepared for an invasion of France. The siege of Boulogne was first proposed; but that enterprise appearing difficult, it was thought more advisable to leave this town behind them. The frontier of Picardy was very ill provided with troops; the only defence of that province was the activity of the French officers, who infested the allied army in their march, and threw garrisons, with great expedition, into every town which was threatened by them. After coasting the Somme, and passing Hedin, Montreüil, Dourlens, the English and Flemings presented themselves before Bray, a place of small force, which commanded a bridge over that river. Here they were resolved to pass, and, if possible, to take up winter-quarters in

France; but Crequi threw himself into the town, and seemed resolute to defend it. The allies attacked him with vigour and success; and when he retreated over the bridge, they pursued him so hotly that they allowed him not time to break it down, but passed it along with him, and totally routed his army. They next advanced to Montdidier, which they besieged, and took by capitulation. Meeting with no opposition, they proceeded to the river Oise, within eleven leagues of Paris, and threw that city into great consternation, till the duke of Vendôme hastened with some forces to its relief. The confederates, afraid of being surrounded, and of being reduced to extremities during so advanced a season, thought proper to retreat. Montdidier was abandoned; and the English and Flemings, without effecting anything, retired into their respective countries.

France defended herself from the other invasions with equal facility and equal good fortune. Twelve thousand Lansquenets broke into Burgundy, under the command of the count of Furstenberg. The count of Guise, who, defended that frontier, had nothing to oppose to them but some militia, and about nine hundred heavy-armed cavalry. He threw the militia into the garrison-towns; and with his cavalry he kept the field, and so harassed the Germans, that they were glad to make their retreat into Lorraine. Guise attacked them as they passed the Meuse, put them into disorder, and cut off the greater part of their rear.

The emperor made great preparations on the side of Navarre; and though that frontier was well guarded by nature, it seemed now exposed to danger from the powerful invasion which threatened it. Charles besieged Fontarabia, which a few years before had fallen into Francis's hands; and when he had drawn thither Lautrec, the French general, he of a sudden raised the siege, and sat down before Bayonne. Lautrec, aware of that stratagem, made a sudden march, and threw himself into Bayonne, which he defended with such vigour and courage, that the Spaniards were constrained to raise the siege. The emperor would have been totally unfortunate on this side, had he not turned back upon Fontarabia, and, contrary to the advice of all his generals, sitten down in the winter season before that city, well fortified and strongly garrisoned. The cowardice or misconduct of the governor saved him from the shame of a new disappointment. The place was surrendered in a few days; and the emperor, having finished this enterprise, put his troops into winter-quarters.

ITALIAN WARS.

So obstinate was Francis in prosecuting his Italian expedition, that, notwithstanding these numerous invasions with which his kingdom was menaced on every side, he had determined to lead in person a powerful army to the conquest of Milan. The intelligence of Bourbon's conspiracy and escape stopped him at Lyons; and, fearing some insurrection in the kingdom, from the intrigues of a man so powerful and so much beloved, he thought it prudent to remain in France, and to send forward his army under the command of admiral Bonnivet. The duchy of Milan had been purposely left in a condition somewhat defenceless, with a view of alluring Francis to attack it, and thereby facilitating the enterprises of Bourbon; and no sooner had Bonnivet passed the Tesin, than the army of the league, and even Prosper Colonna, who commanded it, a prudent general, were in the utmost confusion. It is agreed, that if Bonnivet had immediately advanced to Milan, that great city, on which the whole duchy depends, would have opened its gates without resistance; but as he wasted his time in frivolous enterprises, Colonna had opportunity to re-enforce the garrison, and to put the place in a posture of defence. Bonnivet was now obliged to attempt reducing the city by blockade and famine; and he took possession of all the posts which commanded the passages to it. But the army of the league, meanwhile, was not inactive; and they so straitened and harassed the quarters of the French, that it seemed more likely the latter should themselves perish by famine, than reduce the city to that extremity.....1524. Sickness and fatigue and want had wasted them to such a degree, that they were ready to raise the blockade; and their only hopes consisted in a great body of Swiss, which was levied for the service of the French king, and whose arrival was every day expected. But these mountaineers no sooner came within sight of the French camp, than they stopped from a sudden caprice and resentment; and, instead of joining Bonnivet, they sent orders to a great body of their countrymen, who then served under him, immediately to begin their march, and to return home in their company. After this desertion of the Swiss, Bonnivet had no other choice but that of making his retreat as fast as possible into France.

The French being thus expelled Italy, the pope, the Venetians, the Florentines were satisfied with the advantage obtained over them, and were resolved to prosecute their victory no further. All these powers, especially Clement, had entertained a violent jealousy of the emperor's ambition; and their suspicions were extremely augmented when they saw him refuse the investiture of Milan, a fief of the empire, to Francis Sforza, whose title he had acknowledged, and whose defence he had embraced. They all concluded that he intended to put himself in possession of that important duchy, and reduce Italy to subjection: Clement, in particular, actuated by this jealousy, proceeded so far in opposition to the emperor, that he sent orders to his nuncio at London, to mediate a reconciliation between France and England. But affairs were not yet fully ripe for this change. Wolsey, disgusted with the emperor, but still more actuated by vainglory, was determined that he himself should have the renown of bringing about that great alteration; and he engaged the king to reject the pope's mediation. A new treaty was even concluded between Henry and Charles for the invasion of France. Charles stipulated to supply the duke of Bourbon with a powerful army, in order to conquer Provence and Dauphiny: Henry agreed to pay him a hundred thousand crowns for the first month; after which, he might either choose to continue the same monthly payments, or invade Picardy with a powerful army. Bourbon was to possess these provinces with the title of king; but to hold them in fee of Henry, as king of France. The duchy of Burgundy was to be given to Charles; the rest of the kingdom to Henry.

This chimerical partition immediately failed of execution in the article which was most easily performed: Bourbon refused to acknowledge Henry as king of France. His enterprise, however, against Provence still took place. A numerous army of Imperialists invaded that country, under his command and that of the marquis of Pescara. They laid siege to Marseilles, which, being weakly garrisoned, they expected to reduce in a little time; but the citizens defended themselves with such valour and obstinacy, that Bourbon and Pescara, who heard of the French king's approach with a numerous army, found themselves under a necessity of raising the siege; and they led their forces, weakened, baffled, and disheartened, into Italy.

Francis might now have enjoyed, in safety, the glory of repulsing all his enemies, in every attempt which they had hitherto made for invading his kingdom; but, as he received intelligence that the king of England, discouraged by his former fruitless enterprises, and disgusted with the emperor, was making no preparations for any attempt on Picardy, his ancient ardour seized him for the conquest of Milan; and notwithstanding the advanced season, he was immediately determined, contrary to the advice of his wisest counsellors, to lead his army into Italy.

KING OF FRANCE INVADES ITALY. 1525.

He passed the Alps at Mount Cenis, and no sooner appeared in Piedmont than he threw the whole Milanese into consternation. The forces of the emperor and Sforza retired to Lodi: and had Francis been so fortunate as to pursue them, they had abandoned that place, and had been totally dispersed: but his ill fate led him to besiege Pavia, a town of considerable strength, well garrisoned, and defended by Leyva, one of the bravest officers in the Spanish service. Every attempt which the French king made to gain this important place proved fruitless. He battered the walls, and made breaches; but, by the vigilance of Leyva, new intrenchments were instantly thrown up behind the breaches: he attempted to divert the course of the Tesin, which ran by one side of the city, and defended it; but an inundation of the river destroyed, in one night, all the mounds which the soldiers, during a long time and with infinite labour, had been erecting. Fatigue, and the bad season (for it was the depth of winter,) had wasted the French army. The Imperial generals, meanwhile, were not inactive. Pescara, and Lannoy, viceroy of Naples, assembled forces from all quarters. Bourbon, having pawned his jewels, went into Germany, and with the money, aided by his personal interest, levied a body of twelve thousand Lansquenets, with which he joined the Imperialists. This whole army advanced to raise the siege of Pavia; and the danger to the French became every day more imminent.

The state of Europe was such, during that age, that, partly from want of commerce and industry everywhere, except in Italy and the Low Countries, partly from the extensive privileges still possessed by the people in all the great monarchies, and their frugal maxims in granting money, the revenues of the princes were extremely narrow, and even the small armies which they kept on foot could not be regularly paid by them. The Imperial forces commanded by Bourbon, Pescara, and Lannoy, exceeded not twenty thousand men; they were the only body of troops maintained by the emperor (for he had not been able to levy any army for the invasion of France, either on the side of Spain or Flanders.) Yet, so poor was that mighty monarch, that he could transmit no money for the payment of this army; and it was chiefly the hopes of sharing the plunder of the French camp which had made them advance, and kept them to their standards. Had Francis raised the siege before their approach, and retired to Milan, they must immediately have disbanded; and he had obtained a complete victory without danger or bloodshed. But it was the character of this monarch to become obstinate in proportion to the difficulties which he encountered; and having once said, that he would take Pavia or perish before it, he was resolved rather to endure the utmost extremities than depart from this resolution.

BATTLE OF PAVIA, AND CAPTIVITY OF FRANCIS. *February* 25.

The Imperial generals, after cannonading the French camp for several days, at last made a general assault, and broke into the intrenchments. Leyva sallied from the town, and increased the confusion among the besiegers. The Swiss infantry, contrary to their usual practice, behaved in a dastardly manner, and deserted their post. Francis's forces were put to the rout: and he himself, surrounded by his enemies, after fighting with heroic valour, and killing seven men with his own hand, was at last obliged to surrender himself prisoner. Almost the whole army, full of nobility and brave officers, either perished by the sword, or were drowned in the river. The few who escaped with their lives fell into the hands of the enemy.

The emperor received this news by Pennalosa, who passed through France by means of a safe-conduct granted him by the captive king. The moderation which he displayed on this occasion, had it been sincere, would have done him honour. Instead of rejoicing, he expressed sympathy with Francis's ill fortune, and discovered his sense of those calamities to which the greatest monarchs are exposed. He refused the city of Madrid permission to make any public expressions of triumph; and said that he reserved all his exultation till he should be able to obtain some victory over the infidels. He sent orders to his frontier garrisons to commit no hostilities upon France. He spoke of concluding, immediately, a peace on reasonable terms. But all this seeming moderation was only hypocrisy, so much the more dangerous as it was profound. And he was wholly occupied in forming schemes how, from this great incident, he might draw the utmost advantage, and gratify that exorbitant ambition by which, in all his actions, he was ever governed.

The same Pennalosa, in passing through France, carried also a letter from Francis to his mother, whom he had left regent, and who then resided at Lyons. It contained only these few words, "*Madam, all is lost, except our honour.*" The princess was struck with the greatness of the calamity. She saw the kingdom without a sovereign, without an army, without generals, without money; surrounded on every side by implacable and victorious enemies: and her chief resource, in her present distresses, were the hopes she entertained of peace, and even of assistance from the king of England.

Had the king entered into the war against France from any concerted political views, it is evident that the victory of Pavia and the captivity of Francis were the most fortunate incidents that could have befallen him, and the only ones that could render his schemes effectual. While the war was carried on in the former feeble manner, without any decisive advantage, he might have been able to possess himself of some frontier town, or perhaps of a small territory, of which he could not have kept possession without expending much more than its value. By some signal calamity alone, which annihilated the power of France, could he hope to acquire the dominion of considerable provinces, or dismember that great monarchy, so affectionate to its own government and its own sovereigns. But as it is probable that Henry had never before carried his reflections so far, he was startled at this important event, and became sensible of his own danger, as well as that of all Europe, from the loss of a proper counterpoise to the power of Charles. Instead of taking advantage, therefore, of the distressed condition of Francis, he was determined to lend him assistance in his present calamities; and, as the glory of generosity in raising a fallen enemy, concurred with his political interest, he hesitated the less in embracing these new measures.

Some disgusts also had previously taken place between Charles and Henry, and still more between Charles and Wolsey; and that powerful minister waited only for a favourable opportunity of revenging the disappointments which he had met with. The behaviour of Charles, immediately after the victory of Pavia, gave him occasion to revive the king's jealousy and suspicions. The emperor so ill supported the appearance of moderation, which he at first assumed, that he had already changed his usual style to Henry; and, instead of writing to him with his own hand, and subscribing himself "*your affectionate son and cousin;*" he dictated his letters to a secretary, and simply subscribed himself "*Charles.*" Wolsey also perceived a diminution in the caresses and professions with which the emperor's letters to him were formerly loaded; and this last imprudence, proceeding from the intoxication of success, was probably more dangerous to Charles's interests than the other.

Henry, though immediately determined to embrace new measures, was careful to save appearances in the

change; and he caused rejoicings to be everywhere made on account of the victory of Pavia and the captivity of Francis. He publicly dismissed the French envoy, whom he had formerly allowed, notwithstanding the war, to reside at London: but, upon the submissive applications of the regent of France, he again opened a correspondence with her; and, besides assuring her of his friendship and protection, he exacted a promise that she never would consent to the dismembering of any province from the monarchy for her son's ransom. With the emperor, however, he put on the appearance of vigour and enterprise; and in order to have a pretence for breaking with him, he dispatched Tonstal, bishop of London, to Madrid, with proposals for a powerful invasion of France. He required that Charles should immediately enter Guienne at the head of a great army, in order to put him in possession of that province; and he demanded the payment of large sums of money which that prince had borrowed from him in his last visit at London. He knew that the emperor was in no condition of fulfilling either of these demands; and that he had as little inclination to make him master of such considerable territories upon the frontiers of Spain.

Tonstal, likewise, after his arrival at Madrid, informed his master that Charles, on his part, urged several complaints against England; and, in particular, was displeased with Henry, because last year he had neither continued his monthly payments to Bourbon, nor invaded Picardy, according to his stipulations. Tonstal added, that instead of expressing an intention to espouse Mary when she should be of age, the emperor had hearkened to proposals for marrying his niece Isabella, princess of Portugal; and that he had entered into a separate treaty with Francis, and seemed determined to reap alone all the advantages of the success with which fortune had crowned his arms.

The king, influenced by all these motives, concluded at Moore, his alliance with the regent of France (30th August,) and engaged to procure her son his liberty on reasonable conditions: the regent also, in another treaty, acknowledged the kingdom Henry's debtor for one million eight hundred thousand crowns, to be discharged in half-yearly payments of fifty thousand crowns: after which Henry was to receive, during life, a yearly pension of a hundred thousand. A large present of a hundred thousand crowns was also made to Wolsey for his good offices, but covered under the pretence of arrears due on the pension granted him for relinquishing the administration of Tournay.

DISCONTENTS OF THE ENGLISH.

Meanwhile Henry, foreseeing that this treaty with France might involve him in a war with the emperor, was also determined to fill his treasury by impositions upon his own subjects; and as the parliament had discovered some reluctance in complying with his demands, he followed, as is believed, the counsel of Wolsey, and resolved to make use of his prerogative alone for that purpose. He issued commissions to all the counties of England for levying four shillings in the pound upon the clergy, three shillings and fourpence upon the laity; and so uncontrollable did he deem his authority, that he took no care to cover, as formerly, this arbitrary exaction, even under the slender pretence of a loan. But he soon found that he had presumed too far on the passive submission of his subjects. The people, displeased with an exaction beyond what was usually levied in those days, and further disgusted with the illegal method of imposing it, broke out in murmurs, complaints, opposition to the commissioners; and their refractory disposition threatened a general insurrection. Henry had the prudence to stop short in that dangerous path into which he had entered. He sent letters to all the counties, declaring that he meant no force by this last imposition, and that he would take nothing from his subjects but by way of *benevolence*. He flattered himself that his condescension in employing that disguise would satisfy the people, and that no one would dare to render himself obnoxious to royal authority, by refusing any payment required of him in this manner. But the spirit of opposition, once roused, could not so easily be quieted at pleasure. A lawyer in the city, objecting the statute of Richard III., by which benevolences were for ever abolished, it was replied by the court, that Richard being an usurper, and his parliament a factious assembly, his statutes could not bind a lawful and *absolute* monarch, who held his crown by hereditary right, and needed not to court the favour of a licentious populace. The judges even went so far as to affirm positively, that the king might exact, by commission, any sum he pleased; and the privy-council gave a ready assent to this decree, which annihilated the most valuable privilege of the people, and rendered all their other privileges precarious. Armed with such formidable authority, of royal prerogative and a pretence of law, Wolsey sent for the mayor of London, and desired to know what he was willing to give for the supply of his majesty's necessities. The mayor seemed desirous, before he should declare himself, to consult the common-council: but the cardinal required that he and all the aldermen should separately confer with himself about the benevolence; and he eluded by that means the danger of a formed opposition. Matters, however, went not so smoothly in the country. An insurrection was begun in some places; but as the people were not headed by any considerable person, it was easy for the duke of Suffolk, and the earl of Surrey, now duke of Norfolk, by employing persuasion and authority, to induce the ringleaders to lay down their arms and surrender themselves prisoners. The king, finding it dangerous to punish criminals engaged in so popular a cause, was determined, notwithstanding his violent imperious temper, to grant them a general pardon; and he prudently imputed their guilt, not to their want of loyalty or affection, but to their poverty. The offenders were carried before the star-chamber, where, after a severe charge brought against them by the king's council, the cardinal said, "That, notwithstanding their grievous offence, the king, in consideration of their necessities had granted them his gracious pardon upon condition that they would find sureties for their future good behaviour." But they replying they had no sureties, the cardinal first, and after him the duke of Norfolk, said that they would be bound for them. Upon which they were dismissed.

These arbitrary impositions being imputed, though on what grounds is unknown, to the counsels of the cardinal, increased the general odium under which he laboured; and the clemency of the pardon being ascribed to the king, was considered as an atonement on his part for the illegality of the measure. But Wolsey, supported both by royal and papal authority, proceeded, without scruple, to violate all ecclesiastical privileges, which, during that age, were much more sacred than civil; and, having once prevailed in that unusual attempt of suppressing some monasteries, he kept all the rest in awe, and exercised over them an arbitrary jurisdiction. By his commission as legate, he was empowered to visit them, and reform them, and chastise their irregularities; and he employed his usual agent, Allen, in the exercise of this authority. The religious houses were obliged to compound for their guilt, real or pretended, by paying large sums to the cardinal or his deputy; and this oppression was carried so far that it reached at last the king's ears, which were not commonly open to complaints against his favourite. Wolsey had built a splendid palace at Hampton Court, which he probably intended, as well as that of York Place, in Westminster, for his own residence; but fearing the increase of envy on account of this magnificence, and desirous to appease the king, he made him a present of the building, and told him that, from the first, he had erected it for his use.

The absolute authority possessed by the king, rendered his domestic government, both over his people and his ministers, easy and expeditious: the conduct of foreign affairs alone required effort and application: and they were now brought to such a situation, that it was no longer safe for England to remain entirely neutral. The feigned moderation of the emperor was of short duration; and it was soon obvious to all the world, that his great dominions, far from gratifying his ambition, were only regarded as the means of acquiring an empire more extensive. The terms which he demanded of his prisoner were such as must for ever have annihilated the power of France, and destroyed the balance of Europe. These terms were proposed to Francis soon after the battle of Pavia, while he was detained in Pizzichitone; and as he had hitherto trusted somewhat to the emperor's generosity, the disappointment excited in his breast the most lively indignation. He said, that he would rather live and die a prisoner, than agree to dismember his kingdom; and that even were he so base as to submit to such conditions, his subjects would never permit him to carry them into execution.

FRANCIS REMOVED TO MADRID.

Francis was encouraged to persist in demanding more moderate terms by the favourable accounts which he heard of Henry's dispositions towards him, and of the alarm which had seized all the chief powers in Italy upon his defeat and captivity. He was uneasy, however, to be so far distant from the emperor, with whom he must treat; and he expressed his desire (which was complied with) to be removed to Madrid, in hopes that a personal interview would operate in his favour, and that Charles, if not influenced by his ministers, might be found possessed of the same frankness of disposition by which he himself was distinguished He was soon convinced of his mistake. Partly from want of exercise, partly from reflections on his present melancholy situation, he fell into a languishing illness; which begat apprehensions in Charles, lest the death of his captive should bereave him of all those advantages which he purposed to extort from him. He then paid him a visit in the castle of Madrid; and as he approached the bed in which Francis lay, the sick monarch called to him, "You come, sir, to visit your prisoner."—"No," replied the emperor; "I come to visit my brother and my friend, who shall soon obtain his liberty." He soothed his afflictions with many speeches of a like nature, which had so good an effect, that the king daily recovered, and thenceforth employed himself in concerting with the ministers of the emperor the terms of his treaty.

1526. At last the emperor, dreading a general combination against him, was willing to abate somewhat of his rigour; and the treaty of Madrid was signed, (14th January,) by which it was hoped an end would be finally put to the differences between these great monarchs. The principal condition was the restoring of Francis's liberty, and the delivery of his two eldest sons as hostages to the emperor for the cession of Burgundy: if any difficulty should afterwards occur in the execution of this last article, from the opposition of the states either of France or of that province, Francis stipulated, that in six weeks' time he should return to his prison, and remain there till the full performance of the treaty. There were many other articles in this famous convention, all of them extremely severe upon the captive monarch; and Charles discovered evidently his intention of reducing Italy, as well as France, to subjection and dependence.

Many of Charles's ministers foresaw that Francis, how solemn soever the oaths, promises, and protestations exacted of him, never would execute a treaty so disadvantageous, or rather ruinous and destructive, to himself, his posterity, and his country. By putting Burgundy, they thought, into the emperor's hands, he gave his powerful enemy an entrance into the heart of the kingdom; by sacrificing his allies in Italy, he deprived himself of foreign assistance; and, arming his oppressor with the whole force and wealth of that opulent country, rendered him absolutely irresistible. To these great views of interest were added the motives, no less cogent, of passion and resentment; while Francis, a prince who piqued himself on generosity, reflected on the rigour with which he had been treated during his captivity, and the severe terms which had been exacted of him for the recovery of his liberty. It was also foreseen, that the emulation and rivalship which had so long subsisted between these two monarchs, would make him feel the strongest reluctance on yielding the superiority to an antagonist, who, by the whole tenor of his conduct, he would be apt to think, had shown himself so little worthy of that advantage which fortune, and fortune alone, had put into his hands. His ministers, his friends, his subjects, his allies, would be sure with one voice to inculcate into him, that the first object of a prince was the preservation of his people; and that the laws of honour, which with a private man ought to be absolutely supreme, and superior to all interests, were, with a sovereign, subordinate to the great duty of ensuring the safety of his country. Nor could it be imagined that Francis would be so romantic in his principles, as not to hearken to a casuistry which was so plausible in itself, and which so much flattered all the passions by which, either as a prince or a man, he was strongly actuated.

FRANCIS RECOVERS HIS LIBERTY. *March* 18.

Francis, on entering his own dominions, delivered his two eldest sons as hostages into the hands of the Spaniards. He mounted a Turkish horse, and immediately putting him to the gallop, he waved his hand, and cried aloud several times, "I am yet a king." He soon reached Bayonne, where he was joyfully received by the regent and his whole court. He immediately wrote to Henry, acknowledging that to his good offices alone he owed his liberty, and protesting that he should be entirely governed by his counsels in all transactions with the emperor. When the Spanish envoy demanded his ratification of the treaty of Madrid, now that he had fully recovered his liberty, he declined the proposal, under colour that it was previously necessary to assemble the states both of France and of Burgundy, and to obtain their consent. The states of Burgundy soon met; and declaring against the clause which contained an engagement for alienating their province, they expressed their resolution of opposing, even by force of arms, the execution of so ruinous and unjust an article. The Imperial minister then required that Francis, in conformity to the treaty of Madrid, should now return to his prison; but the French monarch, instead of complying, made public the treaty which a little before (22nd May) he had secretly concluded at Cognac, against the ambitious schemes and usurpations of the emperor.

The pope, the Venetians, and other Italian states, who were deeply interested in these events, had been held in the most anxious suspense with regard to the resolutions which Francis should take after the recovery of his liberty; and Clement, in particular, who suspected that this prince would never execute a treaty so hurtful to his interests, and even destructive of his independency, had very frankly offered him a dispensation from all his oaths and engagements. Francis remained not in suspense, but entered immediately into the confederacy proposed to him. It was stipulated by that king, the pope, the Venetians, the Swiss, the Florentines, and the duke of Milan, among other articles, that they would oblige the emperor to deliver up the two young princes of France on receiving a reasonable sum of money; and to restore Milan to Sforza, without further condition or incumbrance. The king of Eng-

land was invited to accede, not only as a contracting party, but as protector of the *holy league*, so it was called: and if Naples should be conquered from the emperor, in prosecution of this confederacy, it was agreed that Henry should enjoy a principality in that kingdom, of the yearly revenue of 30,000 ducats: and that cardinal Wolsey, in consideration of the services which he had rendered to Christendom, should also, in such an event, be put in possession of a revenue of 10,000 ducats.

Francis was desirous that the appearance of this great confederacy should engage the emperor to relax somewhat in the extreme rigour of the treaty of Madrid; and while he entertained these hopes, he was the more remiss in his warlike preparations; nor did he send in due time re-enforcement to his allies in Italy .....1527. The duke of Bourbon had got possession of the whole Milanese, of which the emperor intended to grant him the investiture; and having levied a considerable army in Germany, he became formidable to all the Italian potentates; and not the less so because Charles, destitute as usual of money, had not been able to remit any pay to the forces. The general was extremely beloved by his troops; and in order to prevent those mutinies which were ready to break out every moment, and which their affection alone for him had hitherto restrained, he led them to Rome, and promised to enrich them by the plunder of that opulent city. He was himself killed (6th May) as he was planting a scaling-ladder against the walls; but his soldiers rather enraged than discouraged by his death, mounted to the assault with the utmost valour, and entering the city sword in hand, exercised all those brutalities which may be expected from ferocity excited by resistance, and from insolence which takes place when that resistance is no more. This renowned city, exposed by her renown alone to so many calamities, never endured in any age, even from the barbarians by whom she was often subdued, such indignities as she was now compelled to suffer. The unrestrained massacre and pillage, which continued for several days, were the least ills to which the unhappy Romans were exposed. Whatever was respectable in modesty, or sacred in religion, seemed but the more to provoke the insults of the soldiery. Virgins suffered violation in the arms of their parents, and upon those very altars to which they had fled for protection. Aged prelates, after enduring every indignity, and even every torture, were thrown into dungeons, and menaced with the most cruel death, in order to make them reveal their secret treasures, or purchase liberty by exorbitant ransoms. Clement himself, who had trusted for protection to the sacredness of his character, and neglected to make his escape in time, was taken captive; and found that his dignity, which procured him no regard from the Spanish soldiers, did but draw on him the insolent mockery of the German, who, being generally attached to the Lutheran principles, were pleased to gratify their animosity by the abasement of the sovereign pontiff.

When intelligence of this great event was conveyed to the emperor, that young prince, habituated to hypocrisy, expressed the most profound sorrow for the success of his arms; he put himself and all his court in mourning; he stopped the rejoicings for the birth of his son, Philip; and knowing that every artifice, however gross, is able, when seconded by authority, to impose upon the people, he ordered prayers during several months to be put up in the churches for the pope's liberty; which all men knew a letter under his hand could in a moment have procured.

The concern expressed by Henry and Francis for the calamity of their ally was more sincere. These two monarchs, a few days before the sack of Rome, had concluded a treaty (30th April) at Westminster, in which, besides renewing former alliances, they agreed to send ambassadors to Charles, requiring him to accept of two millions of crowns as the ransom of the French princes, and to repay the money borrowed from Henry; and in case of refusal the ambassadors, attended by heralds, were ordered to denounce war against him. This war it was agreed to prosecute in the Low Countries, with an army of thirty thousand infantry, and fifteen hundred men-at-arms, two-thirds to be supplied by Francis, the rest by Henry. And in order to strengthen the alliance between the princes, it was stipulated that either Francis, or his son, the duke of Orleans, as should afterwards be agreed on, should espouse the princess Mary, Henry's daughter. No sooner did the monarchs receive intelligence of Bourbon's enterprise, than they changed, by a new treaty, (29th May,) the scene of the projected war from the Netherlands to Italy; and hearing of the pope's captivity, they were further stimulated to undertake the war with vigour for restoring him to liberty. Wolsey himself crossed the sea in order to have an interview with Francis, and to concert measures for that purpose; (11th July;) and he displayed all that grandeur and magnificence with which he was so much intoxicated. He was attended by a train of a thousand horse. The cardinal of Lorraine and the chancellor Alençon met him at Boulogne; Francis himself, besides granting to that haughty prelate the power of giving in every place where he came liberty to all prisoners, made a journey as far as Amiens to meet him, and even advanced some miles from the town, the more to honour his reception. It was here stipulated, that the duke of Orleans should espouse the princess Mary; and as the emperor seemed to be taking some steps towards assembling a general council, the two monarchs agreed not to acknowledge it; but during the interval of the pope's captivity to govern the churches in their respective dominions by their own authority. Wolsey made some attempts to get his legatine power extended over France, and even over Germany; but finding his efforts fruitless, he was obliged, though with great reluctance, to desist from these ambitious enterprises.

LEAGUE WITH FRANCE. *September* 18.

The more to cement the union between these princes, a new treaty was some time after concluded at London; in which Henry agreed finally to renounce all claims to the crown of France; claims which might now indeed be deemed chimerical, but which often served as a pretence for exciting the unwary English to wage war upon the French nation. As a return for this concession, Francis bound himself and his successors to pay for ever fifty thousand crowns a-year to Henry and his successors; and that greater solemnity might be given to this treaty, it was agreed that the parliaments and great nobility of both kingdoms should give their assent to it. The Mareschal, Montmorency, accompanied by many persons of distinction, and attended by a pompous equipage, was sent over to ratify the treaty; and was received at London with all the parade which suited the solemnity of the occasion. The terror of the emperor's greatness had extinguished the ancient animosity between the nations; and Spain, during more than a century, became, though a more distant power, the chief object of jealousy to the English.

This cordial union between France and England, though it added influence to the joint embassy which they sent to the emperor, was not able to bend that monarch to submit entirely to the conditions insisted on by the allies. He departed indeed from his demand of Burgundy as the ransom of the French princes; but he required, previously to their liberty, that Francis should evacuate Genoa, and all the fortresses held by him in Italy; and he declared his intention of bringing Sforza to a trial, and confiscating the duchy of Milan, on account of his pretended treason. The English and French heralds, therefore, according to agreement, declared war against him, and set him at defiance

Charles answered the English herald with moderation; but to the French he reproached his master with breach of faith, reminded him of the private conversation which had passed between them at Madrid before their separation, and offered to prove, by single combat, that he had acted dishonourably. Francis retaliated this challenge, by giving Charles the lie; and after demanding security of the field, he offered to maintain his cause by single-combat. Many messages passed to and fro between them; but though both princes were undoubtedly brave, the intended duel never took place. The French and Spaniards during that age zealously disputed which of the monarchs incurred the blame of this failure; but all men of moderation everywhere lamented the power of fortune, that the prince, the more candid, generous, and sincere, should by unhappy incidents have been reduced to so cruel a situation, that nothing but his violation of treaty could preserve his people, and that he must ever after, without being able to make a proper reply, bear to be reproached with breach of promise by a rival, inferior to him both in honour and in virtue.

But though this famous challenge between Charles and Francis had no immediate consequence with regard to these monarchs themselves, it produced a considerable alteration on the manners of the age. The practice of challenges and duels, which had been part of the ancient barbarous jurisprudence, which was still preserved on very solemn occasions, and which was sometimes countenanced by the civil magistrate, began thenceforth to prevail in the most trivial incidents; and men, on any affront or injury, thought themselves entitled, or even required in honour, to take revenge on their enemies, by openly vindicating their right in single-combat. These absurd, though generous maxims, shed much of the best blood in Christendom during more than two centuries; and notwithstanding the severity of law and authority of reason, such is the prevailing force of custom, they are far from being as yet entirely exploded.

CHAPTER XXX.

Scruples concerning the King's Marriage——The King enters into these Scruples——Anne Boleyn——Henry applies to the Pope for a Divorce——The Pope favourable——The Emperor threatens him——The Pope's ambiguous Conduct——The Cause evoked to Rome——Wolsey's Fall——Commencement of the Reformation in England——Foreign Affairs——Wolsey's Death——A Parliament——Progress of the Reformation——A Parliament——King's final Breach with Rome——A Parliament.

NOTWITHSTANDING the submissive deference paid to papal authority before the Reformation, the marriage of Henry with Catherine of Arragon, his brother's widow, had not passed without much scruple and difficulty. The prejudices of the people were in general bent against a conjugal union between such near relations; and the late king, though he had betrothed his son when that prince was but twelve years of age, gave evident proofs of his intention to take afterwards a proper opportunity of annulling the contract. He ordered the young prince, as soon as he came of age, to enter a protestation against the marriage; and on his death-bed he charged him, as his last injunction, not to finish an alliance so unusual, and exposed to such insuperable objection. After the king's accession, some members of the privy-council, particularly Warham, the primate, openly declared against the resolution of completing the marriage; and though Henry's youth and dissipation kept him during some time from entertaining any scruples with regard to the measure which he had embraced, there happened incidents sufficient to rouse his attention, and to inform him of the sentiments generally entertained on that subject. The states of Castile had opposed the emperor Charles's espousals with Mary, Henry's daughter; and, among other objections, had insisted on the illegitimate birth of the young princess. And when the negociations were afterwards opened with France, and mention was made of betrothing her to Francis or the duke of Orleans, the bishop of Tarbe, the French ambassador, revived the same objection. But though these events naturally raised some doubts in Henry's mind, there concurred other causes, which tended much to increase his remorse, and render his conscience more scrupulous.

The queen was older than the king by no less than six years; and the decay of her beauty, together with particular infirmities and diseases, had contributed, notwithstanding her blameless character and deportment, to render her person unacceptable to him. Though she had borne him several children, they all died in early infancy, except one daughter; and he was the more struck with this misfortune, because the curse of being childless is the very threatening contained in the Mosaical law against those who espouse their brother's widow. The succession too of the crown was a consideration that occurred to every one, whenever the lawfulness of Henry's marriage was called in question; and it was apprehended, that if doubts of Mary's legitimacy concurred with the weakness of her sex, the king of Scots, the next heir, would advance his pretensions, and might throw the kingdom into confusion. The evils, as yet recent, of civil wars and convulsions arising from a disputed title, made great impression on the minds of men, and rendered the people universally desirous of any event which might obviate so irreparable a calamity. And the king was thus impelled, both by his private passions, and by motives of public interest, to seek the dissolution of his inauspicious, and as it was esteemed, unlawful marriage with Catherine.

Henry afterwards affirmed that his scruples arose entirely from private reflection; and that on consulting his confessor, the bishop of Lincoln, he found the prelate possessed with the same doubts and difficulties. The king himself being so great a casuist and divine, next proceeded to examine the question more carefully by his own learning and study; and having had recourse to Thomas of Aquine, he observed that this celebrated doctor, whose authority was great in the church, and absolute with him, had treated of that very case, and had expressly declared against the lawfulness of such marriages. The prohibitions, said Thomas, contained in Leviticus, and among the rest that of marrying a brother's widow, are moral, eternal, and founded on a divine sanction; and though the pope may dispense with the rules of the church, the laws of God cannot be set aside by any authority less than that which enacted them. The archbishop of Canterbury was then applied to; and he was required to consult his brethren: all the prelates of England, except Fisher, bishop of Rochester, unanimously declared, under their hand and seal, that they deemed the king's marriage unlawful. Wolsey also fortified the king's scruples; partly with a view of promoting a total breach with the emperor, Catherine's nephew; partly desirous of connecting the king more closely with Francis, by marrying him to the duchess of Alençon, sister to that monarch; and perhaps, too, somewhat disgusted with the queen herself, who had reproved him for certain freedoms unbefitting his character and station. But Henry was carried forward, though perhaps not at first excited, by a motive more forcible than even the suggestions of that powerful favourite.

ANNE BOLEYN.

Anne Boleyn, who lately appeared at court, had been appointed maid of honour to the queen; and having had frequent opportunities of being seen by Henry, and of conversing with him, she had acquired an entire ascendant over his affections. This young lady, whose grandeur and misfortunes have rendered her so cele-

brated, was daughter of sir Thomas Boleyn, who had been employed by the king in several embassies, and who was allied to all the principal nobility in the kingdom. His wife, mother to Anne, was daughter of the duke of Norfolk; his own mother was daughter of the earl of Ormond; his grandfather, sir Geoffrey Boleyn, who had been mayor of London, had espoused one of the daughters and co-heirs of lord Hastings. Anne herself, though then in very early youth, had been carried over to Paris by the king's sister, when the princess espoused Louis XII. of France: and upon the demise of that monarch, and the return of his dowager into England, this damsel, whose accomplishments, even in her tender years, were always much admired, was retained in the service of Claude, queen of France, spouse to Francis; and after the death of that princess she passed into the family of the duchess of Alençon, a woman of singular merit. The exact time when she returned to England is not certainly known; but it was after the king had entertained doubts with regard to the lawfulness of his marriage with Catherine; if the account is to be credited which he himself afterwards gave of that transaction. Henry's scruples had made him break off all conjugal commerce with the queen; but as he still supported an intercourse of civility and friendship with her, he had occasion, in the frequent visits which he paid her, to observe the beauty, the youth, the charms of Anne Boleyn. Finding the accomplishments of her mind nowise inferior to her exterior graces, he even entertained the design of raising her to the throne; and was the more confirmed in this resolution, when he found that her virtue and modesty prevented all hopes of gratifying his passion in any other manner. As every motive, therefore, of inclination and policy seemed thus to concur in making the king desirous of a divorce from Catherine, and as his prospect of success was inviting, he resolved to make application to Clement, and he sent Knight, his secretary, to Rome for that purpose.

HENRY APPLIES TO THE POPE FOR A DIVORCE.

That he might not shock the haughty claims of the pontiff, he resolved not to found the application on any general doubts concerning the papal power to permit marriage in the nearer degrees of consanguinity; but only to insist on particular grounds of nullity in the bull which Julius had granted for the marriage of Henry and Catherine. It was a maxim in the court of Rome, that if the pope be surprised into any concession, or grant any indulgence upon false suggestions, the bull may afterwards be annulled; and this pretence had usually been employed wherever one pope had recalled any deed executed by any of his predecessors. But Julius's bull, when examined, afforded abundant matter of this kind; and any tribunal favourable to Henry needed not want a specious colour for gratifying him in his applications for a divorce. It was said in the preamble, that the bull had been granted upon his solicitation; though it was known that at that time he was under twelve years of age: it was also affirmed, as another motive for the bull, that the marriage was requisite, in order to preserve peace between the two crowns; though it is certain that there was not then any ground or appearance of quarrel between them. The false premises in Julius's bull seemed to afford Clement a sufficient reason or pretence for annulling it, and granting Henry a dispensation for a second marriage.

THE POPE FAVOURABLE.

But though the pretext for this indulgence had been less plausible, the pope was in such a situation that he had the strongest motives to embrace every opportunity of gratifying the English monarch. He was then a prisoner in the hands of the emperor, and had no hopes of recovering his liberty on any reasonable terms, except by the efforts of the league which Henry had formed with Francis and the Italian powers, in order to oppose the ambition of Charles. When the English secretary, therefore, solicited him in private, he received a very favourable answer; and a dispensation was forthwith promised to be granted to his master. Soon after, the march of a French army into Italy, under the command of Lautrec, obliged the Imperialists to restore Clement to his liberty; and he retired to Orvietto, where the secretary, with sir Gregory Cassali, the king's resident at Rome, renewed their applications to him. They still found him full of high professions of friendship, gratitude, and attachment to the king; but not so prompt in granting his request as they expected. The emperor, who had got intelligence of Henry's application to Rome, had exacted a promise from the pope, to take no steps in the affair before he communicated them to the Imperial ministers; and Clement, embarrassed by this promise, and still more overawed by the emperor's forces in Italy, seemed willing to postpone those concessions desired of him by Henry. Importuned, however, by the English ministers, he at last put into their hands a *commission* to Wolsey, as legate, in conjunction with the archbishop of Canterbury, or any other English prelate, to examine the validity of the king's marriage, and of Julius's dispensation: he also granted them a provisional *dispensation* for the king's marriage with any other person, and promised to issue a *decretal bull*, annulling the marriage with Catherine. But he represented to them the dangerous consequences which must ensue to him, if these concessions should come to the emperor's knowledge; and he conjured them not to publish those papers, or make any further use of them, till his affairs were in such a situation as to secure his liberty and independence. And his secret advice was, whenever they should find the proper time for opening the scene, that they should prevent all opposition, by proceeding immediately to a conclusion, by declaring the marriage with Catherine invalid, and by Henry's instantly espousing some other person. Nor would it be so difficult, he said, for himself to confirm these proceedings after they were passed, as previously to render them valid by his consent and authority.

1528. When Henry received the commission and dispensation from his ambassadors, and was informed of the pope's advice, he laid the whole before his ministers, and asked their opinion in so delicate a situation. The English counsellors considered the danger of proceeding in the manner pointed out to them. Should the pope refuse to ratify a deed, which he might justly call precipitate and irregular, and should he disavow the advice which he gave in so clandestine a manner, the king would find his second marriage totally invalidated; the children, which it might bring him, declared illegitimate; and his marriage with Catherine more firmly rivetted than ever. And Henry's apprehensions of the possibility, or even probability of such an event, were much confirmed when he reflected on the character and situation of the sovereign pontiff.

Clement was a prince of excellent judgment, whenever his timidity, to which he was extremely subject, allowed him to make full use of those talents and that penetration with which he was endowed. The captivity and other misfortunes which he had undergone, by entering into a league against Charles, had so affected his imagination, that he never afterwards exerted himself with vigour in any public measure; especially if the interest or inclinations of that potentate stood in opposition to him. The Imperial forces were at that time powerful in Italy, and might return to the attack of Rome, which was still defenceless, and exposed to the same calamities with which it had already been overwhelmed. And besides these dangers, Clement

fancied himself exposed to perils, which threatened still more immediately his person and his dignity.

THE EMPEROR THREATENS HIM.

Charles, apprized of the timid disposition of the holy father, threw out perpetual menaces of summoning a general council; which he represented as necessary to reform the church, and correct those enormous abuses which the ambition and avarice of the court of Rome had introduced into every branch of ecclesiastical administration. The power of the sovereign pontiff himself, he said, required limitation; his conduct called aloud for amendment; and even his title to the throne which he filled might justly be called in question. That pope had always passed for the natural son of Julian of Medicis, who was of the sovereign family of Florence; and though Leo X., his kinsman, had declared him legitimate, upon a pretended promise of marriage between his father and mother, few believed that declaration to be founded on any just reason or authority. The canon law, indeed, had been entirely silent with regard to the promotion of bastards to the papal throne; but what was still dangerous, the people had entertained a violent prepossession that this stain in the birth of any person was incompatible with so holy an office. And in another point, the canon law was express and positive, that no man guilty of simony could attain that dignity. A severe bull of Julius II. had added new sanctions to this law, by declaring, that a simoniacal election could not be rendered valid, even by a posterior consent of the cardinals. But unfortunately, Clement had given to cardinal Colonna a billet, containing promises of advancing that cardinal, in case he himself should attain the papal dignity by his concurrence: and this billet, Colonna, who was in entire dependence on the emperor, threatened every moment to expose to public view.

While Charles terrified the pope with these menaces, he also allured him by hopes which were no less prevalent over his affections. At the time when the emperor's forces sacked Rome, and reduced Clement to captivity, the Florentines, passionate for their ancient liberty, had taken advantage of his distresses, and, revolting against the family of Medicis, had entirely abolished their authority in Florence, and re-established the democracy. The better to protect themselves in their freedom, they had entered into the alliance with France, England, and Venice, against the emperor; and Clement found, that, by this interest, the hands of his confederates were tied from assisting him in the restoration of his family; the event which, of all others, he most passionately desired. The emperor alone, he knew, was able to effect this purpose; and therefore, whatever professions he made of fidelity to his allies, he was always, on the least glimpse of hope, ready to embrace every proposal of a cordial reconciliation with that monarch.

These views and interests of the pope were well known in England; and as the opposition of the emperor to Henry's divorce was foreseen, both on account of the honour and interests of Catherine his aunt, and the obvious motive of distressing an enemy, it was esteemed dangerous to take any measure of consequence, in expectation of the subsequent concurrence of a man of Clement's character, whose behaviour always contained so much duplicity, and who was at present so little at his own disposal. The safest measure seemed to consist in previously engaging him so far, that he could not afterwards recede, and in making use of his present ambiguity and uncertainty, to extort the most important concessions from him. For this purpose, Stephen Gardiner, the cardinal's secretary, and Edward Fox, the king's almoner, were dispatched to Rome, (10th February,) and were ordered to solicit a commission from the pope, of such a nature as would oblige him to confirm the sentence of the commissioners, whatever it should be, and disable him on any account to recall the commission, or evoke the cause to Rome.

THE POPE'S AMBIGUOUS CONDUCT.

But the same reasons which made the king so desirous of obtaining this concession, confirmed the pope in the resolution of refusing it: he was still determined to keep the door open for an agreement with the emperor; and he made no scruple of sacrificing all other considerations to a point which he deemed the most essential and important to his own security, and to the greatness of his family. He granted, therefore, a new commission, in which cardinal Campeggio was joined to Wolsey, for the trial of the king's marriage; but he could not be prevailed on to insert the clause desired of him. And though he put into Gardiner's hand a letter promising not to recall the present commission, this promise was found, on examination, to be couched in such ambiguous terms as left him still the power, whenever he pleased, of departing from it.

Campeggio lay under some obligations to the king; but his dependence on the pope was so much greater, that he conformed himself entirely to the views of the latter; and though he received his commission in April, he delayed his departure under so many pretences, that it was October before he arrived in England. The first step which he took was to exhort the king to desist from the prosecution of his divorce; and finding that this counsel gave offence, he said, that his intention was also to exhort the queen to take the vows in a convent, and that he thought it his duty previously to attempt an amicable composure of all differences. The more to pacify the king, he showed to him, as also to the cardinal, the decretal bull, annulling the former marriage with Catherine; but no entreaties could prevail on him to make any other of the king's council privy to the secret. In order to atone in some degree for this obstinacy, he expressed to the king and the cardinal the pope's great desire of satisfying them in every reasonable demand; and in particular, he showed that their request for suppressing some more monasteries, and converting them into cathedrals and episcopal sees, had obtained the consent of his holiness.

These ambiguous circumstances in the behaviour of the pope and the legate, kept the court of England in suspense, and determined the king to wait with patience the issue of such uncertain councils.....1529. Fortune, meanwhile, seemed to promise him a more sure and expeditious way of extricating himself from his present difficulties. Clement was seized with a dangerous illness; and the intrigues for electing his successor began already to take place among the cardinals. Wolsey, in particular, supported by the interest of England and of France, entertained hopes of mounting the throne of St. Peter; and it appears, that if a vacancy had then happened, there was a probability of his reaching that summit of his ambition. But the pope recovered, though after several relapses; and he returned to the same train of false and deceitful politics, by which he had hitherto amused the court of England. He still flattered Henry with professions of the most cordial attachment, and promised him a sudden and favourable issue to his process: he still continued his secret negociations with Charles, and persevered in the resolution of sacrificing all his promises, and all the interests of the Romish religion, to the elevation of his family. Campeggio, who was perfectly acquainted with his views and intentions, protracted the decision by the most artful delays, and gave Clement full leisure to adjust all the terms of his treaty with the emperor.

The emperor, acquainted with the king's extreme earnestness in this affair, was determined that he should obtain success by no other means than by an application to him, and by deserting his alliance with Francis,

which had hitherto supported, against the superior force of Spain, the tottering state of the French monarchy. He willingly hearkened, therefore, to the applications of Catherine, his aunt; and promising her his utmost protection, exhorted her never to yield to the malice and persecutions of her enemies. The queen herself was naturally of a firm and resolute temper; and was engaged by every motive to persevere in protesting against the injustice to which she thought herself exposed. The imputation of incest, which was thrown upon her marriage with Henry, struck her with the highest indignation: the illegitimacy of her daughter, which seemed a necessary consequence, gave her the most just concern: the reluctance of yielding to a rival, who, she believed, had supplanted her in the king's affections, was a very natural motive. Actuated by all these considerations, she never ceased soliciting her nephew's assistance, and earnestly entreating an evocation of the cause to Rome, where alone she thought she could expect justice. And the emperor, in all his negociations with the pope, made the recall of the commission which Campeggio and Wolsey exercised in England a fundamental article.

TRIAL OF THE KING'S MARRIAGE. *May* 31.

The two legates, meanwhile, opened their court at London, and cited the king and queen to appear before it. They both presented themselves; and the king answered to his name when called: but the queen, instead of answering to hers, rose from her seat, and throwing herself at the king's feet, made a very pathetic harangue, which her virtue, her dignity, and her misfortunes, rendered the more affecting. She told him that she was a stranger in his dominions, without protection, without council, without assistance; exposed to all the injustice which her enemies were pleased to impose upon her: that she had quitted her native country without other resource than her connexions with him and his family, and had expected that, instead of suffering thence any violence or iniquity, she was assured in them of a safeguard against every misfortune: that she had been his wife during twenty years, and would here appeal to himself, whether her affectionate submission to his will had not merited better treatment, than to be thus, after so long a time, thrown from him with so much indignity: that she was conscious—he himself was assured—that her virgin honour was yet unstained, when he received her into his bed, and that her connexions with his brother had been carried no further than the ceremony of marriage: that their parents, the kings of England and Spain, were esteemed the wisest princes of their time, and had undoubtedly acted by the best advice, when they formed the agreement for that marriage, which was now represented as so criminal and unnatural: and that she acquiesced in their judgment, and would not submit her cause to be tried by a court, whose dependence on her enemies was too visible, ever to allow her any hopes of obtaining from them an equitable or impartial decision. Having spoken these words, she rose, and making the king a low reverence, she departed from the court, and never would again appear in it.

After her departure, the king did her the justice to acknowledge that she had ever been a dutiful and affectionate wife, and that the whole tenour of her behaviour had been conformable to the strictest rules of probity and honour. He only insisted on his own scruples with regard to the lawfulness of their marriage; and he explained the origin, the progress, and the foundation of those doubts by which he had been so long and so violently agitated. He acquitted cardinal Wolsey from having any hand in encouraging his scruples; and he craved a sentence of the court agreeable to the justice on his cause.

The legates, after citing the queen anew, declared her *contumacious*, notwithstanding her appeal to Rome; and then proceeded to the examination of the cause. The first point which came before them was the proof of prince Arthur's consummation of his marriage with Catherine; and it must be confessed, that no stronger arguments could reasonably be expected of such a fact after so long an interval. The age of the prince, who had passed his fifteenth year, the good state of his health, the long time that he had cohabited with his consort, many of his expressions to that very purpose; all these circumstances form a violent presumption in favour of the king's assertion. Henry himself, after his brother's death, was not allowed for some time to bear the title of prince of Wales, in expectation of her pregnancy: the Spanish ambassador, in order the better to ensure possession of her jointure, had sent over to Spain proofs of the consummation of her marriage: Julius's bull itself was founded on the supposition that Arthur had *perhaps* had knowledge of the princess: in the very treaty, fixing Henry's marriage, the consummation of the former marriage with prince Arthur is acknowledged on both sides. These particulars were all laid before the court; accompanied with many reasonings concerning the extent of the pope's authority, and against his power of granting a dispensation to marry within the prohibited degrees. Campeggio heard these doctrines with great impatience; and, notwithstanding his resolution to protract the cause, he was often tempted to interrupt and silence the king's counsel, when they insisted on such disagreeable topics. The trial was spun out till the 23rd of July; and Campeggio chiefly took on him the part of conducting it. Wolsey, though the elder cardinal, permitted him to act as president of the court; because it was thought that a trial managed by an Italian cardinal would carry the appearance of greater candour and impartiality, than if the king's own minister and favourite had presided in it. The business now seemed to be drawing near to a period; and the king was every day in expectation of a sentence in his favour; when to his great surprise, Campeggio, on a sudden, without any warning, and upon very frivolous pretences, prorogued the court till the first of October. The evocation, which came a few days after from Rome, put an end to all the hopes of success which the king had so long and so anxiously cherished.

During the time that the trial was carried on before the legates at London, the emperor had, by his ministers, earnestly solicited Clement to evoke the cause; and had employed every topic of hope or terror which could operate either on the ambition or timidity of the pontiff. The English ambassadors, on the other hand, in conjunction with the French, had been no less earnest in their applications, that the legates should be allowed to finish the trial; but though they employed the same engines of promises and menaces, the motives which they could set before the pope were not so urgent or immediate as those which were held up to him by the emperor. The dread of losing England, and of fortifying the Lutherans by so considerable an accession, made small impression on Clement's mind, in comparison of the anxiety for his personal safety, and the fond desire of restoring the Medicis to their dominion in Florence. As soon, therefore, as he had adjusted all terms with the emperor, he laid hold of the pretence of justice, which required him, as he asserted, to pay regard to the queen's appeal; and suspending the commission of the legates, he adjourned the cause to his own personal judgment at Rome. Campeggio had, beforehand, received private orders delivered by Campana to burn the decretal bull with which he was entrusted.

Wolsey had long foreseen this measure as the sure forerunner of his ruin. Though he had at first desired that the king should rather marry a French princess than Anne Boleyn, he had employed himself with the utmost assiduity and earnestness to bring the affair to a happy issue. He was not, therefore, to be blamed for the unprosperous event which Clement's partiality

had produced. But he had sufficient experience of the extreme ardour and impatience of Henry's temper, who could bear no contradiction, and who was wont, without examination or distinction, to make his ministers answerable for the success of those transactions with which they were entrusted. Anne Boleyn also, who was prepossessed against him, had imputed to him the failure of her hopes; and as she was newly returned to court, whence she had been removed from a regard to decency during the trial before the legates, she had naturally acquired an additional influence on Henry, and she served much to fortify his prejudices against the cardinal. Even the queen and her partisans, judging of Wolsey by the part which he had openly acted, had expressed great animosity against him; and the most opposite factions seemed now to combine in the ruin of this haughty minister. The high opinion itself, which Henry had entertained of the cardinal's capacity, tended to hasten his downfall; while he imputed the bad success of that minister's undertakings, not to ill fortune, or to mistake, but to the malignity or infidelity of his intentions. The blow, however, fell not instantly on his head. The king, who probably could not justify by any good reason his alienation from his ancient favourite, seems to have remained some time in suspense; and he received him, if not with all his former kindness, at least with the appearance of trust and regard.

WOLSEY'S FALL.

But constant experience evinces how rarely a high confidence and affection receives the least diminution, without sinking into absolute indifference, or even running into the opposite extreme. The king now determined to bring on the ruin of the cardinal with a motion almost as precipitate as he had formerly employed in his elevation. The dukes of Norfolk and Suffolk were sent (18th October) to require the great seal from him; and on his scrupling to deliver it without a more express warrant, Henry wrote him a letter, upon which it was surrendered, and it was delivered by the king to sir Thomas More, a man who, besides the ornaments of an elegant literature, possessed the highest virtue, integrity, and capacity.

Wolsey was ordered to depart from York-place, a palace which he had built in London, and which, though it really belonged to the see of York, was seized by Henry, and became afterwards the residence of the kings of England, by the title of Whitehall. All his furniture and plate were also seized: their riches and splendour befitted rather a royal than a private fortune. The walls of his palace were covered with cloth of gold, or cloth of silver; he had a cupboard of plate of massy gold: there were found a thousand pieces of fine holland belonging to him. The rest of his riches and furniture was in proportion; and his opulence was, probably, no small inducement to this violent persecution against him.

The cardinal was ordered to retire to Asher, a country-seat which he possessed near Hampton Court. The world that had paid him such abject court during his prosperity, now entirely deserted him on this fatal reverse of all his fortunes. He himself was much dejected with the change; and from the same turn of mind which had made him be so vainly elated with his grandeur, he felt the stroke of adversity with double rigour. The smallest appearance of his return to favour threw him into transports of joy unbecoming a man. The king had seemed willing, during some time, to intermit the blows which overwhelmed him. He granted him his protection, and left him in possession of the sees of York and Winchester. He even sent him a gracious message accompanied with a ring, as a testimony of his affection. Wolsey, who was on horseback when the messenger met him, immediately alighted; and throwing himself on his knees in the mire, received, in that humble attitude, these marks of his majesty's gracious disposition towards him.

But his enemies, who dreaded his return to court, never ceased plying the king with accounts of his several offences; and Anne Boleyn, in particular, contributed her endeavours, in conjunction with her uncle the duke of Norfolk, to exclude him from all hopes of ever being reinstated in his former authority. He dismissed, therefore, his numerous retinue; and as he was a kind and beneficent master, the separation passed not without a plentiful effusion of tears on both sides. The king's heart, notwithstanding some gleams of kindness, seemed now totally hardened against his old favourite. He ordered him to be indicted in the star-chamber, where a sentence was passed against him. And not content with this severity, he abandoned him to all the rigour of the parliament, which now, after a long interval, was again assembled. The house of lords (in November) voted a long charge against Wolsey, consisting of forty-four articles; and accompanied it with an application to the king for his punishment, and his removal from all authority. Little opposition was made to this charge in the upper house: no evidence of any part of it was so much as called for; and as it chiefly consists of general accusations, it was scarcely susceptible of any. [*See note* 2 T, *at the end of this Vol.*] The articles were sent down to the house of commons; where Thomas Cromwell, formerly a servant of the cardinal's, and who had been raised by him from a very low station, defended his unfortunate patron with such spirit, generosity, and courage, as acquired him great honour, and laid the foundation of that favour which he afterwards enjoyed with the king.

Wolsey's enemies finding that either his innocence or his caution prevented them from having any just ground of accusing him, had recourse to a very extraordinary expedient. An indictment was laid against him; that, contrary to a statute of Richard II., commonly called the statute of provisors, he had procured bulls from Rome, particularly one investing him with the legatine power, which he had exercised with very extensive authority. He confessed the indictment, pleaded ignorance of the statute, and threw himself on the king's mercy. He was, perhaps, within reach of the law; but besides that this statute had fallen into disuse, nothing could be more rigorous and severe, than to impute to him as a crime what he had openly, during the course of so many years, practised with the consent and approbation of the king, and the acquiescence of the parliament and kingdom; not to mention, what he always asserted, and what we can scarcely doubt of, that he had obtained the royal licence in the most formal manner, which, had he not been apprehensive of the dangers attending any opposition to Henry's lawless will, he might have pleaded in his own defence before the judges. Sentence, however, was pronounced against him, "that he was out of the king's protection; his lands and goods forfeited; and that his person might be committed to custody." But this prosecution of Wolsey was carried no further. Henry even granted him a pardon for all offences; restored him part of his plate and furniture; and still continued from time to time to drop expressions of favour and compassion towards him.

COMMENCEMENT OF THE REFORMATION IN ENGLAND.

The complaints against the usurpations of the ecclesiastics had been very ancient in England, as well as in most other European kingdoms; and as this topic was now become popular everywhere, it had paved the way for the Lutheran tenets, and reconciled the people in some measure to the frightful idea of heresy and innovation. The commons, finding the occasion favourable, passed several bills restraining the impositions of the clergy; one for the regulating of mortuaries; another against the exactions for the probates of wills;* a

* These exactions were quite arbitrary, and had arisen to a great height. A member said in the house, that a thousand marks had been exacted from him on that account. Hall, fol. 188. Strype, vol. i. p. 7.

third against non-residence and pluralities, and against churchmen's being farmers of land. But what appeared chiefly dangerous to the ecclesiastical order, were the severe invectives thrown out almost without opposition in the house against the dissolute lives of the priests, their ambition, their avarice, and their endless encroachments on the laity. Lord Herbert has even preserved the speech of a gentleman of Gray's-Inn, which is of a singular nature, and contains such topics as we should little expect to meet with during that period. The member insists upon the vast variety of theological opinions which prevailed in different nations and ages; the endless inextricable controversies maintained by the several sects; the impossibility that any man, much less the people, could ever know, much less examine, the tenets and principles of every sect; the necessity of ignorance, and a suspense of judgment with regard to all those objects of dispute: and upon the whole he infers, that the only religion obligatory on mankind is the belief of one supreme Being, the author of nature; and the necessity of good morals, in order to obtain his favour and protection. Such sentiments would be deemed latitudinarian, even in our time; and would not be advanced without some precaution in a public assembly. But though the first broaching of religious controversy might encourage the sceptical turn in a few persons of a studious disposition; the zeal with which men soon after attached themselves to their several parties, served effectually to banish for a long time all such obnoxious liberties.

The bills for regulating the clergy met with some opposition in the house of lords. Bishop Fisher, in particular, imputed these measures of the commons to their want of faith; and to a formed design derived from heretical and Lutheran principles, of robbing the church of her patrimony, and overturning the national religion. The duke of Norfolk reproved the prelate in severe and even somewhat indecent terms. He told him that the greatest clerks were not always the wisest men. But Fisher replied, that he did not remember any fools in his time who had proved great clerks. The exceptions taken at the bishop of Rochester's speech stopped not there. The commons, by the mouth of sir Thomas Audley, their speaker, made complaints to the king of the reflections thrown upon them; and the bishop was obliged to put a more favourable construction on his words.

Henry was not displeased that the court of Rome and the clergy should be sensible that they were entirely dependent on him, and that his parliament, if he were willing to second their inclinations, was sufficiently disposed to reduce the power and privileges of the ecclesiastics. The commons gratified the king in another particular of moment: they granted him a discharge of all those debts which he had contracted since the beginning of his reign; and they grounded this bill, which occasioned many complaints, on a pretence of the king's great care of the nation, and of his regularly employing all the money which he had borrowed in the public service. Most of the king's creditors consisted of friends to the cardinal, who had been engaged by their patron to contribute to the supply of Henry's necessities; and the present courtiers were well pleased to take the opportunity of mulcting them. Several also approved of an expedient which they hoped would ever after discredit a method of supply so irregular and so unparliamentary.

FOREIGN AFFAIRS.

The domestic transactions of England were at present so interesting to the king, that they chiefly engaged his attention; and he regarded foreign affairs only in subordination to them. He had declared war against the emperor; but the mutual advantages reaped by the commerce between England and the Netherlands, had engaged him to stipulate a neutrality with those provinces; and, except by money contributed to the Italian wars, he had in effect exercised no hostility against any of the Imperial dominions. A general peace was this summer established in Europe. Margaret of Austria, and Louisa of Savoy, met at Cambray, and settled the terms of pacification between the French king and the emperor. Charles accepted of two millions of crowns in lieu of Burgundy; and he delivered up the two princes of France, whom he had retained as hostages. Henry was on this occasion so generous to his friend and ally Francis, that he sent him an acquittal of near 600,000 crowns which that prince owed him. Francis's Italian confederates were not so well satisfied as the king with the peace of Cambray: they were almost wholly abandoned to the will of the emperor; and seemed to have no means of security left but his equity and moderation. Florence, after a brave resistance, was subdued by the Imperial arms, and finally delivered over to the dominion of the family of Medicis. The Venetians were better treated; they were only obliged to relinquish some acquisitions which they had made on the coast of Naples. Even Francis Sforza obtained the investiture of Milan, and was pardoned for all past offences. The emperor in person passed into Italy with a magnificent train, and received the Imperial crown from the hands of the pope at Bologna. He was but twenty-nine years of age; and having already by his vigour and capacity succeeded in every enterprise, and reduced to captivity the two greatest potentates in Europe, the one spiritual, the other temporal, he attracted the eyes of all men; and many prognostications were formed of his growing empire.

But though Charles seemed to be prosperous on every side, and though the conquest of Mexico and Peru now began to prevent that scarcity of money under which he had hitherto laboured, he found himself threatened with difficulties in Germany; and his desire of surmounting them was the chief cause of his granting such moderate conditions to the Italian powers. Sultan Solyman, the greatest and most accomplished prince that ever sat on the Ottoman throne, had almost entirely subdued Hungary, had besieged Vienna, and though repulsed, still menaced the hereditary dominions of the house of Austria with conquest and subjection. The Lutheran princes of the empire, finding that liberty of conscience was denied them, had combined in a league for their own defence at Smalcalde; and because they protested against the votes passed in the imperial diet, they thenceforth received the appellation of *Protestants*. Charles had undertaken to reduce them to obedience; and on pretence of securing the purity of religion, he had laid a scheme for aggrandizing his own family, by extending his dominion over all Germany.

The friendship of Henry was one material circumstance yet wanting to Charles, in order to ensure success in his ambitious enterprises; and the king was sufficiently apprized, that the concurrence of that prince would at once remove all the difficulties which lay in the way of his divorce; that point which had long been the object of his most earnest wishes. But besides that the interests of his kingdom seemed to require an alliance with France, his haughty spirit could not submit to a friendship imposed on him by constraint; and as he had ever been accustomed to receive courtship, deference, and solicitation from the greatest potentates, he could ill brook that dependence to which this unhappy affair seemed to have reduced him. Amidst the anxieties with which he was agitated he was often tempted to break off all connexions with the court of Rome; and though he had been educated in a superstitious reverence to papal authority, it is likely that his personal experience of the duplicity and selfish politics of Clement had served much to open his eyes in that particular. He found his prerogative firmly established at home: he observed, that his people were in general much disgusted with clerical usurpations, and disposed to reduce the powers and privileges of the

ecclesiastical order: he knew that they had cordially taken part with him in his prosecution of the divorce, and highly resented the unworthy treatment which, after so many services and such devoted attachment, he had received from the court of Rome. Anne Boleyn also could not fail to use all her efforts, and employ every insinuation, in order to make him proceed to extremities against the pope; both as it was the readiest way to her attaining royal dignity, and as her education in the court of the duchess of Alençon, a princess inclined to the reformers, had already disposed her to a belief of the new doctrines. But notwithstanding these inducements, Henry had strong motives still to desire a good agreement with the sovereign pontiff. He apprehended the danger of such great innovations: he dreaded the reproach of heresy: he abhorred all connexions with the Lutherans, the chief opponents of the papal power: and having once exerted himself with such applause, as he imagined, in defence of the Romish communion, he was ashamed to retract his former opinions, and betray from passion such a palpable inconsistency. While he was agitated by these contrary motives, an expedient was proposed, which, as it promised a solution of all difficulties, was embraced by him with the greatest joy and satisfaction.

THE UNIVERSITIES CONSULTED ABOUT THE KING'S MARRIAGE.

Dr. Thomas Cranmer, fellow of Jesus College in Cambridge, was a man remarkable in that university for his learning, and still more for the candour and disinterestedness of his temper. He fell one evening by accident into company with Gardiner, now secretary of state, and Fox, the king's almoner; and as the business of the divorce became the subject of conversation, he observed that the readiest way, either to quiet Henry's conscience, or extort the pope's consent, would be to consult all the universities of Europe with regard to this controverted point: if they agreed to approve of the king's marriage with Catherine, his remorses would naturally cease; if they condemned it, the pope would find it difficult to resist the solicitations of so great a monarch, seconded by the opinion of all the learned men in Christendom. When the king was informed of the proposal, he was delighted with it; and swore, with more alacrity than delicacy, that Cranmer had got the right sow by the ear: he sent for that divine; entered into conversation with him; conceived a high opinion of his virtue and understanding; engaged him to write in defence of the divorce; and immediately, in prosecution of the scheme proposed, employed his agents to collect the judgments of all the universities in Europe.

Had the question of Henry's marriage with Catherine been examined by the principles of sound philosophy, exempt from superstition, it seemed not liable to much difficulty. The natural reason why marriage in certain degrees is prohibited by the civil laws, and condemned by the moral sentiments of all nations, is derived from men's care to preserve purity of manners; while they reflect, that if a commerce of love were authorized between near relations, the frequent opportunities of intimate conversation, especially during early youth, would introduce an universal dissoluteness and corruption. But as the customs of countries vary considerably, and open an intercourse more or less restrained between different families, or between the several members of the same family, we find that the moral precept varying with its cause, is susceptible, without any inconvenience, of very different latitude in the several ages and nations of the world. The extreme delicacy of the Greeks permitted no communication between persons of different sexes, except where they lived under the same roof; and even the apartments of a step-mother and her daughters were almost as much shut up against visits from the husband's sons, as against those from any stranger or more distant relation: hence, in that nation it was lawful for a man to marry not only his niece, but his half-sister by the father: a liberty unknown to the Romans and other nations, where a more open intercourse was authorized between the sexes. Reasoning from this principle it would appear, that the ordinary commerce of life among great princes is so obstructed by ceremony and numerous attendants, that no ill consequence would result among them from marrying a brother's widow; especially if the dispensation of the supreme priest be previously required, in order to justify what may in common cases be condemned, and to hinder the precedent from becoming too common and familiar. And as strong motives of public interest and tranquility may frequently require such alliances between the foreign families, there is the less reason for extending towards them the full rigour of the rule which has place among individuals. [*See note* 2 U, *at the end of this Vol.*]

But, in opposition to these reasons, and many more which might be collected, Henry had custom and precedent on his side; the principle by which men are almost wholly governed in their actions and opinions, The marrying of a brother's widow was so unusual, that no other instance of it could be found in any history or record of any Christian nation; and though the popes were accustomed to dispense with more essential precepts of morality, and even permitted marriages within other prohibited degrees, such as those of uncle and niece, the imaginations of men were not yet reconciled to this particular exercise of his authority. Several universities of Europe, therefore, without hesitation, as well as without interest or reward, gave verdict in the king's favour [1530;) not only those of France, Paris, Orleans, Bourges, Toulouse, Angiers, which might be supposed to lie under the influence of their prince, ally to Henry; but also those of Italy, Venice, Ferrara, Padua; even Bologne itself, though under the immediate jurisdiction of Clement. Oxford alone, and Cambridge, made some difficulty; because these universities, alarmed at the progress of Lutheranism, and dreading a defection from the holy see scrupled to give their sanction to measures whose consequences they feared would prove fatal to the ancient religion. Their opinion, however, conformable to that of the other universities of Europe, was at last obtained: and the king, in order to give more weight to all those authorities, engaged his nobility to write a letter to the pope, recommending his cause to the holy father, and threatening him with the most dangerous consequences in case of a denial of justice. The convocations too, both of Canterbury and York, pronounced the king's marriage invalid, irregular, and contrary to the law of God, with which no human power had authority to dispense. But Clement, lying still under the influence of the emperor, continued to summon the king to appear, either by himself or proxy, before his tribunal at Rome; and the king, who knew that he could expect no fair trial there, refused to submit to such a condition, and would not even admit of any citation, which he regarded as a high insult, and a violation of his royal prerogative. The father of Anne Boleyn, created earl of Wiltshire, carried to the pope the king's reasons for not appearing by proxy; and, as the first instance of disrespect from England, refused to kiss his holiness's foot, which he very graciously held out to him for that purpose.

The extremities to which Henry was pushed, both against the pope and the ecclesiastical order, were naturally disagreeable to cardinal Wolsey; and as Henry foresaw his opposition, it is the most probable reason that can be assigned for his renewing the prosecution against his ancient favourite. After Wolsey had remained some time at Asher, he was allowed to remove to Richmond, a palace which he had received as a present from Henry, in return for Hampton Court: but the courtiers, dreading still his vicinity to the king,

procured an order for him to remove to his see at York. The cardinal knew it was in vain to resist: he took up his residence at Cawood in Yorkshire, where he rendered himself extremely popular in the neighbourhood by his affability and hospitality; but he was not allowed to remain long unmolested in this retreat. The earl of Northumberland received orders, without regard to Wolsey's ecclesiastical character, to arrest him for high-treason, and to conduct him to London, in order to his trial. The cardinal, partly from the fatigues of his journey, partly from the agitation of his anxious mind, was seized with a disorder which turned into a dysentery; and he was able, with some difficulty, to reach Leicester abbey. When the abbot and the monks advanced to receive him with much respect and reverence, he told them that he was come to lay his bones among them; and he immediately took to his bed, whence he never rose more. A little before he expired (28th November) he addressed himself in the following words to sir William Kingston, constable of the Tower, who had him in custody: "I pray you, have me heartily recommended unto his royal majesty, and beseech him on my behalf to call to his remembrance all matters that have passed between us from the beginning, especially with regard to his business with the queen; and then will he know in his conscience whether I have offended him.

"He is a prince of a most royal carriage, and hath a princely heart; and rather than he will miss or want any part of his will he will endanger the one half of his kingdom.

"I do assure you, that I have often kneeled before him, sometimes three hours together, to persuade him from his will and appetite; but could not prevail: had I but served God as diligently as I have served the king, he would not have given me over in my grey hairs. But this is the just reward that I must receive for my indulgent pains and study, not regarding my service to God, but only to my prince. Therefore let me advise you, if you be one of the privy-counsel, as by your wisdom you are fit, take care what you put into the king's head: for you can never put it out again."

WOLSEY'S DEATH.

Thus died this famous cardinal, whose character seems to have contained as singular a variety as the fortune to which he was exposed. The obstinacy and violence of the king's temper may alleviate much of the blame which some of his favourite's measures have undergone; and when we consider, that the subsequent part of Henry's reign was much more criminal than that which had been directed by Wolsey's counsels, we shall be inclined to suspect those historians of partiality who have endeavoured to load the memory of this minister with such violent reproaches. If in foreign politics he sometimes employed his influence over the king for his private purposes rather than his master's service, which he boasted he had solely at heart, we must remember that he had in view the papal throne; a dignity which, had he attained it, would have enabled him to make Henry a suitable return for all his favours. The cardinal of Amboise, whose memory is respected in France, always made this apology for his own conduct, which was in some respect similar to Wolsey's; and we have reason to think that Henry was well acquainted with the views by which his minister was influenced, and took a pride in promoting them. He much regretted his death, when informed of it; and always spoke favourably of his memory: a proof that humours more than reason, or any discovery of treachery, had occasioned the last persecutions against him.

A PARLIAMENT. *January* 16, 1531.

A new session of parliament was held, together with a convocation; and the king here gave strong proofs of his extensive authority, as well as of his intention to turn it to the depression of the clergy. As an ancient statute, now almost obsolete, had been employed to ruin Wolsey, and render his exercise of the legatine power criminal, notwithstanding the king's permission, the same law was now turned against the ecclesiastics. It was pretended that every one who had submitted to the legatine court, that is, the whole church, had violated the statute of provisors; and the attorney-general accordingly brought an indictment against them. The convocation knew that it would be in vain to oppose reason or equity to the king's arbitrary will, or plead that their ruin would have been the certain consequence of not submitting to Wolsey's commission, which was procured by Henry's consent, and supported by his authority. They chose, therefore, to throw themselves on the mercy of their sovereign; and they agreed to pay 118,840 pounds for a pardon. A confession was likewise extorted from them, that *the king was the protector and the supreme head of the church and clergy of England:* though some of them had the dexterity to get a clause inserted which invalidated the whole submission, and which ran in these terms, *in so far as is permitted by the law of Christ.*

The commons, finding that a pardon was granted the clergy, began to be apprehensive for themselves, lest either they should afterwards be brought into trouble on account of their submission to the legatine court, or a supply in like manner be extorted from them in return for their pardon. They therefore petitioned the king to grant a remission to his lay subjects; but they met with a repulse. He told them, that if he ever chose to forgive their offence, it would be from his own goodness, not from their application, lest he should seem to be compelled to it. Some time after, when they despaired of obtaining this concession, he was pleased to issue a pardon to the laity; and the commons expressed great gratitude for that act of clemency.

PROGRESS OF THE REFORMATION. 1532.

By this strict execution of the statute of provisors, a great part of the profit, and still more of the power of the court of Rome was cut off; and the connexions between the pope and the English clergy were in some measure dissolved. The next session found both king and parliament in the same dispositions. An act was passed (15th January) against levying the annates or first-fruits; being a year's rent of all the bishoprics that fell vacant: a tax which was imposed by the court of Rome for granting bulls to the new prelates, and which was found to amount to considerable sums. Since the second of Henry VII., no less than one hundred and sixty thousand pounds had been transmitted to Rome on account of this claim; which the parliament, therefore, reduced to five per cent. on all the episcopal benefices. The better to keep the pope in awe, the king was intrusted with a power of regulating these payments, and of confirming or infringing this act at his pleasure: and it was voted, that any censures which should be passed by the court of Rome on account of that law should be entirely disregarded; and that mass should be said, and the sacraments administered, as if no such censures had been issued.

This session the commons preferred to the king a long complaint against the abuses and the oppressions of ecclesiastical courts; and they were proceeding to enact laws for remedying them, when a difference arose, which put an end to the session before the parliament had finished all their business. It was become a custom for men to make such settlements or trust-deeds of their lands by will, that they defrauded not only the king, but all other lords, of their wards, marriages, and reliefs: and by the same artifice the king was deprived of his premier seisin, and the profits of the livery, which were no inconsiderable branches of his revenue. Henry made a bill be drawn to

moderate, not remedy altogether this abuse: he was contented that every man should have the liberty of disposing in this manner of the half of his land; and he told the parliament in plain terms: "If they would not take a reasonable thing when it was offered, he would search out the extremity of the law, and then would not offer them so much again." The lords came willingly into his terms; but the commons rejected the bill: a singular instance, where Henry might see that his power and authority, though extensive, had yet some boundaries. The commons, however, found reason to repent of their victory. The king made good his threats; he called together the judges and ablest lawyers, who argued the question in chancery; and it was decided, that a man could not by law bequeath any part of his lands in prejudice of heirs.

The parliament being again assembled (on the 10th of April) after a short prorogation, the king caused the two oaths to be read to them,—that which the bishops took to the pope, and that to the king, on their installation: and as a contradiction might be suspected between them, while the prelates seemed to swear allegiance to two sovereigns, the parliament showed their intention of abolishing the oath to the pope, when their proceedings were suddenly stopped by the breaking out of the plague at Westminster, which occasioned a prorogation. It is remarkable that one Temse ventured this session to move, that the house should address the king to take back the queen, and stop the prosecution of his divorce. This motion made the king send for Audley, the speaker; and explain to him the scruples with which his conscience had long been burdened; scruples, he said, which had proceeded from no wanton appetite, which had arisen after the fervours of youth were past, and which were confirmed by the concurring sentiments of all the learned societies in Europe. Except in Spain and Portugal, he added, it was never heard of that any man had espoused two sisters: but he himself had the misfortune, he believed, to be the first Christian man that had ever married his brother's widow.

After the prorogation sir Thomas More, the chancellor, foreseeing that all the measures of the king and parliament led to a breach with the church of Rome, and to an alteration of religion, with which his principles would not permit him to concur, desired leave to resign the great seal; and he descended from his high station with more joy and alacrity than he had mounted up to it. The austerity of this man's virtue, and the sanctity of his manners, had nowise encroached on the gentleness of his temper, or even diminished that frolic and gaiety to which he was naturally inclined. He sported with all the varieties of fortune into which he was thrown; and neither the pride naturally attending a high station, nor the melancholy incident to poverty and retreat, could ever lay hold of his serene and equal spirit. While his family discovered symptoms of sorrow on laying down the grandeur and magnificence to which they had been accustomed, he drew a subject of mirth from their distresses; and made them ashamed of losing even a moment's cheerfulness on account of such trivial misfortunes. The king, who had entertained a high opinion of his virtue, received his resignation with some difficulty; and he delivered the great seal soon after to sir Thomas Audley.

During these transactions in England, and these invasions of the papal and ecclesiastical authority, the court of Rome was not without solicitude; and she entertained just apprehensions of losing entirely her authority in England; the kingdom which of all others had long been the most devoted to the holy see, and which had yielded it the most ample revenue. While the imperial cardinals pushed Clement to proceed to extremities against the king, his more moderate and impartial counsellors represented to him the indignity of his proceedings; that a great monarch, who had signalized himself both by his pen and his sword in the cause of the pope, should be denied a favour which he demanded on such just grounds, and which had scarcely ever before been refused to any person of his rank and station. Notwithstanding these remonstrances, the queen's appeal was received at Rome; the king was cited to appear; and several consistories were held to examine the validity of their marriage. Henry was determined not to send any proxy to plead his cause before this court; he only despatched sir Edward Karne and Dr. Bonner, in quality of excusators, so they were called, to carry his apology for not paying that deference to the papal authority. The prerogatives of his crown, he said, must be sacrificed if he allowed appeals from his own kingdom; and as the question regarded conscience, not power or interest, no proxy could supply his place, or convey that satisfaction which the dictates of his own mind alone could confer. In order to support himself in this measure, and add greater security to his intended defection from Rome, he procured an interview with Francis at Boulogne and Calais, (on the 11th of October,) where he renewed his personal friendship as well as public alliance with that monarch, and concerted all measures for their mutual defence. He even employed arguments, by which he believed he had persuaded Francis to imitate his example, in withdrawing his obedience from the bishop of Rome, and administering ecclesiastical affairs without having further recourse to that see. And being now fully determined in his own mind, as well as resolute to stand all consequences, he privately celebrated (on the 14th of November) his marriage with Anne Boleyn, whom he had previously created marchioness of Pembroke. Rouland Lee, soon after raised to the bishopric of Coventry, officiated at the marriage. The duke of Norfolk, uncle to the new queen, her father, mother, and brother, together with Dr. Cranmer, were present at the ceremony. Anne became pregnant soon after her marriage; and this event both gave great satisfaction to the king, and was regarded by the people as a strong proof of the queen's former modesty and virtue.

A PARLIAMENT. *February* 4, 1533.

The parliament was again assembled; and Henry, in conjunction with the great council of the nation, proceeded still in those gradual and secure steps by which they loosened their connexions with the see of Rome, and repressed the usurpations of the Roman pontiff. An act was made against all appeals to Rome in causes of matrimony, divorces, wills, and other suits cognizable in ecclesiastical courts: appeals esteemed dishonourable to the kingdom, by subjecting it to a foreign jurisdiction; and found to be very vexatious, by the expense and the delay of justice which necessarily attended them. The more to show his disregard to the pope, Henry, finding the new queen's pregnancy to advance, publicly owned his marriage; (12th April;) and, in order to remove all doubts with regard to its lawfulness, he prepared measures for declaring by a formal sentence the invalidity of his marriage with Catherine: a sentence which ought naturally to have preceded his espousing of Anne.

The king, even amidst his scruples and remorses on account of his first marriage, had always treated Catherine with respect and distinction, and he endeavoured by every soft and persuasive art, to engage her to depart from her appeal to Rome, and her opposition to his divorce. Finding her obstinate in maintaining the justice of her cause, he had totally forborne all visits and intercourse with her; and had desired her to make choice of any one of his palaces in which she should please to reside. She had fixed her abode for some time at Amphill, near Dunstable; and it was in this latter town that Cranmer, now created archbishop of Canterbury on the death of Warham, [*See note* 2 V, *at the end of this Vol.*,] was appointed to open

his court for examining the validity of her marriage. (10th May.) The near neighbourhood of the place was chosen, in order to deprive her of all plea of ignorance; and as she made no answer to the citation, either by herself or proxy, she was declared *contumacious*; and the primate proceeded to the examination of the cause. The evidences of Arthur's consummation of his marriage were anew produced; the opinions of the universities were read, together with the judgment pronounced two years before by the convocations both of Canterbury and York; and after these preliminary steps Cranmer proceeded to a sentence, and annulled the king's marriage with Catherine as unlawful and invalid. By a subsequent sentence he ratified the marriage with Anne Boleyn, who soon after was publicly crowned queen, with all the pomp and dignity suited to that ceremony. To complete the king's satisfaction on the conclusion of this intricate and vexatious affair, she was safely delivered of a daughter, (on the 7th September,) who received the name of Elizabeth, and who afterwards swayed the sceptre with such renown and felicity. Henry was so much delighted with the birth of this child, that soon after he conferred on her the title of princess of Wales; a step somewhat irregular, as she could only be presumptive, not apparent heir of the crown. But he had, during his former marriage, thought proper to honour his daughter Mary with that title; and he was determined to bestow on the offspring of his present marriage the same mark of distinction, as well as to exclude the elder princess from all hopes of the succession. His regard for the new queen seemed rather to increase than diminish by his marriage; and all men expected to see the entire ascendant of one who had mounted a throne, from which her birth had set her at so great a distance, and who by a proper mixture of severity and indulgence had long managed so intractable a spirit as that of Henry. In order to efface as much as possible all marks of his first marriage, lord Mountjoy was sent to the unfortunate and divorced queen, to inform her that she was thenceforth to be treated only as princess-dowager of Wales; and all means were employed to make her acquiesce in that determination. But she continued obstinate in maintaining the validity of her marriage; and she would admit no person to her presence who did not approach her with the accustomed ceremonial. Henry, forgetting his wonted generosity towards her, employed menaces against such of her servants as complied with her commands in this particular; but was never able to make her relinquish her title and pretensions.

When intelligence was conveyed to Rome of these transactions, so injurious to the authority and reputation of the holy see, the conclave was in a rage, and all the cardinals of the imperial faction urged the pope to proceed to a definitive sentence, and to dart his spiritual thunders against Henry. But Clement proceeded no further than to declare the nullity of Cranmer's sentence, as well as that of Henry's second marriage; threatening him with excommunication, if before the first of November ensuing he did not replace everything in the condition in which it formerly stood. An event had happened, from which the pontiff expected a more amicable conclusion of the difference, and which hindered him from carrying matters to extremity against the king.

The pope had claims upon the duchy of Ferrara for the sovereignty of Reggio and Modena: and, having submitted his pretensions to the arbitration of the emperor, he was surprised to find a sentence pronounced against him. Enraged at this disappointment, he hearkened to proposals of amity from Francis; and when that monarch made overtures of marrying the duke of Orleans, his second son, to Catherine of Medicis, niece of the pope, Clement gladly embraced an alliance by which his family was so much honoured. An interview was even appointed between the pope and French king at Marseilles: and Francis as a common friend there employed his good offices in mediating an accommodation between his new ally and the king of England.

Had this connexion of France with the court of Rome taken place a few years sooner, there had been little difficulty in adjusting the quarrel with Henry. The king's request was an ordinary one; and the same plenary power of the pope, which had granted a dispensation for his espousing of Catherine, could easily have annulled the marriage. But in the progress of the quarrel the state of affairs was much changed on both sides. Henry had shaken off much of that reverence which he had early imbibed for the apostolic see; and finding that his subjects of all ranks had taken part with him, and willingly complied with his measures for breaking off foreign dependence, he had begun to relish his spiritual authority, and would scarcely, it was apprehended, be induced to renew his submissions to the Roman pontiff. The pope, on the other hand, now ran a manifest risk of infringing his authority by a compliance with the king; and as a sentence of divorce could no longer be rested on nullities in Julius's bull, but would be construed as an acknowledgment of papal usurpations, it was foreseen that the Lutherans would thence take occasion of triumph, and would persevere more obstinately in their present principles. But notwithstanding these obstacles, Francis did not despair of mediating an agreement. He observed that the king had still some remains of prejudice in favour of the Catholic church, and was apprehensive of the consequences which might ensue from too violent innovations. He saw the interest that Clement had in preserving the obedience of England, which was one of the richest jewels in the papal crown. And he hoped that these motives on both sides would facilitate a mutual agreement, and would forward the effects of his good offices.

KING'S FINAL BREACH WITH ROME. 1534.

Francis first prevailed on the pope to promise, that if the king would send a proxy to Rome, and thereby submit his cause to the holy see, he should appoint commissioners to meet at Cambray, and form the process; and he should immediately afterwards pronounce the sentence of divorce required of him. Bellay, bishop of Paris, was next despatched to London, and obtained a promise from the king, that he would submit his cause to the Roman consistory, provided the cardinals of the imperial faction were excluded from it. The prelate carried this verbal promise to Rome; and the pope agreed, that if the king would sign a written agreement to the same purpose, his demands should be fully complied with. A day was appointed for the return of the messengers; and all Europe regarded this affair, which had threatened a violent rupture between England and the Romish church, as drawing towards an amicable conclusion. But the greatest affairs often depend on the most frivolous incidents. The courier who carried the king's written promise was detained beyond the day appointed: news was brought to Rome that a libel had been published in England against the court of Rome, and a farce acted before the king in derision of the pope and cardinals. The pope and cardinals entered into the consistory inflamed with anger; and by a precipitate sentence, the marriage of Henry and Catherine was pronounced valid, and Henry declared to be excommunicated, if he refused to adhere to it. (23rd March.) Two days after, the courier arrived; and Clement, who had been hurried from his usual prudence, found, that though he heartily repented of this hasty measure, it would be difficult for him to retract it, or replace affairs on the same footing as before.

It is not probable that the pope, had he conducted himself with ever so great moderation and temper, could hope, during the lifetime of Henry, to have regained much authority or influence in England. That

monarch was of a temper both impetuous and obstinate; and having proceeded so far in throwing off the papal yoke, he never could again have been brought tamely to bend his neck to it. Even at the time when he was negociating a reconciliation with Rome, he either entertained so little hopes of success, or was so indifferent about the event, that he had assembled a parliament, (15th January,) and continued to enact laws totally destructive of the papal authority. The people had been prepared by degrees for this great innovation. Each preceding session had retrenched somewhat from the power and profits of the pontiff. Care had been taken, during some years, to teach the nation that a general council was much superior to a pope. But now a bishop preached every Sunday at Paul's-Cross, in order to inculcate the doctrine, that the pope was entitled to no authority at all beyond the bounds of his own diocese. The proceedings of the parliament showed that they had entirely adopted this opinion; and there is reason to believe that the king, after having procured a favourable sentence from Rome, which would have removed all doubts with regard to his second marriage and the succession, might indeed have lived on terms of civility with the Roman pontiff, but never would have surrendered to him any considerable share of his assumed prerogative. The importance of the laws passed this session, even before intelligence arrived of the violent resolutions taken at Rome, is sufficient to justify this opinion.

All payments made to the apostolic chamber; all provisions, bulls, dispensations, were abolished: monasteries were subjected to the visitation and government of the king alone: the law for punishing heretics was moderated; the ordinary was prohibited from imprisoning or trying any person upon suspicion alone, without presentment by two lawful witnesses; and it was declared, that to speak against the pope's authority was no heresy: bishops were to be appointed by a *congé d'elire* from the crown, or, in case of the dean and chapter's refusal, by letters patent; and no recourse was to be had to Rome for palls, bulls, or provisions: Campeggio and Ghinucci, two Italians, were deprived of the bishoprics of Salisbury and Worcester, which they had hitherto enjoyed: the law which had been formerly made against paying annates or first-fruits, but which had been left in the king's power to suspend or enforce, was finally established: and a submission which was exacted two years before from the clergy, and which had been obtained with great difficulty, received this session the sanction of parliament. In this submission the clergy acknowledged that convocations ought to be assembled by the king's authority only; they promise to enact no new canons without his consent; and they agree that he should appoint thirty-two commissioners, in order to examine the old canons, and abrogate such as should be found prejudicial to his royal prerogative. An appeal was also allowed from the bishop's court to the king in chancery.

But the most important law passed this session was that which regulated the succession to the crown: the marriage of the king with Catherine was declared unlawful, void, and of no effect; the primate's sentence annulling it was ratified; and the marriage with queen Anne was established and confirmed. The crown was appointed to descend to the issue of this marriage, and failing them, to the king's heirs for ever. An oath likewise was enjoined to be taken in favour of this order of succession, under the penalty of imprisonment during the king's pleasure, and forfeiture of goods and chattels. And all slander against the king, queen, or their issue, was subjected to the penalty of misprision of treason. (30th March.) After these compliances the parliament was prorogued; and those acts, so contemptuous towards the pope, and so destructive of his authority, were passed at the very time that Clement pronounced his hasty sentence against the king. Henry's resentment against queen Catherine, on account of her obstinacy was the reason why he excluded her daughter from all hopes of succeeding to the crown; contrary to his first intentions when he began the process of divorce and of dispensation for a second marriage.

The king found his ecclesiastical subjects as compliant as the laity. The convocation ordered that the act against appeals to Rome, together with the king's appeal from the pope to a general council, should be affixed to the doors of all the churches in the kingdom: and they voted that the bishop of Rome had by the law of God no more jurisdiction in England than any other foreign bishop; and that the authority which he and his predecessors had there exercised was only by usurpation, and by the sufferance of English princes. Four persons alone opposed this vote in the lower house, and one doubted. It passed unanimously in the upper. The bishops went so far in their complaisance, that they took out new commissions from the crown, in which all their spiritual and episcopal authority was expressly affirmed to be derived ultimately from the civil magistrate, and to be entirely dependent on his good pleasure.

The oath regarding the succession was generally taken throughout the kingdom. Fisher, bishop of Rochester, and sir Thomas More were the only persons of note that entertained scruples with regard to its legality. Fisher was obnoxious on account of some practices into which his credulity, rather than any bad intentions, seems to have betrayed him. But More was the person of greatest reputation in the kingdom for virtue and integrity; and as it was believed that his authority would have influence on the sentiments of others, great pains were taken to convince him of the lawfulness of the oath. He declared that he had no scruple with regard to the succession, and thought that the parliament had full power to settle it: he offered to draw an oath himself, which would insure his allegiance to the heir appointed, but he refused the oath prescribed by law; because the preamble of that oath asserted the legality of the king's marriage with Anne, and thereby implied that his former marriage with Catherine was unlawful and invalid. Cranmer, the primate, and Cromwell, now secretary of state, who highly loved and esteemed More, entreated him to lay aside his scruples; and their friendly importunity seemed to weigh more with him than all the penalties attending his refusal. He persisted, however, in a mild though firm manner, to maintain his resolution; and the king, irritated against him as well as Fisher, ordered both to be indicted upon the statute, and committed prisoners to the Tower.

The parliament being again assembled, (3d November,) conferred on the king the title of the only supreme *head* on earth of the church of England; as they had already invested him with all the real power belonging to it. In this memorable act the parliament granted him power, or rather acknowledged his inherent power, to visit, and repress, redress, reform, order, correct, restrain, or amend, all errors, heresies, abuses, offences, contempts, and enormities, which fell under any spiritual authority or jurisdiction. They also declared it treason to attempt, imagine, or speak evil against the king, queen, or his heirs, or to endeavour depriving them of their dignities or titles. They gave him a right to all the annates and tithes of benefices, which had formerly been paid to the court of Rome. They granted him a subsidy and a fifteenth. They attainted More and Fisher for misprision of treason. And they completed the union of England and Wales, by giving to that principality all the benefit of the English laws.

Thus the authority of the popes, like all exorbitant power, was ruined by the excess of its acquisitions, and by stretching its pretensions beyond what it was possible for any human principles or prepossessions to sustain. Indulgences had in former ages tended extremely to enrich the holy see; but being openly abused, they served to excite the first commotions and opposi-

tion in Germany. The prerogative of granting dispensations had also contributed much to attach all the sovereign princes and great families in Europe to the papal authority; but meeting with an unlucky concurrence of circumstances, was now the cause why England separated herself from the Romish communion. The acknowledgment of the king's supremacy introduced there a greater simplicity in the government, by uniting the spiritual with the civil power, and preventing disputes about limits, which never could exactly be determined, between the contending jurisdictions. A way was also prepared for checking the exorbitances of superstition, and breaking those shackles by which all human reason, policy, and industry had so long been encumbered. The prince, it may be supposed, being head of the religion, as well as of the temporal jurisdiction of the kingdom, though he might sometimes employ the former as an engine of government, had no interest, like the Roman pontiff, in nourishing its excessive growth: and, except when blinded by his own ignorance or bigotry, would be sure to retain it within tolerable limits, and prevent its abuses. And on the whole, there followed from this revolution many beneficial consequences; though perhaps neither foreseen nor intended by the persons who had the chief hand in conducting it.

While Henry proceeded with so much order and tranquillity in changing the national religion, and while his authority seemed entirely secure in England, he was held in some inquietude by the state of affairs in Ireland and in Scotland.

The earl of Kildare was deputy of Ireland, under the duke of Richmond, the king's natural son, who bore the title of lieutenant; and as Kildare was accused of some violences against the family of Ossory, his hereditary enemies, he was summoned to answer for his conduct. He left his authority in the hands of his son, who hearing that his father was thrown into prison, and was in danger of his life, immediately took up arms, and joining himself to Oneale, Ocarrol, and other Irish nobility, committed many ravages, murdered Allen, archbishop of Dublin, and laid siege to that city. Kildare meanwhile died in prison, and his son, persevering in his revolt, made applications to the emperor, who promised him assistance. The king was obliged to send over some forces to Ireland, which so harassed the rebels, that this young nobleman, finding the emperor backward in fulfilling his promises, was reduced to the necessity of surrendering himself prisoner to lord Leonard Gray, the new deputy, brother to the marquis of Dorset. He was carried over to England, together with his five uncles; and after trial and conviction they were all brought to public justice; though two of the uncles, in order to save the family, had pretended to join the king's party.

The earl of Angus had acquired the entire ascendant in Scotland; and having gotten possession of the king's person, then in early youth, he was able, by means of that advantage, and by employing the power of his own family, to retain the reins of government. The queen-dowager, however, his consort, bred him great disturbance: for having separated herself from him, on account of some jealousies and disgusts, and having procured a divorce, she had married another man of quality, of the name of Stuart: and she joined all the discontented nobility who opposed Angus's authority. James himself was dissatisfied with the slavery to which he was reduced; and by secret correspondence he incited first Walter Scot, then the earl of Lenox, to attempt by force of arms the freeing him from the hands of Angus. Both enterprises failed of success; but James, impatient of restraint, found means at last of escaping to Stirling, where his mother then resided; and having summoned all the nobility to attend him, he overturned the authority of the Douglases, and obliged Angus and his brother to fly into England, where they were protected by Henry. The king of Scotland being now arrived at years of majority, took the government into his own hands; and employed himself with great spirit and valour in repressing those feuds, ravages, and disorders, which, though they disturbed the course of public justice, served to support the martial spirit of the Scots, and contributed by that means to maintain national independency. He was desirous of renewing the ancient league with the French nation; but finding Francis in close union with England, and on that account somewhat cold in hearkening to his proposals, he received the more favourably the advances of the emperor, who hoped by means of such an ally to breed disturbance to England. He offered the Scottish king the choice of three princesses, his own near relations, and all of the name of Mary; his sister, the dowager of Hungary, his niece, a daughter of Portugal, or his cousin, the daughter of Henry, whom he pretended to dispose of unknown to her father. James was more inclined to the latter proposal, had it not upon reflection been found impracticable; and his natural propensity to France at last prevailed over all other considerations. The alliance with Francis necessarily engaged James to maintain peace with England. But though invited by his uncle Henry to confer with him at Newcastle, and concert common measures for repressing the ecclesiastics in both kingdoms, and shaking off the yoke of Rome, he could not be prevailed on, by entering England, to put himself in the king's power. In order to have a pretext for refusing the conference, he applied to the pope, and obtained a brief, forbidding him to engage in any personal negociations with an enemy of the holy see. From these measures Henry easily concluded, that he could very little depend on the friendship of his nephew. But those events took not place till some time after our present period.

CHAPTER XXXI.

Religious Principles of the People——of the King——of the Ministers——Further Progress of the Reformation——Sir Thomas More——The Maid of Kent——Trial and Execution of Fisher, Bishop of Rochester——of Sir Thomas More——King Excommunicated——Death of Queen Catherine——Suppression of the lesser Monasteries——A Parliament——A Convocation——Translation of the Bible——Disgrace of Queen Anne——Her Trial and Execution——A Parliament——A Convocation——Discontents among the People——Insurrection——Birth of Prince Edward, and Death of Queen Jane——Suppression of the greater Monasteries——Cardinal Pole.

THE ancient and almost uninterrupted opposition of interests between the laity and clergy in England, and between the English clergy and the court of Rome, had sufficiently prepared the nation for a breach with the sovereign pontiff; and men had penetration enough to discover abuses, which were plainly calculated for the temporal advantages of the hierarchy, and which they found destructive of their own. These subjects seemed proportioned to human understanding; and even the people, who felt the power of interest in their own breast, could perceive the purpose of those numerous inventions, which the interested spirit of the Roman pontiff had introduced into religion. But when the reformers proceeded thence to dispute concerning the nature of the sacraments, the operations of grace, the terms of acceptance with the Deity, men were thrown into amazement, and were during some time at a loss how to choose their party. The profound ignorance in which both the clergy and laity formerly lived, and their freedom from theological altercations, had produced a sincere but indolent acquiescence in received opinions; and the multitude were neither attached to them by topics of reasoning, nor by those prejudices and antipathies against opponents which have ever a more natural and powerful influence over them. As soon, therefore, as a new opinion was advanced, supported by such an authority as to call up their attention, they felt their capacity totally unfitted for such disquisitions: and they perpetually fluctuated between the

contending parties. Hence the quick and violent movements by which the people were agitated, even in the most opposite directions: hence their seeming prostitution, in sacrificing to present power the most sacred principles: and hence the rapid progress during some time, and the sudden as well as entire check soon after, of the new doctrines. When men were once settled in their particular sects, and had fortified themselves in a habitual detestation of those who were denominated heretics, they adhered with more obstinacy to the principles of their education; and the limits of the two religions thenceforth remained fixed and unchangeable.

Nothing more forwarded the first progress of the reformers, than the offer which they made, of submitting all religious doctrines to private judgment, and the summons given every one to examine the principles formerly imposed upon him. Though the multitude were totally unqualified for this undertaking, they yet were highly pleased. They fancied that they were exercising their judgment, while they opposed to the prejudices of ancient authority, more powerful prejudices of another kind. The novelty itself of the doctrines; the pleasure of an imaginary triumph in dispute; the fervent zeal of the reformed preachers; their patience and even alacrity in suffering persecution, death, and torments; a disgust at the restraints of the old religion; an indignation against the tyranny and interested spirit of the ecclesiastics; these motives were prevalent with the people, and by such considerations were men so generally induced during that age to throw off the religion of their ancestors.

But in proportion as the practice of submitting religion to private judgment was acceptable to the people, it appeared in some respects dangerous to the rights of sovereigns, and seemed to destroy that implicit obedience on which the authority of the civil magistrate is chiefly founded. The very precedent, of shaking so ancient and deep-founded an establishment as that of the Romish hierarcy, might, it was apprehended, prepare the way for other innovations. The republican spirit which naturally took place among the reformers increased this jealousy. The furious insurrections of the populace, excited by Muncer and other anabaptists in Germany, furnished a new pretence for decrying the Reformation. Nor ought we to conclude, because protestants in our time prove as dutiful subjects as those of any other communion, that therefore such apprehensions were altogether without any shadow of plausibility. Though the liberty of private judgment be tendered to the disciples of the Reformation, it is not in reality accepted of; and men are generally contented to acquiesce implicitly in those establishments, however new, into which their early education has thrown them.

No prince in Europe was possessed of such absolute authority as Henry, not even the pope himself, in his own capital, where he united both the civil and ecclesiastical powers; [*See note* 2 W, *at the end of this Vol.*;] and there was small likelihood that any doctrine which lay under the imputation of encouraging sedition could ever pretend to his favour and countenance. But besides this political jealousy, there was another reason which inspired this imperious monarch with an aversion to the reformers. He had early declared his sentiments against Luther; and having entered the lists in those scholastic quarrels, he had received from his courtiers and theologians infinite applause for his performance. Elated by his imaginary success, and blinded by a natural arrogance and obstinacy of temper, he had entertained the most lofty opinion of his own erudition; and he received with impatience, mixed with contempt, any contradiction to his sentiments. Luther also had been so imprudent as to treat in a very indecent manner his royal antagonist; and though he afterwards made the most humble submissions to Henry, and apologized for the vehemence of his former expressions, he never could efface the hatred which the king had conceived against him and his doctrines. The idea of heresy still appeared detestable as well as formidable to that prince; and whilst his resentment against the see of Rome had corrected one considerable part of his early prejudices, he had made it a point of honour never to relinquish the remainder. Separate as he stood from the catholic church, and from the Roman pontiff, the head of it, he still valued himself on maintaining the catholic doctrine, and on guarding by fire and sword the imagined purity of his speculative principles.

Henry's ministers and courties were of as motley a character as his conduct; and seemed to waver, during this whole reign, between the ancient and the new religion. The queen, engaged by interest as well as inclination, favoured the cause of the reformers: Cromwell, who was created secretary of state, and who was daily advancing in the king's confidence, had embraced the same views; and as he was a man of prudence and abilities, he was able, very effectually, though in a covert manner, to promote the late innovations: Cranmer, archbishop of Canterbury, had secretly adopted the protestant tenets; and he had gained Henry's friendship by his candour and sincerity; virtues which he possessed in as eminent a degree as those times, equally distracted with faction and oppressed by tyranny, could easily permit. On the other hand, the duke of Norfolk adhered to the ancient faith; and by his high rank, as well as by his talents both for peace and war, he had great authority in the king's council: Gardiner, lately created bishop of Winchester, had enlisted himself in the same party; and the suppleness of his character, and dexterity of his conduct, had rendered him extremely useful to it.

All these ministers, while they stood in the most irreconcilable opposition of principles to each other, were obliged to disguise their particular opinions, and to pretend an entire agreement with the sentiments of their master. Cromwell and Cranmer still carried the appearance of a conformity to the ancient speculative tenets; but they artfully made use of Henry's resentment to widen the breach with the see of Rome. Norfolk and Gardiner feigned an assent to the king's supremacy, and to his renunciation of the sovereign pontiff; but they encouraged his passion for the catholic faith; and instigated him to punish those daring heretics who had presumed to reject his theological principles. Both sides hoped, by their unlimited compliance, to bring him over to their party: the king, meanwhile, who held the balance between the factions, was enabled by the courtship paid him both by protestants and catholics to assume an unbounded authority: and though in all his measures he was really driven by his ungoverned humour, he casually steered a course which led more certainly to arbitrary power, than any which the most profound politics could have traced out to him. Artifice, refinement, and hypocrisy, in his situation, would have put both parties on their guard against him, and would have taught them reserve in complying with a monarch whom they could never hope thoroughly to have gained: but while the frankness, sincerity, and openness of Henry's temper were generally known, as well as the dominion of his furious passions, each side dreaded to lose him by the smallest opposition, and flattered themselves that a blind compliance with his will would throw him cordially and fully into their interests.

FURTHER PROGRESS OF THE REFORMATION.

The ambiguity of the king's conduct, though it kept the courtiers in awe, served in the main to encourage the protestant doctrine among his subjects, and promoted that spirit of innovation with which the age was generally seized, and which nothing but an entire uniformity, as well as a steady severity in the administra-

tion, could be able to repress. There were some Englishmen, Tindal, Joye, Constantine, and others, who, dreading the exertion of the king's authority, had fled to Antwerp, where the great privileges possessed by the Low Country provinces served, during some time, to give them protection. These men employed themselves in writing English books against the corruptions of the church of Rome; against images, relics, pilgrimages; and they excited the curiosity of men with regard to that question, the most important in theology—the terms of acceptance with the Supreme Being. In conformity to the Lutherans, and other protestants, they asserted that salvation was obtained by faith alone; and that the most infallible road to perdition was a reliance on good works; by which term they understood as well the moral duties as the ceremonial and monastic observances. The defenders of the ancient religion, on the other hand, maintained the efficacy of *good works*; but though they did not exclude from this appellation the social virtues, it was still the superstitions, gainful to the church, which they chiefly extolled and recommended. The books composed by these fugitives, having stolen over to England, began to make converts everywhere; but it was a translation of the scriptures by Tindal that was esteemed the most dangerous to the established faith. The first edition of this work, composed with little accuracy, was found liable to considerable objections; and Tindal, who was poor, and could not afford to lose a great part of the impression, was longing for an opportunity of correcting his errors, of which he had been made sensible. Tonstal, then bishop of London, soon after of Durham, a man of great moderation, being desirous to discourage in the gentlest manner these innovations, gave private orders for buying up all the copies that could be found at Antwerp; and he burned them publicly in Cheapside. By this measure he supplied Tindal with money, enabled him to print a new and correct edition of his work, and gave great scandal to the people in thus committing to the flames the word of God.

The disciples of the Reformation met with little severity during the ministry of Wolsey, who, though himself a clergyman, bore too small a regard to the ecclesiastical order to serve as an instrument of their tyranny: it was even an article of impeachment against him, that, by his connivance, he had encouraged the growth of heresy, and that he had protected and acquitted some notorious offenders. Sir Thomas More, who succeeded Wolsey as chancellor, is at once an object deserving our compassion, and an instance of the usual progress of men's sentiments during that age. This man, whose elegant genius and familiar acquaintance with the noble spirit of antiquity had given him very enlarged sentiments, and who had in his early years advanced principles which even at present would be deemed somewhat too free, had in the course of events, been so irritated by polemics, and thrown into such a superstitious attachment to the ancient faith, that few inquisitors have been guilty of greater violence in their prosecution of heresy. Though adorned with the gentlest manners, as well as the purest integrity, he carried to the utmost height his aversion to heterodoxy; and James Bainham, in particular, a gentleman of the Temple, experienced from him the greatest severity. Bainham, accused of favouring the new opinions, was carried to More's house; and having refused to discover his accomplices, the chancellor ordered him to be whipped in his presence, and afterwards sent him to the Tower, where he himself saw him put to the torture. The unhappy gentleman, overcome by all these severities, abjured his opinions; but feeling afterwards the deepest compunction for his apostacy, he openly returned to his former tenets, and even courted the crown of martyrdom. He was condemned as an obstinate and relapsed heretic, and was burned in Smithfield.

Many were brought into the bishops' courts for offences which appear trivial, but which were regarded as symbols of the party: some for teaching their children the Lord's prayer in English; others for reading the New Testament in that language, or for speaking against pilgrimages. To harbour the persecuted preachers, to neglect the fasts of the church, to declaim against the vices of the clergy, were capital offences. One Thomas Bilney, a priest, who had embraced the new doctrine, had been terrified into an abjuration; but was so haunted by remorse that his friends dreaded some fatal effects of his despair. At last his mind seemed to be more relieved; but this appearing calm proceeded only from the resolution which he had taken of expiating his past offence by an open confession of the truth, and by dying a martyr to it. He went through Norfolk, teaching the people to beware of idolatry and of trusting for their salvation either to pilgrimages, or to the cowl of St. Francis, to the prayers of the saints, or to images. He was soon seized, tried in the bishops' court, and condemned as a relapsed heretic, and the writ was sent down to burn him. When brought to the stake, he discovered such patience, fortitude, and devotion, that the spectators were much affected with the horrors of his punishment; and some mendicant friars who were present, fearing that his martyrdom would be imputed to them, and make them lose those alms which they received from the charity of the people, desired him publicly to acquit them of having any hand in his death. He willingly complied; and by this meekness gained the more on the sympathy of the people. Another person still more heroic, being brought to the stake for denying the real presence, seemed almost in a transport of joy; and he tenderly embraced the faggots which were to be the instruments of his punishment, as the means of procuring him eternal rest. In short, the tide turning towards the new doctrine, those severe executions, which, in another disposition of men's minds, would have sufficed to suppress it, now served only to diffuse it the more among the people, and to inspire them with horror against the unrelenting persecutors.

But though Henry neglected not to punish the protestant doctrine, which he deemed heresy, his most formidable enemies, he knew, were the zealous adherents to the ancient religion, chiefly the monks, who, having their immediate dependence on the Roman pontiff, apprehended their own ruin to be the certain consequence of abolishing his authority in England. Peyto, a friar, preaching before the king, had the assurance to tell him, "That many lying prophets had deceived him; but he, as a true Micajah, warned him, that the dogs would lick his blood, as they had done Ahab's." The king took no notice of the insult, but allowed the preacher to depart in peace. Next Sunday he employed Dr. Corren to preach before him; who justified the king's proceedings, and gave Peyto the appellations of a rebel, a slanderer, a dog, and a traitor. Elston, another friar of the same house, interrupted the preacher, and told him that he was one of the lying prophets, who sought to establish by adultery the succession of the crown; but that he himself would justify all that Peyto had said. Henry silenced the petulant friar; but showed no other mark of resentment than ordering Peyto and him to be summoned before the council, and to be rebuked for their offence. He even here bore patiently some new instances of their obstinacy and arrogance: when the earl of Essex, a privy-counsellor, told them, that they deserved for their offence to be thrown into the Thames, Elston replied, that the road to heaven lay as near by water as by land.

THE MAID OF KENT.

But several monks were detected in a conspiracy

* "Sæpe quum est cruciatus velle placere Deo per opera et non per solam fidem." *—Ludovicus Vives.* "Ita vides quam diversi sint modi Christianæ simplicitatis, qui etiam volentem potest perdere salutem suam quantiscunque peccatis. Nulla enim peccata possunt cum sanctæ mentis pedissequa."—*Id. de Caritate Lib. Secundo.*

which as it might have proved more dangerous to the king, was on its discovery attended with more fatal consequences to themselves. Elizabeth Barton, of Aldington in Kent, commonly called the *holy Maid of Kent*, had been subject to hysterical fits, which threw her body into unusual convulsions; and having produced an equal disorder in her mind, made her utter strange sayings, which as she was scarcely conscious of them during the time, had soon after entirely escaped her memory. The silly people in the neighbourhood were struck with these appearances, which they imagined to be supernatural; and Richard Masters, vicar of the parish, a designing fellow, founded on them a project from which he hoped to acquire both profit and consideration. He went to Warham, archbishop of Canterbury, then alive; and having given him an account of Elizabeth's revelations, he so far wrought on that prudent but superstitious prelate, as to receive orders from him to watch her in her trances, and carefully to note down all her future sayings. The regard paid her by a person of so high a rank soon rendered her still more the object of attention to the neighbourhood, and it was easy for Masters to persuade them, as well as the maid herself, that her ravings were inspirations of the Holy Ghost. Knavery, as is usual, soon after succeeding to delusion, she learned to counterfeit trances; and she then uttered, in an extraordinary tone, such speeches as were dictated to her by her spiritual director. Masters associated with him Dr. Bocking, a canon of Canterbury; and their design was to raise the credit of an image of the Virgin, which stood in a chapel belonging to Masters, and to draw to it such pilgrimages as usually frequented the more famous images and relics. In prosecution of this design, Elizabeth pretended revelations, which directed her to have recourse to that image for a cure: and being brought before it, in the presence of a great multitude, she fell anew into convulsions; and after distorting her limbs and countenance during a competent time, she affected to have obtained a perfect recovery by the intercession of the Virgin. This miracle was soon bruited abroad; and the two priests, finding the imposture to succeed beyond their own expectations, began to extend their views, and to lay the foundation of more important enterprises. They taught their penitent to declaim against the new doctrines, which she denominated heresy; against innovations in ecclesiastical government; and against the king's intended divorce from Catherine. She went so far as to assert, that if he prosecuted that design, and married another, he should not be a king a month longer, and should not an hour longer enjoy the favour of the Almighty, but should die the death of a villain. Many monks throughout England, either from folly or roguery, or from faction, which is often a complication of both, entered into the delusion; and one Deering, a friar, wrote a book of the revelations and prophecies of Elizabeth. Miracles were daily added to increase the wonder; and the pulpit everywhere resounded with accounts of the sanctity and inspirations of the new prophetess. Messages were carried from her to queen Catherine, by which that princess was exhorted to persist in her opposition to the divorce; the pope's ambassadors gave encouragement to the popular credulity; and even Fisher, bishop of Rochester, though a man of sense and learning, was carried away by an opinion so favourable to the party which he had espoused. The king at last began to think the matter worthy of his attention; and having ordered Elizabeth and her accomplices to be arrested, he brought them before the star-chamber, where they freely, without being put to the torture, made confession of their guilt. The parliament, in the session held the beginning of this year, passed an act of attainder against some who were engaged in this treasonable imposture; and Elizabeth herself, Masters, Bocking, Deering, Rich, Risby, Gold, suffered for their crime. The bishop of Rochester, Abel, Addison, Lawrence, and others, were condemned for misprision of treason; because they had not discovered some criminal speeches which they heard from Elizabeth: and they were thrown into prison. The better to undeceive the multitude, the forgery of many of the prophetess's miracles was detected; and even the scandalous prostitution of her manners was laid open to the public. Those passions which so naturally insinuate themselves amidst the warm intimacies maintained by the devotees of different sexes had taken place between Elizabeth and her confederates, and it was found, that a door to her dormitory, which was said to have been miraculously opened, in order to give her access to the chapel, for the sake of frequent converse with heaven, had been contrived by Bocking and Masters for less refined purposes.

1585. The detection of this imposture, attended with so many odious circumstances, both hurt the credit of the ecclesiastics, particularly the monks, and instigated the king to take vengeance on them. He suppressed three monasteries of the Observantine friars; and finding, that little clamour was excited by this act of power, he was the more encouraged to lay his rapacious hands on the remainder. Meanwhile, he exercised punishment on individuals who were obnoxious to him. The parliament had made it treason to endeavour depriving the king of his dignity or titles: they had lately added to his other titles, that of "supreme head of the church:" it was inferred, that to deny his supremacy was treason; and many priors and ecclesiastics lost their lives for this new species of guilt. It was certainly a high instance of tyranny to punish the mere delivery of a political opinion, especially one that nowise affected the king's temporal right, as a capital offence, though attended with no overt act: and the parliament in passing this law had overlooked all the principles by which a civilized, much more a free people, should be governed: but the violence of changing so suddenly the whole system of government, and making it treason to deny what during many ages it had been heresy to assert, is an event which may appear somewhat extraordinary. Even the stern unrelenting mind of Henry was at first shocked with these sanguinary measures; and he went so far as to change his garb and dress; pretending sorrow for the necessity by which he was pushed to such extremities. Still impelled, however, by his violent temper, and desirous of striking a terror into the whole nation, he proceeded, by making examples of Fisher and More, to consummate his lawless tyranny.

TRIAL AND EXECUTION OF FISHER, BISHOP OF ROCHESTER.

John Fisher, bishop of Rochester, was a prelate eminent for learning and morals, still more than for his ecclesiastical dignities, and for the high favour which he had long enjoyed with the king. When he was thrown into prison on account of his refusing the oath which regarded the succession, and his concealment of Elizabeth Barton's treasonable speeches, he had not only been deprived of all his revenues, but stripped of his very clothes, and without consideration of his extreme age, he was allowed nothing but rags, which scarcely sufficed to cover his nakedness. In this condition he lay in prison above a twelvemonth: when the pope, willing to recompense the sufferings of so faithful an adherent, created him a cardinal; though Fisher was so indifferent about that dignity, that even if the purple were lying at his feet, he declared that he would not stoop to take it. This promotion of a man, merely for his opposition to royal authority, roused the indignation of the king; and he resolved to make the innocent person feel the effects of his resentment. Fisher was indicted for denying the king's supremacy, was tried, condemned, and beheaded. (22nd June.)

SIR THOMAS MORE.

The execution of this prelate was intended as a

warning to More, whose compliance, on account of his great authority both abroad and at home, and his high reputation for learning and virtue, was anxiously desired by the king. That prince also bore as great personal affection and regard to More, as his imperious mind, the sport of passions, was susceptible of towards a man who in any particular opposed his violent inclinations. But More could never be prevailed on to acknowledge any opinion so contrary to his principles as that of the king's supremacy; and though Henry exacted that compliance from the whole nation, there was as yet no law obliging any one to take an oath to that purpose. Rich, the solicitor-general, was sent to confer with More, then a prisoner, who kept a cautious silence with regard to the supremacy: he was only inveigled to say, that any question with regard to the law which established that prerogative, was a two-edged sword: if a person answer one way, it will confound his soul; if another, it will destroy his body. No more was wanted to found an indictment of high-treason against the prisoner. His silence was called malicious, and made a part of his crime; and these words, which had casually dropped from him, were interpreted as a denial of the supremacy. Trials were mere formalities during this reign: the jury gave sentence against More, who had long expected his fate, and who needed no preparation to fortify him against the terrors of death. Not only his constancy, but even his cheerfulness, nay, his usual facetiousness, never forsook him; and he made a sacrifice of his life to his integrity, with the same indifference that he maintained in any ordinary occurrence. When he was mounting the scaffold, he said to one, "Friend, help me up; and when I come down again, let me shift for myself." The executioner asking him forgiveness, he granted the request, but told him, "You will never get credit by beheading me, my neck is so short." Then laying his head on the block, he bade the executioner stay till he put aside his beard: "For," said he, "it never committed treason." Nothing was wanting to the glory of this end, except a better cause, more free from weakness and superstition. But as the man followed his principles and sense of duty, however misguided, his constancy and integrity are not less the objects of our admiration. He was beheaded (6th July) in the fifty-third year of his age.

When the execution of Fisher and More was reported at Rome, especially that of the former, who was invested with the dignity of cardinal, every one discovered the most violent rage against the king; and numerous libels were published by the wits and orators of Italy, comparing him to Caligula, Nero, Domitian, and all the most unrelenting tyrants of antiquity. Clement VII. had died about six months after he pronounced sentence against the king; and Paul III., of the name of Farnese, had succeeded to the papal throne. The pontiff, who, while cardinal, had always favoured Henry's cause, had hoped that, personal animosities being buried with his predecessor, it might not be impossible to form an agreement with England: and the king himself was so desirous of accommodating matters, that in a negociation which he entered into with Francis a little before this time, he required that that monarch should conciliate a friendship between him and the court of Rome. But Henry was accustomed to prescribe, not to receive terms; and even while he was negociating for peace, his usual violence often carried him to commit offences which rendered the quarrel totally incurable. The execution of Fisher was regarded by Paul as so capital an injury, that he immediately passed censures against the king, (30th August,) citing him and all his adherents to appear in Rome within ninety days, in order to answer for their crimes: if they failed, he excommunicated them; deprived the king of his crown; laid the kingdom under an interdict; declared his issue by Anne Boleyn illegitimate; dissolved all leagues which any catholic princes had made with him; gave his kingdom to any invader; commanded the nobility to take arms against him; freed his subjects from all oaths of allegiance; cut off their commerce with foreign states; and declared it lawful for any one to seize them, to make slaves of their persons, and to convert their effects to his own use. But though these censures were passed, they were not at that time openly denounced: the pope delayed their publication till he should find an agreement with England entirely desperate; and till the emperor, who was at that time hard pressed by the Turks and the protestant princes in Germany, should be in a condition to carry the sentence into execution.

The king knew that he might expect any injury which it should be in Charles's power to inflict; and he therefore made it the chief object of his policy to incapacitate that monarch from wreaking his resentment upon him. He renewed his friendship with Francis, and opened negociations for marrying his infant daughter, Elizabeth, with the duke of Angouleme, third son of Francis. The two monarchs also made advances to the princes of the protestant league in Germany, ever jealous of the emperor's ambition: and Henry, besides remitting them some money, sent Fox, bishop of Hereford, as Francis did Bellay, lord of Langley, to treat with them. But during the first fervours of the Reformation, an agreement in theological tenets was held, as well as a union of interests, to be essential to a good correspondence among states; and though both Francis and Henry flattered the German princes with hopes of their embracing the confession of Augsburg, it was looked upon as a bad symptom of their sincerity, that they exercised such extreme rigour against all preachers of the Reformation in their respective dominions. Henry carried the feint so far, that, while he thought himself the first theologian in the world, he yet invited over Melancthon, Bucer, Sturmius, Draco, and other German divines, that they might confer with him, and instruct him in the foundation of their tenets. These theologians were now of great importance in the world; and no poet or philosopher, even in ancient Greece, where they were treated with most respect, had ever reached equal applause and admiration with those wretched composers of metaphysical polemics. The German princes told the king that they could not spare their divines; and as Henry had no hopes of agreement with such zealous disputants, and knew that in Germany the followers of Luther would not associate with the disciples of Zuinglius, because, though they agreed in everything else, they differed in some minute particulars with regard to the eucharist, he was the more indifferent on account of this refusal. He could also foresee, that even while the league of Smalcalde did not act in concert with him, they would always be carried by their interests to oppose the emperor: and the hatred between Francis and that monarch was so inveterate, that he deemed himself sure of a sincere ally in one or other of these potentates.

DEATH OF QUEEN CATHERINE. *January 6.*

During these negociations an incident happened in England which promised a more amicable conclusion of those disputes, and seemed even to open the way for a reconciliation between Henry and Charles. Queen Catherine was seized with a lingering illness, which at last brought her to her grave: she died at Kimbolton, in the county of Huntingdon, in the fiftieth year of her age. A little before she expired, she wrote a very tender letter to the king; in which she gave him the appellation of "*her most dear Lord, King, and Husband.*" She told him, that as the hour of her death was now approaching, she laid hold of this last opportunity to inculcate on him the importance of his religious duty, and the comparative emptiness of all human grandeur and enjoyment: that though his fondness towards these perishable advantages had thrown her into many calamities, as well as created to himself much trouble,

she yet forgave him all past injuries, and hoped that his pardon would be ratified in heaven: and that she had no other request to make, than to recommend to him his daughter, the sole pledge of their love; and to crave his protection for her maids and servants. She concluded with these words, "*I make this vow, that mine eyes desire you above all things.*" The king was touched even to the shedding of tears, by this last tender proof of Catherine's affection; but queen Anne is said to have expressed her joy for the death of a rival beyond what decency or humanity could permit.

The emperor thought that, as the demise of his aunt had removed all foundation of personal animosity between him and Henry, it might not now be impossible to detach him from the alliance of France, and to renew his own confederacy with England, from which he had formerly reaped so much advantage. He sent Henry proposals for a return to ancient amity, upon these conditions; that he should be reconciled to the see of Rome, that he should assist him in his war with the Turks, and that he should take part with him against Francis, who now threatened the duchy of Milan. The king replied, that he was willing to be on good terms with the emperor, provided that prince would acknowledge that the former breach of friendship came entirely from himself: as to the conditions proposed; the proceedings against the bishop of Rome were so just, and so fully ratified by the parliament of England, that they could not now be revoked; when Christian princes should have settled peace among themselves, he would not fail to exert that vigour which became him, against the enemies of the faith; and after amity with the emperor was once fully restored, he should then be in a situation, as a common friend both to him and Francis, either to mediate an agreement between them, or to assist the injured party.

What rendered Henry more indifferent to the advances made by the emperor was, both his experience of the usual duplicity and insincerity of that monarch, and the intelligence which he received of the present transactions in Europe. Francis Sforza, duke of Milan, had died without issue; and the emperor maintained that the duchy, being a fief of the empire, was devolved to him as head of the Germanic body: not to give umbrage, however, to the states of Italy, he professed his intention of bestowing that principality on some prince who should be obnoxious to no party, and he even made offer of it to the duke of Angouleme, third son of Francis. The French monarch, who pretended that his own right to Milan was now revived upon Sforza's death, was content to substitute his second son, the duke of Orleans, in his place; and the emperor pretended to close with this proposal. But his sole intention in that liberal concession was to gain time, till he should put himself in a warlike posture, and be able to carry an invasion into Francis's dominions. The ancient enmity between these princes broke out anew in bravadoes, and in personal insults on each other, ill becoming persons of their rank, and still less suitable to men of such unquestioned bravery. Charles soon after invaded Provence in person, with an army of fifty thousand men; but met with no success. His army perished with sickness, fatigue, famine, and other disasters; and he was obliged to raise the siege of Marseilles, and retire into Italy with the broken remains of his forces. An army of Imperialists, near 30,000 strong, which invaded France on the side of the Netherlands, and laid siege to Peronne, made no greater progress, but retired upon the approach of a French army. And Henry had thus the satisfaction to find, both that his ally Francis was likely to support himself without foreign assistance, and that his own tranquillity was fully ensured by these violent wars and animosities on the continent.

If any inquietude remained with the English court, it was solely occasioned by the state of affairs in Scotland. James, hearing of the dangerous situation of his ally Francis, generously levied some forces; and embarking them on board vessels which he had hired for that purpose, landed them safely in France. He even went over in person; and making haste to join the camp of the French king, which then lay in Provence, and to partake of his danger, he met that prince at Lyons, who, having repulsed the emperor, was now returning to his capital. Recommended by so agreeable and seasonable an instance of friendship, the king of Scots paid his addresses to Magdalen, daughter of the French monarch; and this prince had no other objection to the match than what arose from the infirm state of his daughter's health, which seemed to threaten her with an approaching end. But James having gained the affections of the princess, and obtained her consent, the father would no longer oppose the united desires of his daughter and his friend: they were accordingly married, and soon after set sail for Scotland, where the young queen, as was foreseen, died in a little time after her arrival. Francis, however, was afraid lest his ally Henry, whom he likewise looked on as his friend, and who lived with him on a more cordial footing than is usual among great princes, should be displeased that this close confederacy between France and Scotland was concluded without his participation. He therefore dispatched Pommeraye to London, in order to apologize for this measure; but Henry, with his usual openness and freedom, expressed such displeasure, that he refused even to confer with the ambassador; and Francis was apprehensive of a rupture with a prince who regulated his measures more by humour and passion, than by the rules of political prudence. But the king was so fettered by the opposition in which he was engaged against the pope and the emperor, that he pursued no further this disgust against Francis; and in the end everything remained in tranquillity, both on the side of France and of Scotland.

The domestic peace of England seemed to be exposed to more hazard by the violent innovations in religion; and it may be affirmed, that in this dangerous conjuncture nothing insured public tranquillity so much as the decisive authority acquired by the king, and his great ascendant over all his subjects. Not only the devotion paid to the crown was profound during that age: the personal respect inspired by Henry was considerable; and even the terrors with which he overawed everyone were not attended with any considerable degree of hatred. His frankness, his sincerity, his magnificence, his generosity, were virtues which counterbalanced his violence, cruelty, and impetuosity. And the important rank which his vigour more than his address acquired him in all foreign negociations flattered the vanity of Englishmen, and made them the more willingly endure those domestic hardships to which they were exposed The king, conscious of his advantages, was now proceeding to the most dangerous exercise of his authority; and after paving the way for that measure by several preparatory expedients, he was at last determined to suppress the monasteries, and to put himself in possession of their ample revenues.

The great increase of monasteries, if matters be considered merely in a political light, will appear the radical inconvenience of the catholic religion; and every other disadvantage attending that communion seems to have an inseparable connexion with these religious institutions. Papal usurpations, the tyranny of the inquisition, the multiplicity of holidays; all these fetters on liberty and industry were ultimately derived from the authority and insinuation of monks, whose habitations being established everywhere, proved so many seminaries of superstition and of folly. This order of men was extremely enraged against Henry; and regarded the abolition of the papal authority in England as the removal of the sole protection which they enjoyed against the rapacity of the crown and of the courtiers. They were now subjected to the king's visitation; the supposed sacredness of their bulls from Rome was rejected; the progress of the Reformation abroad, which had everywhere been attended with the

abolition of the monastic orders, gave them reason to apprehend like consequences in England; and though the king still maintained the doctrine of purgatory to which most of the convents owed their origin and support, it was foreseen, that in the progress of the contest he would every day be led to depart wider from ancient institutions, and be drawn nearer the tenets of the reformers, with whom his political interests naturally induced him to unite. Moved by these considerations, the friars employed all their influence to inflame the people against the king's government; and Henry, finding their safety irreconcileable with his own, was determined to seize the present opportunity, and utterly destroy his declared enemies.

Cromwell, secretary of state, had been appointed vicar-general, or vicegerent; a new office, by which the king's supremacy, or the absolute uncontrollable power assumed over the church, was delegated to him. He employed Layton, London, Price, Gage, Petre, Bellasis, and others, as commissioners, who carried on everywhere a rigorous inquiry with regard to the conduct and deportment of all the friars. During times of faction, especially of the religious kind, no equity is to be expected from adversaries; and as it was known that the king's intention in this visitation was to find a pretence for abolishing monasteries, we may naturally conclude, that the reports of the commissioners are very little to be relied on. Friars were encouraged to bring in informations against their brethren; the slightest evidence was credited; and even the calumnies spread abroad by the friends of the Reformation were regarded as grounds of proof. Monstrous disorders are therefore said to have been found in many of the religious houses: whole convents of women abandoned to lewdness: signs of abortions procured, of infants murdered, of unnatural lusts between persons of the same sex. It is indeed probable, that the blind submission of the people during those ages, would render the friars and nuns more unguarded, and more dissolute than they are in any Roman-catholic country at present: but still the reproaches, which it is safest to credit, are such as point at vices naturally connected with the very institution of convents, and with monastic life. The cruel and inveterate factions and quarrels therefore, which the commissioners mentioned, are very credible among men, who being confined together within the same walls, never can forget their mutual animosities, and who, being cut off from all the most endearing connexions of nature, are commonly cursed with hearts more selfish and tempers more unrelenting than fall to the share of other men. The pious frauds practised to increase the devotion and liberality of the people, may be regarded as certain, in an order founded on illusions, lies, and superstition. The supine idleness also, and its attendant, profound ignorance, with which the convents were reproached, admit of no question; and though monks were the true preservers as well as inventors of the dreaming and captious philosophy of the schools, no manly or elegant knowledge could be expected among men whose lives, condemned to a tedious uniformity, and deprived of all emulation, afforded nothing to raise the mind or cultivate the genius.

Some few monasteries, terrified with this rigorous inquisition carried on by Cromwell and his commissioners, surrendered their revenues into the king's hands; and the monks received small pensions as the reward of their obsequiousness. Orders were given to dismiss such nuns and friars as were below four and twenty, whose vows were on that account supposed not to be binding. The doors of the convents were opened, even to such as were above that age; and every one recovered his liberty who desired it. But as all these expedients did not fully answer the king's purpose, he had recourse to his usual instrument of power, the parliament; and in order to prepare men for the innovations projected, the report of the visitors was published, and a general horror was endeavoured to be excited in the nation against institutions which to their ancestors had been the objects of the most profound veneration.

SUPPRESSION OF THE LESSER MONASTERIES.

The king, though determined utterly to abolish the monastic orders, resolved to proceed gradually in this great work; and he gave directions to the parliament (4th February) to go no further at present, than to suppress the lesser monasteries, which possessed revenues below two hundred pounds a year. These were found to be the most corrupted, as lying less under the restraint of shame, and being exposed to less scrutiny; and it was deemed safest to begin with them, and thereby prepare the way for the greater innovations projected. By this act three hundred and seventy-six monasteries were suppressed, and their revenues, amounting to thirty-two thousand pounds a year, were granted to the king; besides their goods, chattels and plate, computed at a hundred thousand pounds more.* It does not appear that any opposition was made to this important law: so absolute was Henry's authority! A court, called the court of augmentation of the king's revenue, was erected for the management of these funds. The people naturally concluded, from this circumstance, that Henry intended to proceed in despoiling the church of her patrimony.

The act formerly passed, empowering the king to name thirty-two commissioners for framing a body of canon-law, was renewed; but the project was never carried into execution. Henry thought that the present perplexity of that law increased his authority, and kept the clergy in still greater dependence.

Further progress was made in completing the union of Wales with England: the separate jurisdictions of several great lords or marchers, as they are called, which obstructed the course of justice in Wales, and encouraged robbery and pillaging, were abolished; and the authority of the king's courts was extended everywhere. Some jurisdictions of a like nature in England were also abolished this session.

The commons, sensible that they had gained nothing by opposing the king's will, when he formerly endeavoured to secure the profits of wardships and liveries, were now contented to frame a law, such as he dictated to them. It was enacted, That the possession of land shall be adjudged to be in those who have the use of it, not in those to whom it is transferred in trust.

After all these laws were passed, the king dissolved the parliament: (14th April) a parliament memorable not only for the great and important innovations which it introduced, but also for the long time it had sitten, and the frequent prorogations which it had undergone. Henry had found it so obsequious to his will that he did not choose, during those religious ferments, to hazard a new election; and he continued the same parliament above six years—a practice at that time unusual in England.

A CONVOCATION.

The convocation which sat during this session was engaged in a very important work, the deliberating on the new translation which was projected of the scriptures. The translation given by Tindal, though corrected by himself in a new edition, was still complained of by the clergy as inaccurate and unfaithful; and it was now proposed to them that they should themselves publish a translation, which would not be liable to those objections.

The friends of the Reformation asserted, that nothing could be more absurd than to conceal, in an unknown tongue, the word of God itself, and thus to counteract

* It is pretended, (see Hollingshed, p. 939) that ten thousand monks were turned out on the dissolution of the lesser monasteries. It is most of them must have been Mendicants: for the revenue could not have supported near that number. The Mendicants no doubt, still continued their former profession.

the will of heaven, which for the purpose of universal salvation had published that salutary doctrine to all nations: that if this practice were not very absurd, the artifice at least was very gross, and proved a consciousness that the glosses and traditions of the clergy stood in direct opposition to the original text dictated by Supreme Intelligence: that it was now necessary for the people, so long abused by interested pretensions, to see with their own eyes, and to examine whether the claims of the ecclesiastics were founded on that charter which was on all hands acknowledged to be derived from heaven: and that as a spirit of research and curiosity was happily revived, and men were now obliged to make a choice among the contending doctrines of different sects, the proper materials for decision, and above all, the holy scriptures should be set before them; and the revealed will of God, which the change of language had somewhat obscured, be again by their means revealed to mankind.

The favourers of the ancient religion maintained, on the other hand, that the pretence of making the people see with their own eyes was a mere cheat, and was itself a very gross artifice, by which the new preachers hoped to obtain the guidance of them, and to seduce them from those pastors, whom the laws, whom ancient establishments, whom heaven itself, had appointed for their spiritual direction: that the people were, by their ignorance, their stupidity, their necessary avocations, totally unqualified to choose their own principles; and it was a mockery to set materials before them, of which they could not possibly make any proper use: that even in the affairs of common life, and in their temporal concerns, which lay more within the compass of human reason, the laws had in a great measure deprived them of the right of private judgment, and had, happily for their own and the public interest, regulated their conduct and behaviour; that theological questions were placed far beyond the sphere of vulgar comprehensions; and ecclesiastics themselves, though assisted by all the advantages of education, erudition, and an assiduous study of the science, could not be fully assured of a just decision, except by the promise made them in scripture, that God would be ever present with his church, and that the gates of hell should not prevail against her: that the gross errors adopted by the wisest heathens, proved how unfit men were to grope their own way through this profound darkness; nor would the scriptures, if trusted to every man's judgment, be able to remedy; on the contrary, they would much augment, those fatal illusions: that sacred writ itself was involved in so much obscurity, gave rise to many difficulties, contained so many appearing contradictions, that it was the most dangerous weapon that could be intrusted into the hands of the ignorant and giddy multitude: that the poetical style in which a great part of it was composed, at the same time that it occasioned uncertainty in the sense, by its multiplied tropes and figures, was sufficient to kindle the zeal of fanaticism, and thereby throw civil society into the most furious combustion: that a thousand sects must arise, which would pretend each of them to derive its tenets from the scripture, and would be able, by specious arguments, or even without specious arguments, to seduce silly women and ignorant mechanics into a belief of the most monstrous principles: and that if ever this disorder, dangerous to the magistrate himself, received a remedy, it must be from the tacit acquiescence of the people in some new authority; and it was evidently better, without further contest or inquiry, to adhere peaceably to ancient, and therefore the more secure establishments.

These latter arguments, being more agreeable to ecclesiastical government, would probably have prevailed in the convocation, had it not been for the authority of Cranmer, Latimer, and some other bishops, who were supposed to speak the king's sense of the matter. A vote was passed for publishing a new translation of the scriptures; and in three years' time the work was finished and printed at Paris. This was deemed a great point gained by the reformers, and a considerable advancement of their cause. Further progress was soon expected, after such important successes.

DISGRACE OF QUEEN ANNE.

But while the retainers to the new religion were exulting in their prosperity, they met with a mortification which seemed to blast all their hopes. Their patroness Anne Boleyn possessed no longer the king's favour; and soon after lost her life by the rage of that furious monarch. Henry had persevered in his love to this lady during six years that his prosecution of the divorce lasted; and the more obstacles he met with to the gratification of his passion, the more determined zeal did he exert in pursuing his purpose. But the affection which had subsisted, and still increased under difficulties, had not long obtained secure possession of its object, when it languished from satiety; and the king's heart was apparently estranged from his consort. Anne's enemies soon perceived the fatal change; and they were forward to widen the breach, when they found that they incurred no danger by interposing in those delicate concerns. She had been delivered of a dead son; and Henry's extreme fondness for male issue being thus for the present disappointed, his temper, equally violent and superstitious, was disposed to make the innocent mother answerable for the misfortune. But the chief means which Anne's enemies employed to inflame the king against her, was his jealousy.

Anne, though she appears to have been entirely innocent, and even virtuous in her conduct, had a certain gaity, if not levity of character, which threw her off her guard, and made her less circumspect than her situation required. Her education in France rendered her the more prone to those freedoms; and it was with difficulty she conformed herself to that strict ceremonial practised in the court of England. More vain than haughty, she was pleased to see the influence of her beauty on all around her, and she indulged herself in an easy familiarity with persons who were formerly her equals, and who might then have pretended to her friendship and good graces. Henry's dignity was offended with these popular manners; and though the lover had been entirely blind, the husband possessed but too quick discernment and penetration. Ill instruments interposed, and put a malignant interpretation on the harmless liberties of the queen: the viscountess of Rocheford, in particular, who was married to the queen's brother, but who lived on bad terms with her sister-in-law, insinuated the most cruel suspicions into the king's mind; and as she was a woman of profligate character, she paid no regard either to truth or humanity in those calumnies which she suggested. She pretended that her own husband was engaged in a criminal correspondence with his sister; and, not content with this imputation, she poisoned every action of the queen's, and represented each instance of favour which she conferred on any one as a token of affection. Henry Norris, groom of the stole, Weston and Brereton, gentlemen of the king's chamber, together with Mark Smeton, groom of the chamber, were observed to possess much of the queen's friendship; and they served her with a zeal and attachment which, though chiefly derived from gratitude, might not improbably be seasoned with some mixture of tenderness for so amiable a princess. The king's jealously laid hold of the slightest circumstance, and finding no particular object on which it could fasten, it vented itself equally on every one that came within the verge of its fury.

Had Henry's jealously been derived from love, though it might on a sudden have proceeded to the most violent extremities, it would have been subject to many remorses and contrarieties; and might at last have served only to augment that affection on which it was founded. But it was a more stern jealousy, fostered entirely by pride: his love was transferred to another object

Jane, daughter of sir John Seymour, and maid of honour to the queen, a young lady of singular beauty and merit, had obtained an entire ascendant over him; and he was determined to sacrifice everything to the gratification of this new appetite. Unlike to most monarchs, who judge lightly of the crime of gallantry, and who deem the young damsels of their court rather honoured than disgraced by their passion, he seldom thought of any other attachment than that of marriage; and in order to attain this end, he underwent more difficulties, and committed greater crimes, than those which he sought to avoid by forming that legal connexion. And having thus entertained the design of raising his new mistress to his bed and throne, he more willingly hearkened to every suggestion which threw any imputation of guilt on the unfortunate Anne Boleyn.

The king's jealousy first appeared openly in a tilting at Greenwich, (1st May) where the queen happened to drop her handkerchief; an incident probably casual, but interpreted by him as an instance of gallantry to some of her paramours. He immediately retired from the place; sent orders to confine her to her chamber; arrested Norris, Brereton, Weston, and Smeton, together with her brother Rocheford; and threw them into prison. The queen, astonished at these instances of his fury, thought that he meant only to try her; but finding him in earnest, she reflected on his obstinate unrelenting spirit, and she prepared herself for that melancholy doom which was awaiting her. Next day she was sent to the Tower; and on her way thither she was informed of her supposed offences, of which she had hitherto been ignorant; she made earnest protestations of her innocence; and when she entered the prison she fell on her knees, and prayed God so to help her, as she was not guilty of the crime imputed to her. Her surprise and confusion threw her into hysterical disorders; and in that situation she thought that the best proof of her innocence was to make an entire confession, and she revealed some indiscretions and levities which her simplicity had equally betrayed her to commit and to avow. She owned that she had once rallied Norris on his delaying his marriage, and had told him that he probably expected her when she should be a widow: she had reproved Weston, she said, for his affection to a kinswoman of hers, and his indifference towards his wife: but he told her that she had mistaken the object of his affection, for it was herself: upon which she defied him. She affirmed that Smeton had never been in her chamber but twice, when he played on the harpsichord: but she acknowledged that he had once had the boldness to tell her, that a look sufficed him. The king, instead of being satisfied with the candour and sincerity of her confession, regarded these indiscretions only as preludes to greater and more criminal intimacies.

Of all those multitudes whom the beneficence of the queen's temper had obliged during her prosperous fortune, no one durst interpose between her and the king's fury; and the person whose advancement every breath had favoured, and every countenance had smiled upon, was now left neglected and abandoned. Even her uncle, the duke of Norfolk, preferring the connexions of party to the ties of blood, was become her most dangerous enemy; and all the retainers to the catholic religion hoped that her death would terminate the king's quarrel with Rome, and leave him again to his natural and early bent, which had inclined him to maintain the most intimate union with the apostolic see. Cranmer alone, of all the queen's adherents, still retained his friendship for her; and, as far as the king's impetuosity permitted him, he endeavoured to moderate the violent prejudices entertained against her.

The queen herself wrote Henry a letter from the Tower, full of the most tender expostulations, and of the warmest protestations of innocence. [*See note* 2 X, *at the end of this Vol.*] This letter had no influence on the unrelenting mind of Henry, who was determined to pave the way for his new marriage by the death of Anne Boleyn. Norris, Weston, Brereton, and Smeton, were tried; but no legal evidence was produced against them. The chief proof of their guilt consisted in a hearsay from one lady Wingfield, who was dead. Smeton was prevailed on, by the vain hopes of life, to confess a criminal correspondence with the queen; but even her enemies expected little advantage from this confession; for they never dared to confront him with her; and he was immediately executed; as were also Brereton and Weston. Norris had been much in the king's favour; and an offer of life was made him, if he would confess his crime, and accuse the queen: but he generously rejected the proposal; and said, that in his conscience he believed her entirely guiltless: but for his part he would accuse her of nothing, and he would rather die a thousand deaths than calumniate an innocent person.

HER TRIAL.

The queen and her brother were tried by a jury of peers, consisting of the duke of Suffolk, the marquis of Exeter, the earl of Arundel, and twenty-three more: their uncle, the duke of Norfolk, presided as high-steward. Upon what proof or pretence the crime of incest was imputed to them is unknown; the chief evidence, it is said, amounted to no more than that Rocheford had been seen to lean on her bed before some company. Part of the charge against her was, that she had affirmed to her minions that the king never had her heart; and had said to each of them apart, that she loved him better than any person whatsoever: *which was to the slander of the issue begotten between the king and her.* By this strained interpretation her guilt was brought under the statute of the 25th of this reign; in which it was declared criminal to throw any slander upon the king, queen, or their issue. Such palpable absurdities were at that time admitted; and they were regarded by the peers of England as a sufficient reason for sacrificing an innocent queen to the cruelty of their tyrant. Though unassisted by counsel, she defended herself with presence of mind; and the spectators could not forbear pronouncing her entirely innocent. Judgment, however, was given by the court, both against the queen and lord Rocheford; and her verdict contained, that she should be burned or beheaded at the king's pleasure. When this dreadful sentence was pronounced she was not terrified, but lifting up her hands to heaven said, "O Father! O Creator! thou who art the way, the truth, and the life, thou knowest that I have not deserved this fate." And then turning to the judges, made the most pathetic declarations of her innocence.

Henry, not satisfied with this cruel vengeance, was resolved entirely to annul his marriage with Anne Boleyn, and to declare her issue illegitimate: he recalled to his memory, that a little after her appearance in the English court some attachment had been acknowledged between her and the earl of Northumberland, then lord Percy; and he now questioned the nobleman with regard to these engagements. Northumberland took an oath before the two archbishops, that no contract or promise of marriage had ever passed between them: he received the sacrament upon it, before the duke of Norfolk and others of the privy-council; and this solemn act he accompanied with the most solemn protestations of veracity. The queen, however, was shaken by menaces of executing the sentence against her in its greatest rigour, and was prevailed on to confess in court some lawful impediment to her marriage with the king. The afflicted primate who sat as judge thought himself obliged by this confession to pronounce the marriage null and invalid. Henry, in the transports of his fury, did not perceive that his proceedings were totally inconsistent, and that

if her marriage were from the beginning invalid, she could not possibly be guilty of adultery.

AND EXECUTION.

The queen now prepared for suffering the death to which she was sentenced. She sent her last message to the king, and acknowledged the obligations which she owed him, in thus uniformly continuing his endeavours for her advancement: from a private gentlewoman, she said, he had first made her a marchioness, then a queen, and now, since he could raise her no higher in this world, he was sending her to be a saint in heaven. She then renewed the protestations of her innocence, and recommended her daughter to his care. Before the lieutenant of the Tower, and all who approached her, she made the like declarations; and continued to behave herself with her usual serenity, and even with cheerfulness. "The executioner," she said to the lieutenant, "is, I hear, very expert; and my neck is very slender:" upon which she grasped it in her hand, and smiled. When brought, however, to the scaffold, she softened her tone a little with regard to her protestations of innocence. She probably reflected that the obstinacy of queen Catherine, and her opposition to the king's will, had much alienated him from the lady Mary: her own maternal concern, therefore, for Elizabeth, prevailed in these last moments over that indignation which the unjust sentence by which she suffered naturally excited in her. She said that she was come to die as she was sentenced by the law: she would accuse none, nor say anything of the ground upon which she was judged. She prayed heartily for the king; called him a most merciful and gentle prince; and acknowledged that he had always been to her a good and gracious sovereign; and if any one should think proper to canvass her cause, she desired him to judge the best. She was beheaded by the executioner of Calais, (19th May,) who was sent for as more expert than any in England. Her body was negligently thrown into a common chest of elm-tree, made to hold arrows, and was buried in the Tower.

The innocence of this unfortunate queen cannot reasonably be called in question. Henry himself, in the violence of his rage, knew not whom to accuse as her lover; and though he imputed guilt to her brother, and four persons more, he was able to bring proof against none of them. The whole tenor of her conduct forbids us to ascribe to her an abandoned character, such as is implied in the king's accusation: had she been so lost to all prudence and sense of shame, she must have exposed herself to detection, and afforded her enemies some evidence against her. But the king made the most effectual apology for her, by marrying Jane Seymour the very day after her execution. His impatience to gratify this new passion caused him to forget all regard to decency; and his cruel heart was not softened a moment by the bloody catastrophe of a person who had so long been the object of his most tender affections.

The lady Mary thought the death of her step-mother a proper opportunity for reconciling herself to the king, who, besides other causes of disgust, had been offended with her on account of the part which she had taken in her mother's quarrel. Her advances were not at first received; and Henry exacted from her some further proofs of submission and obedience: he required this young princess, then about twenty years of age, to adopt his theological tenets; to acknowledge his supremacy; to renounce the pope; and to own her mother's marriage to be unlawful and incestuous. These points were of hard digestion with the princess; but after some delays, and even refusals, she was at last prevailed on to write a letter to her father, containing her assent to the articles required of her: upon which she was received into favour. But notwithstanding the return of the king's affection to the issue of his first marriage, he divested not himself of kindness towards the lady Elizabeth; and the new queen, who was blest with a singular sweetness of disposition, discovered strong proofs of attachment towards her.

A PARLIAMENT. *June 8.*

The trial and conviction of queen Anne, and the subsequent events, made it necessary for the king to summon a new parliament: and he, here, in his speech made a merit to his people, that, notwithstanding the misfortunes attending his two former marriages, he had been induced for their good to venture on a third. The speaker received this profession with suitable gratitude; and he took thence occasion to praise the king for his wonderful gifts of grace and nature: he compared him, for justice and prudence, to Solomon; for strength and fortitude, to Sampson; and for beauty and comeliness, to Absalom. The king very humbly replied, by the mouth of the chancellor, that he disavowed these praises; since, if he were really possessed of such endowments, they were the gift of Almighty God only. Henry found that the parliament was no less submissive in deeds than complaisant in their expressions, and that they would go the same lengths as the former in gratifying even his most lawless passions. His divorce from Anne Boleyn was ratified;* that queen and all her accomplices were attainted; the issue of both his former marriages were declared illegitimate, and it was even made treason to assert the legitimacy of either of them; to throw any slander upon the present king, queen, or their issue, was subjected to the same penalty; the crown was settled on the king's issue by Jane Seymour, or any subsequent wife; and in case he should die without children, he was empowered, by his will or letters-patent, to dispose of the crown: an enormous authority, especially when intrusted to a prince so violent and capricious in his humour. Whoever, being required, refused to answer upon oath to any article of this act of settlement, was declared to be guilty of treason; and by this clause a species of political inquisition was established in the kingdom, as well as the accusations of treason multiplied to an unreasonable degree. The king was also empowered to confer on any one, by his will or letters-patent, any castles, honours, liberties, or franchises; words which might have been extended to the dismembering of the kingdom, by the erection of principalities and independent jurisdictions. It was also, by another act, made treason to marry, without the king's consent, any princess related in the first degree to the crown. This act was occasioned by the discovery of a design formed by Thomas Howard, brother of the duke of Norfolk, to espouse the lady, Margaret Douglas, niece to the king, by his sister, the queen of Scots, and the earl of Angus. Howard, as well as the young lady, was committed to the Tower. She recovered her liberty soon after; but he died in confinement. An act of attainder passed against him this session of parliament.

Another accession was likewise gained to the authority of the crown: the king, or any of his successors, was empowered to repeal or annul, by letters-patent, whatever act of parliament had been passed before he was four-and-twenty years of age. Whoever maintained the authority of the bishop of Rome, by word or writ, or endeavoured in any manner to restore it in England, was subjected to the penalty of a præmunire; that is, his goods were forfeited, and he was put out of the protection of law. And any person who possessed any office, ecclesiastical or civil, or received any grant or charter from the crown, and yet refused to renounce the pope by oath, was declared to be guilty of treason. The renunciation prescribed runs in the style of "*So help me God, all saints, and the holy evangelists.*"

* The parliament, in annulling the king's marriage with Anne Boleyn, gives this as a reason: "For that his highness had chosen to wife the excellent and virtuous lady Jane, who for her convenient years, excellent beauty, and pureness of flesh and blood, would be apt, God willing, to conceive issue by his highness."

The pope, hearing of Anne Boleyn's disgrace and death, had hoped that the door was opened to a reconciliation, and had been making some advances to Henry: but this was the reception he met with. Henry was now become indifferent with regard to papal censures; and finding a great increase of authority, as well as of revenue, to accrue from his quarrel with Rome, he was determined to persevere in his present measures. This parliament also, even more than any foregoing, convinced him how much he commanded the respect of his subjects, and what confidence he might repose in them. Though the elections had been made on a sudden, without any preparation or intrigue, the members discovered an unlimited attachment to his person and government.

A CONVOCATION.

The extreme complaisance of the convocation, which sat at the same time with the parliament, encouraged him in his resolution of breaking entirely with the court of Rome. There was secretly a great division of sentiments in the minds of this assembly; and as the zeal of the reformers had been augmented by some late successes, the resentment of the catholics was no less excited by their fears and losses: but the authority of the king kept every one submissive and silent; and the new-assumed prerogative, the supremacy, with whose limits no one was fully acquainted, restrained even the most furious movements of theological rancour. Cromwell presided as vicar-general; and though the catholic party expected that, on the fall of queen Anne, his authority would receive a great shock, they were surprised to find him still maintain the same credit as before. With the vicar-general concurred Cranmer, the primate, Latimer, bishop of Worcester, Shaxton of Salisbury, Hilsey of Rochester, Fox of Hereford, Barlow of St. David's. The opposite faction was headed by Lee, archbishop of York, Stokesley, bishop of London, Tonstal of Durham, Gardiner of Winchester, Longland of Lincoln, Sherborne of Chichester, Nix of Norwich, and Kite of Carlisle. The former party, by their opposition to the pope, seconded the king's ambition and love of power: the latter party, by maintaining the ancient theological tenets, were more conformable to his speculative principles: and both of them had alternately the advantage of gaining on his humour, by which he was more governed than by either of these motives.

The church in general was averse to the Reformation; and the lower house of convocation framed a list of opinions, in the whole sixty-seven, which they pronounced erroneous, and which was a collection of principles, some held by the ancient Lollards, other by the modern Protestants, or Gospellers, as they were sometimes called. These opinions they sent to the upper house to be censured; but in the preamble of their representation they discovered the servile spirit by which they were governed. They said, "that they intended not to do or speak anything which might be unpleasant to the king, whom they acknowledge their supreme head, and whose commands they were resolved to obey; renouncing the pope's usurped authority, with all his laws and inventions, now extinguished and abolished; and addicting themselves to Almighty God and his laws, and unto the king and the laws made within this kingdom."

The convocation came at last, after some debate, to decide articles of faith; and their tenets were of as motley a kind as the assembly itself, or rather as the king's system of theology, by which they were resolved entirely to square their principles. They determined the standard of faith to consist in the Scriptures and the three creeds, the Apostolic, Nicene, and Athanasian; and this article was a signal victory to the reformers: auricular confession and penance were admitted, a doctrine agreeable to the catholics: no mention was made of marriage, extreme unction, confirmation, or holy orders, as sacraments; and in this omission the influence of the Protestants appeared: the real presence was asserted, conformably to the ancient doctrine: the terms of acceptance were established to be the merits of Christ, and the mercy and good pleasure of God, suitable to the new principles.

So far the two sects seem to have made a fair partition, by alternately sharing the several clauses. In framing the subsequent articles, each of them seems to have thrown in its ingredient. The catholics prevailed in asserting, that the use of images was warranted by scripture; the protestants, in warning the people against idolatry, and the abuse of these sensible representations. The ancient faith was adopted in maintaining the expedience of praying to saints; the late innovations, in rejecting the peculiar patronage of saints to any trade, profession, or course of action. The former rites of worship, the use of holy water, and the ceremonies practised on Ash-Wednesday, Palm-Sunday, Good-Friday, and other festivals were still maintained; but the new refinements, which made light of these institutions, were also adopted, by the convocation's denying that they had any immediate power of remitting sin, and by its asserting that their sole merit consisted in promoting pious and devout dispositions in the mind.

But the article, with regard to purgatory, contains the most curious jargon, ambiguity, and hesitation, arising from the mixture of opposite tenets. It was to this purpose: "Since, according to due order of charity, and the book of Maccabees, and divers ancient authors, it is a very good and charitable deed to pray for souls departed; and since such a practice has been maintained in the church from the beginning; all bishops and teachers should instruct the people not to be grieved for the continuance of the same. But since the place where departed souls are retained, before they reach paradise, as well as the nature of their pains, is left uncertain by Scripture, all such questions are to be submitted to God, to whose mercy it is meet and convenient to commend the deceased, trusting that he accepteth our prayers for them."

These articles, when framed by the convocation, and corrected by the king, were subscribed by every member of that assembly; while, perhaps, neither there, nor throughout the whole kingdom, could one man be found, except Henry himself, who had adopted precisely these very doctrines and opinions. For, though there be not any contradiction in the tenets abovementioned, it had happened in England, as in all countries where factious divisions have place, a certain creed was embraced by each party; few neuters were to be found; and these consisted only of speculative or whimsical people, of whom two persons could scarcely be brought to an agreement in the same dogmas. The protestants all of them carried their opposition to Rome further than those articles: none of the catholics went so far: and the king, by being able to retain the nation in such a delicate medium, displayed the utmost power of an imperious despotism, of which any history furnishes an example. To change the religion of a country, even when seconded by a party, is one of the most perilous enterprises which any sovereign can attempt, and often proves the most destructive to royal authority. But Henry was able to set the political machine in that furious movement, and yet regulate, and even stop its career: he could say to it, "Thus far shalt thou go, and no further:" and he made every vote of his parliament and convocation subservient, not only to his interests and passions, but even to his greatest caprices; nay, to his most refined and most scholastic subtleties.

The concurrence of these two national assemblies served, no doubt, to increase the king's power over the people, and raised him to an authority more absolute than any prince in a simple monarchy, even by means of military force, is ever able to attain. But there are certain bounds beyond which the most slavish submis-

sion cannot be extended. All the late innovations, particularly the dissolution of the smaller monasteries, and the imminent danger to which all the rest were exposed, [*See note* 2 Y, *at the end of this Vol.*] had bred discontent among the people, and had disposed them to revolt. The expelled monks, wandering about the country, excited both the piety and compassion of men; and as the ancient religion took hold of the populace by powerful motives suited to vulgar capacity, it was able, now that it was brought into apparent hazard, to raise the strongest zeal in its favour. Discontents had even reached some of the nobility and gentry, whose ancestors had founded the monasteries, and who placed a vanity in those institutions, as well as reaped some benefit from them, by the provisions which they afforded them, for their younger children. The more superstitious were interested for the souls of their forefathers, which, they believed, must now lie during many ages in the torments of purgatory, for want of masses to relieve them. It seemed unjust to abolish pious institutions for the faults, real or pretended, of individuals. Even the most moderate and reasonable deemed it somewhat iniquitous, that men who had been invited into a course of life by all the laws human and divine which prevailed in their country, should be turned out of their possessions, and so little care be taken of their future subsistence. And when it was observed, that the rapacity and bribery of the commissioners and others, employed in visiting the monasteries, intercepted much of the profits resulting from these confiscations, it tended much to increase the general discontent.

But the people did not break into open sedition till the complaints of the secular clergy concurred with those of the regular. As Cromwell's person was little acceptable to the ecclesiastics; the authority which he exercised being so new, so absolute, so unlimited, inspired them with disgust and terror. He published, in the king's name, without the consent either of parliament or convocation, an ordonance by which he retrenched many of the ancient holidays; prohibited several superstitions gainful to the clergy, such as pilgrimages, images, relics; and even ordered the incumbents in the parishes to set apart a considerable portion of their revenue for repairs, and for the support of exhibitioners and the poor of the parish. The secular priests, finding themselves thus reduced to a grievous servitude, instilled into the people those discontents which they had long harboured in their own bosoms.

INSURRECTION.

The first rising was in Lincolnshire. It was headed by Dr. Mackrel, prior of Barlings, who was disguised like a mean mechanic, and who bore the name of captain Cobler. This tumultuary army amounted to above 20,000 men; but, notwithstanding their number, they showed little disposition of proceeding to extremities against the king, and seemed still overawed by his authority. They acknowledged him to be supreme head of the church of England; but they complained of suppressing the monasteries, of evil counsellors, of persons meanly born raised to dignity, of the danger to which the jewels and plate of their parochial churches were exposed: and they prayed the king to consult the nobility of the realm concerning the redress of these grievances. Henry was little disposed to entertain apprehensions of danger, especially from a low multitude, whom he despised. He sent forces against the rebels, under the command of the duke of Suffolk; (6th October;) and he returned them a very sharp answer to their petition. There were some gentry, whom the populace had constrained to take part with them, and who kept a secret correspondence with Suffolk. They informed him, that resentment against the king's reply was the chief cause which retained the malcontents in arms, and that a milder answer would probably suppress the rebellion. Henry had levied a great force at London, with which he was preparing to march against the rebels; and being so well supported by power, he thought that, without losing his dignity, he might now show them some greater condescension. He now sent a proclamation, requiring them to return to their obedience, with secret assurances of pardon. This expedient had its effect: the populace was dispersed: Mackrel and some of their leaders fell into the king's hands, and were executed: the greater part of the multitude retired peaceably to their usual occupations; a few of the more obstinate fled to the north, where they joined the insurrection that was raised in those parts.

The northern rebels, as they were more numerous, were also on other accounts more formidable than those of Lincolnshire; because the people were there more accustomed to arms, and because of their vicinity to the Scots, who might make advantage of these disorders. One Aske, a gentleman, had taken the command of them, and he possessed the art of governing the populace. Their enterprise they called the "Pilgrimage of Grace:" some priests marched before in the habits of their order, carrying crosses in their hands: in their banners was woven a crucifix, with the representation of the chalice, and of the five wounds of Christ: they wore on their sleeve an emblem of the five wounds, with the name of Jesus wrought in the middle: they all took an oath, that they had entered into the pilgrimage of grace from no other motive than their love to God, their care of the king's person and issue, their desire of purifying the nobility, of driving base-born persons from about the king, of restoring the church, and of suppressing heresy. Allured by these fair pretences, about 40,000 men from the counties of York, Durham, Lancaster, and those northern provinces, flocked to their standard; and their zeal, no less than their numbers, inspired the court with apprehensions.

The earl of Shrewsbury, moved by his regard for the king's service, raised forces, though at first without any commission, in order to oppose the rebels. The earl of Cumberland repulsed them from his castle of Skipton; sir Ralph Evers defended Scarborough castle against them: Courtney, marquis of Exeter, the king's cousin-german, obeyed orders from court, and levied troops. The earls of Huntingdon, Derby, and Rutland, imitated his example. The rebels, however, prevailed in taking both Hull and York: they had laid siege to Pomfret-castle, into which the archbishop of York and Lord Darcy had thrown themselves. It was soon surrendered to them; and the prelate and nobleman, who secretly wished success to the insurrection, seemed to yield to the force imposed on them, and joined the rebels.

The duke of Norfolk was appointed general of the king's forces against the northern rebels; and as he headed the party at court which supported the ancient religion, he was also suspected of bearing some favour to the cause which he was sent to oppose. His prudent conduct, however, seems to acquit him of this imputation. He encamped near Doncaster, together with the earl of Shrewsbury; and as his army was small, scarcely exceeding five thousand men, he made choice of a post where he had a river in front, the ford of which he purposed to defend against the rebels. They had intended to attack him in the morning; but during the night there fell such violent rains as rendered the river utterly impassable; and Norfolk wisely laid hold of the opportunity to enter into treaty with them. In order to open the door for negociation, he sent them a herald; whom Aske, their leader, received with great ceremony; he himself sitting in a chair of state, with the archbishop of York on one hand, and lord Darcy on the other. It was agreed that two gentlemen should be despatched to the king with proposals from the rebels; and Henry purposely delayed giving an answer and

allured them with hopes of entire satisfaction, in expectation that necessity would soon oblige them to disperse themselves. Being informed that his artifice had in a great measure succeeded, he required them instantly to lay down their arms, and submit to mercy; promising pardon to all, except six whom he named, and four whom he reserved to himself the power of naming. But though the greater part of the rebels had gone home for want of subsistence, they had entered into the most solemn engagements to return to their standards, in case the king's answer should not prove satisfactory. Norfolk, therefore, soon found himself in the same difficulty as before; and he opened again a negociation with the leaders of the multitude. He engaged them to send three hundred persons to Doncaster, with proposals for an accommodation; and he hoped, by intrigue and separate interests, to throw dissension among so great a number. Aske himself had intended to be one of the deputies, and he required a hostage for his security: but the king, when consulted, replied, that he knew no gentleman, or other, whom he esteemed so little as to put him in pledge for such a villain. The demands of the rebels were so exorbitant, that Norfolk rejected them; and they prepared again to decide the contest by arms. They were as formidable as ever, both by their numbers and spirit; and, notwithstanding the small river which lay between them and the royal army, Norfolk had great reason to dread the effects of their fury. But while they were preparing to pass the ford, rain fell a second time in such abundance, as made it impracticable for them to execute their design; and the populace, partly reduced to necessity by want of provisions, partly struck with superstition at being thus again disappointed by the same accident, suddenly dispersed themselves. The duke of Norfolk, who had received powers for that end, forwarded the dispersion by the promise of a general amnesty; and the king ratified this act of clemency. (9th December.) He published, however, a manifesto against the rebels, and an answer to their complaints; in which he employed a very lofty style, suited to so haughty a monarch. He told them, that they ought no more to pretend giving a judgment with regard to government, than a blind man with regard to colours: "and we," he added, "with our whole council, think it right strange that ye, who be but brutes and inexpert folk, do take upon you to appoint us, who be meet or not for our council."

As this pacification was not likely to be of long continuance, Norfolk was ordered to keep his army together, and to march into the northern parts, in order to exact a general submission. Lord Darcy, as well as Aske, was sent for to court; and the former, upon his refusal or delay to appear, was thrown into prison. Every place was full of jealousy and complaints. A new insurrection broke out, headed by Musgrave and Tilby, and the rebels besieged Carlisle with 8000 men. Being repulsed by that city, they were encountered in their retreat by Norfolk, who put them to flight; and having made prisoners of all their officers except Musgrave, who escaped, he instantly put them to death by martial law, to the number of seventy persons. An attempt made by sir Francis Bigot and Halam, to surprise Hull, met with no better success; and several other risings were suppressed by the vigilance of Norfolk. The king, enraged by these multiplied revolts, was determined not to adhere to the general pardon which he had granted; and from a movement of his usual violence, he made the innocent suffer for the guilty. Norfolk, by command from his master, spread the royal banner, and wherever he thought proper executed martial law in the punishment of offenders. Besides Aske, leader of the first insurrection, sir Robert Constable, sir John Bulmer, sir Thomas Percy, sir Stephen Hamilton, Nicholas Tempest, William Lumley, and many others, were thrown into prison; and most of them were condemned and executed. Lord Hussey was found guilty as an accomplice in the insurrection of Lincolnshire, and was executed at Lincoln. Lord Darcy, though he pleaded compulsion, and appealed for his justification to a long life spent in the service of the crown, was beheaded on Tower-hill. Before his execution, he accused Norfolk of having secretly encouraged the rebels; but Henry, either sensible of that nobleman's services, and convinced of his fidelity, or afraid to offend one of such extensive power and great capacity, rejected the information. Being now satiated with punishing the rebels, he published anew a general pardon, to which he faithfully adhered; and he erected by patent a court of justice at York, for deciding lawsuits in the northern counties: a demand which had been made by the rebels.

BIRTH OF PRINCE EDWARD AND DEATH OF QUEEN JANE. *October* 12.

Soon after this prosperous success, an event happened which crowned Henry's joy, the birth of a son, who was baptized by the name of Edward. Yet was not his happiness without alloy; the queen died two days after. But a son had so long been ardently wished for by Henry, and was now become so necessary, in order to prevent disputes with regard to the succession, after the acts declaring the two princesses illegitimate, that the king's affliction was drowned in his joy, and he expressed great satisfaction on the occasion. The prince, not six days old, was created prince of Wales, duke of Cornwall, and earl of Chester. Sir Edward Seymour, the queen's brother, formerly made lord Beauchamp, was raised to the dignity of earl of Hereford. Sir William Fitz-Williams, high admiral, was created earl of Southampton; sir William Paulet, lord St. John; sir John Russel, lord Russel.

1538. The suppression of the rebellion, and the birth of a son, as they confirmed Henry's authority at home, increased his consideration among foreign princes, and made his alliance be courted by all parties. He maintained, however, a neutrality in the wars which were carried on with various success, and without any decisive event, between Charles and Francis; and though inclined more to favour the latter, he determined not to incur, without necessity, either hazard or expense on his account. A truce concluded about this time, between those potentates, and afterwards prolonged for ten years, freed him from all anxiety on account of his ally, and re-established the tranquillity of Europe.

Henry continued desirous of cementing a union with the German protestants; and for that purpose he sent Christopher Mount to a congress which they held at Brunswick; but that minister made no great progress in his negociation. The princes wished to know what were the articles in their confession which Henry disliked; and they sent new ambassadors to him, who had orders both to negociate and to dispute. They endeavoured to convince the king that he was guilty of a mistake in administering the eucharist in one kind only, in allowing private masses, and in requiring the celibacy of the clergy. Henry would by no means acknowledge any error in these particulars; and was displeased that they should pretend to prescribe rules to so great a monarch and theologian. He found arguments and syllogisms enough to defend his cause; and he dismissed the ambassadors without coming to any conclusion. Jealous also lest his own subjects should become such theologians as to question his tenets, he used great precaution in publishing that translation of the scripture which was finished this year. He would only allow a copy of it to be deposited in some parish churches, where it was fixed by a chain; and he took care to inform the people by proclamation, "That this indulgence was not the effect of his duty, but of his goodness and liberality to them; who therefore should use it moderately, for the increase of virtue, and not of strife: and he ordered that no man should read the Bible aloud, so as to disturb the priest while he sang

mass, nor presume to expound doubtful places without advice from the learned." In this measure, as in the rest, he still halted half-way between the catholics and the protestants.

SUPPRESSION OF THE GREATER MONASTERIES.

There was only one particular in which Henry was quite decisive; because he was there impelled by his avarice, or, more properly speaking, his rapacity, the consequence of his profusion: this measure was, the entire destruction of the monasteries. The present opportunity seemed favourable for that great enterprise, while the suppression of the late rebellion fortified and increased the royal authority; and as some of the abbots were suspected of having encouraged the insurrection, and of corresponding with the rebels, the king's resentment was further incited by that motive. A new visitation was appointed of all the monasteries in England; and a pretence only being wanted for their suppression, it was easy for a prince, possessed of such unlimited power, and seconding the present humour of a great part of the nation, to find or feign one. The abbots and monks knew the danger to which they were exposed; and having learned, by the example of the lesser monasteries, that nothing could withstand the king's will, they were most of them induced, in expectation of better treatment, to make a voluntary resignation of their houses. Where promises failed of effect, menaces, and even extreme violence, were employed; and as several of the abbots since the breach with Rome had been named by the court with a view to this event, the king's intentions were the more easily effected. Some also, having secretly embraced the doctrine of the Reformation, were glad to be freed from their vows; and on the whole, the design was conducted with such success, that in less than two years the king had got possession of all the monastic revenues.

In several places, particularly in the county of Oxford, great interest was made to preserve some convents of women, who, as they lived in the most irreproachable manner, justly merited, it was thought, that their houses should be saved from the general destruction. There appeared also great difference between the case of nuns and that of friars; and the one institution might be laudable, while the other was exposed to much blame. The males of all ranks, if endowed with industry, might be of service to the public; and none of them could want employment suited to his station and capacity. But a woman of family, who failed of a settlement in the marriage state, an accident to which such persons were more liable than women of lower station, had really no rank which she properly filled; and a convent was a retreat both honourable and agreeable, from the inutility and often want which attended her situation. But the king was determined to abolish monasteries of every denomination; and probably thought that these ancient establishments would be the sooner forgotten, if no remains of them of any kind were allowed to subsist in the kingdom.

The better to reconcile the people to this great innovation, stories were propagated of the detestable lives of the friars in many of the convents; and great care was taken to defame those whom the court had determined to ruin. The relics also, and other superstitions, which had so long been the object of the people's veneration, were exposed to their ridicule; and the religious spirit, now less bent on exterior observances and sensible objects, was encouraged in this new direction. It is needless to be prolix in an enumeration of particulars: protestant historians mention on this occasion, with great triumph, the sacred repositories of convents: the parings of St. Edmond's toes; some of the coals that roasted St. Laurence; the girdle of the Virgin, shown in eleven several places; two or three heads of St. Ursula; the felt of St. Thomas of Lancaster, an infallible cure for the head-ache; part of St. Thomas of Canterbury's shirt, much reverenced by big-bellied women: some relics, an excellent preventive against rain; others, a remedy to weeds in corn. But such fooleries, as they are to be found in all ages and nations, and even took place during the most refined periods of antiquity, form no particular or violent reproach to the catholic religion.

There were also discovered, or said to be discovered, in the monasteries, some impostures of a more artificial nature. At Hales, in the county of Gloucester, there had been shown, during several ages, the blood of Christ, brought from Jerusalem; and it is easy to imagine the veneration with which such a relic was regarded. A miraculous circumstance also attended this miraculous relic; the sacred blood was not visible to any one in mortal sin, even when set before him; and till he had performed good works sufficient for his absolution, it would not deign to discover itself to him. At the dissolution of the monastery the whole contrivance was detected. Two of the monks who were let into the secret had taken the blood of a duck, which they renewed every week: they put it in a phial, one side of which consisted of thin and transparent crystal, the other of thick and opaque. When any rich pilgrim arrived, they were sure to show him the dark side of the phial, till masses and offerings had expiated his offences; and then finding his money or patience, or faith, nearly exhausted, they made him happy by turning the phial.

A miraculous crucifix had been kept at Boxley, in Kent, and bore the appellation of the *Rood of Grace*. The lips, and eyes, and head of the image moved on the approach of its votaries. Hilsey, bishop of Rochester, broke the crucifix at St. Paul's-Cross, and showed to the whole people the springs and wheels by which it had been secretly moved. A great wooden idol, revered in Wales, called Darvel Gatherin, was brought to London, and cut in pieces; and by a cruel refinement in vengeance it was employed as fuel to burn friar Forrest, who was punished for denying the supremacy, and for some pretended heresies. A finger of St. Andrew, covered with a thin plate of silver, had been pawned by a convent for a debt of forty pounds; but as the king's commissioners refused to pay the debt, people made themselves merry with the poor creditor on account of the pledge.

But of all the instruments of ancient superstition, no one was so zealously destroyed as the shrine of Thomas à Becket, commonly called St. Thomas of Canterbury. This saint owed his canonization to the zealous defence which he had made for clerical privileges; and on that account also the monks had extremely encouraged the devotion of pilgrimages towards his tomb; and numberless were the miracles which they pretended his relic wrought in favour of his devout votaries. They raised his body once a year; and the day on which this ceremony was performed, which was called the day of his translation, was a general holiday: every fiftieth year there was celebrated a jubilee to his honour, which lasted fifteen days: plenary indulgences were then granted to all that visited his tomb; and a hundred thousand pilgrims have been registered at a time in Canterbury. The devotion towards him had quite effaced in that place the adoration of the Deity; nay, even that of the Virgin. At God's altar, for instance, there were offered in one year, three pounds two shillings and sixpence; at the Virgin's, sixty-three pounds five shillings and sixpence; at St. Thomas's eight hundred and thirty-two pounds twelve shillings and three-pence. But next year the disproportion was still greater: there was not a penny offered at God's altar; the Virgin's gained only four pounds one shilling and eight-pence; but St. Thomas had got for his share, nine hundred and fifty-four pounds six shillings and three-pence. Louis VII. of France had made a pilgrimage to this miraculous tomb, and had bestowed on the shrine a jewel, esteemed the richest in Christendom. It is evident

how obnoxious to Henry a saint of this character must appear, and how contrary to all his projects for degrading the authority of the court of Rome. He not only pillaged the rich shrine dedicated to St. Thomas: he made the saint himself be cited to appear in court, and be tried and condemned as a traitor: he ordered his name to be struck out of the calendar; the office for his festival to be expunged from all breviaries; his bones to be burned, and the ashes to be thrown in the air.

On the whole, the king at different times suppressed six hundred and forty-five monasteries; of which twenty-eight had abbots that enjoyed a seat in parliament. Ninety colleges were demolished in several counties; two thousand three hundred and seventy-four chantries and free chapels; a hundred and ten hospitals. The whole revenue of these establishments amounted to one hundred and sixty-one thousand one hundred pounds. It is worthy of observation, that all the lands and possessions and revenue of England had a little before this period been rated at four millions a year; so that the revenue of the monks, even comprehending the lesser monasteries, did not exceed the twentieth part of the national income: a sum vastly inferior to what is commonly apprehended. The lands belonging to the convents were usually let at very low rent; and the farmers, who regarded themselves as a species of proprietors, took always care to renew their leases before they expired. [*See note* 2 Z, *at the end of this Vol.*]

Great murmurs were everywhere excited on account of these violences; and men much questioned whether priors and monks, who were only trustees or tenants for life, could, by any deed, however voluntary, transfer to the king the entire property of their estates. In order to reconcile the people to such mighty innovations, they were told that the king would never thenceforth have occasion to levy taxes, but would be able, from the abbey-lands alone, to bear during war as well as peace the whole charges of government. While such topics were employed to appease the populace, Henry took an effectual method of interesting the nobility and gentry in the success of his measures: he either made a gift of the revenues of convents to his favourites and courtiers, or sold them at low prices, or exchanged them for other lands on very disadvantageous terms. He was so profuse in these liberalities, that he is said to have given a woman the whole revenue of a convent, as a reward for making a pudding which happened to gratify his palate. He also settled pensions on the abbots and priors, proportioned to their former revenues or to their merits; and gave each monk a yearly pension of eight marks: he erected six new bishoprics, Westminster, Oxford, Peterborough, Bristol, Chester, and Gloucester; of which five subsist at this day: and by all these means of expense and dissipation the profit which the king reaped by the seizure of church-lands fell much short of vulgar opinion. As the ruin of convents had been foreseen some years before it happened, the monks had taken care to secrete most of their stock, furniture and plate; so that the spoils of the great monasteries bore not in these respects any proportion to those of the lesser.

Beside the lands possessed by the monasteries, the regular clergy enjoyed a considerable part of the benefices of England, and of the tithes annexed to them; and these were also at this time transferred to the crown, and by that means passed into the hands of laymen: an abuse which many zealous churchmen regarded as the most criminal sacrilege. The monks were formerly much at their ease in England, and enjoyed revenues which exceeded the regular and stated expense of the house. We read of the abbey of Chertsey in Surrey, which possessed 744 pounds a year, though it contained only fourteen monks: that of Furnese, in the county of Lincoln, was valued at 960 pounds a year, and contained about thirty. In order to dissipate their revenues, and support popularity, the monks lived in a hospitable manner; and besides the poor maintained from their offals, there were many decayed gentlemen, who passed their lives in traveling from convent to convent, and were entirely subsisted at the tables of the friars. By this hospitality, as much as by their own inactivity, did the convents prove nurseries of idleness; but the king, not to give offence by too sudden an innovation, bound the new proprietors of abbey-lands to support the ancient hospitality. But this engagement was fulfilled in very few places, and for a very short time.

It is easy to imagine the indignation with which the intelligence of all these acts of violence was received at Rome, and how much the ecclesiastics of that court, who had so long kept the world in subjection by high-sounding epithets, and by holy execrations, would now vent their rhetoric against the character and conduct of Henry. The pope was at last incited to publish the bull which had been passed against that monarch; and in a public manner he delivered over his soul to the devil, and his dominions to the first invader. Libels were dispersed, in which he was anew compared to the most furious persecutors in antiquity; and the preference was now given to their side: he had declared war with the dead, whom the pagans themselves respected; was at open hostility with heaven; and had engaged in professed enmity with the whole host of saints and angels. Above all, he was often reproached with his resemblance to the emperor Julian, whom it was said he imitated in his apostacy and learning, though he fell short of him in morals. Henry could distinguish in some of these libels the style and animosity of his kinsman Pole; and he was thence incited to vent his rage by every possible expedient on that famous cardinal.

CARDINAL POLE.

Reginald de la Pole, or Reginald Pole, was descended from the royal family, being fourth son of the countess of Salisbury, daughter of the duke of Clarence. He gave, in early youth, indications of that fine genius and generous disposition by which during his whole life he was so much distinguished; and Henry, having conceived great friendship for him, intended to raise him to the highest ecclesiastical dignities; and, as a pledge of future favours, he conferred on him the deanery of Exeter, the better to support him in his education. Pole was carrying on his studies in the university of Paris at the time when the king solicited the suffrages of that learned body in favour of his divorce; but though applied to by the English agent, he declined taking any part in the affair. Henry bore this neglect with more temper than was natural to him; and he appeared unwilling, on that account, to renounce all friendship with a person whose virtues and talents he hoped would prove useful as well as ornamental to his court and kingdom. He allowed him still to possess his deanery, and gave him permision to finish his studies at Padua: he even paid him some court, in order to bring him into his measures: and wrote to him while in that university, desiring him to give his opinion freely with regard to the late measures taken in England for abolishing the papal authority. Pole had now contracted an intimate friendship with all persons eminent for dignity or merit in Italy, Sadolet, Bembo, and other revivers of true taste and learning; and he was moved by these connexions, as well as by religious zeal, to forget in some respect the duty which he owed to Henry, his benefactor and his sovereign. He replied, by writing a treatise of *the unity of the church*, in which he inveighed against the king's supremacy, his divorce, his second marriage; and he even exhorted the emperor to revenge on him the injury done to the imperial family, and to the catholic cause. Henry, though provoked beyond measure at this outrage, dissembled his resent-

ment; and he sent a message to Pole, desiring him to return to England, in order to explain certain passages in his book, which he found somewhat obscure and difficult. Pole was on his guard against this insidious invitation; and was determined to remain in Italy, where he was universally beloved.

The pope and emperor thought themselves obliged to provide for a man of Pole's eminence and dignity, who in support of their cause had sacrificed all his pretensions to fortune in his own country. He was created a cardinal; and though he took not higher orders than those of a deacon, he was sent legate into Flanders about the year 1536. Henry was sensible that Pole's chief intention, in choosing that employment, was to foment the mutinous disposition of the English catholics; and he therefore remonstrated in so vigorous a manner with the queen of Hungary, regent of the Low Countries, that she dismissed the legate without allowing him to exercise his functions. The enmity which he bore to Pole was now as open as it was violent; and the cardinal on his part kept no further measures in his intrigues against Henry. He is even suspected of having aspired to the crown, by means of a marriage with the lady Mary; and the king was every day more alarmed by informations which he received of the correspondence maintained in England by that fugitive. Courtney, marquis of Exeter, had entered into a conspiracy with him; sir Edward Nevil, brother to the lord Abergavenny; sir Nicholas Carew, master of horse, and knight of the garter; Henry de la Pole, lord Montacute; and sir Geoffrey de la Pole, brother to the cardinal. These persons were indicted, and tried and convicted before lord Audley, who presided in the trial as high-steward: they were all executed except sir Geoffrey de la Pole, who was pardoned; and he owed this grace to his having first carried to the king secret intelligence of the conspiracy. We know little concerning the justice or iniquity of the sentence pronounced against these men: we only know, that the condemnation of a man who was at that time prosecuted by the court forms no presumption of his guilt; though, as no historian of credit mentions in the present case any complaint occasioned by these trials, we may presume that sufficient evidence was produced against the marquis of Exeter and his associates.

CHAPTER XXXII.

Disputation with Lambert——A Parliament——Law of the Six Articles——Proclamations made equal to Laws——Settlement of the Succession——King's Projects of Marriage——He marries Anne of Cleves——He dislikes her——A Parliament——Fall of Cromwell——His Execution——King's Divorce from Anne of Cleves——His Marriage with Catherine Howard——State of Affairs in Scotland——Discovery of the Queen's dissolute Life——A Parliament——Ecclesiastical Affairs.

THE rough hand of Henry seemed well adapted for rending asunder those bands by which the ancient superstition had fastened itself on the kingdom; and though, after renouncing the pope's supremacy, and suppressing monasteries, most of the political ends of reformation were already attained, few people expected that he would stop at those innovations. The spirit of opposition, it was thought, would carry him to the utmost extremities against the church of Rome, and lead him to declare war against the whole doctrine and worship, as well as discipline, of that mighty hierarchy. He had formerly appealed from the pope to a general council; but now, when a general council was summoned to meet at Mantua, he previously renounced all submission to it, as summoned by the pope, and lying entirely under subjection to that spiritual usurper. He engaged his clergy to make a declaration to the like purpose; and he had prescribed to them many other deviations from ancient tenets and practices. Cranmer took advantage of every opportunity to carry him on in this course; and while queen Jane lived, who favoured the reformers, he had, by means of her insinuation and address, been successful in his endeavours. After her death, Gardiner, who was returned from his embassy to France, kept the king more in suspense; and, by feigning an unlimited submission to his will, was frequently able to guide him to his own purposes. Fox, bishop of Hereford, had supported Cranmer in his schemes for a more thorough reformation; but his death had made way for the promotion of Bonner, who, though he had hitherto seemed a furious enemy to the court of Rome, was determined to sacrifice everything to present interest, and had joined the confederacy of Gardiner, and the partisans of the old religion. Gardiner himself, it was believed, had secretly entered into measures with the pope, and even with the emperor; and in concert with these powers he endeavoured to preserve, as much as possible, the ancient faith and worship.

Henry was so much governed by passion, that nothing could have retarded his animosity and opposition against Rome, but some other passion which stopped his career, and raised him new objects of animosity. Though he had gradually, since the commencement of his scruples with regard to his first marriage, been changing the tenets of that theological system in which he had been educated, he was no less positive and dogmatical in the few articles which remained to him, than if the whole fabric had continued entire and unshaken. And though he stood alone in his opinion, the flattery of courtiers had so inflamed his tyrannical arrogance, that he thought himself entitled to regulate, by his own particular standard, the religious faith of the whole nation. The point on which he chiefly rested his orthodoxy happened to be the real presence; that very doctrine in which, among the numberless victories of superstition over common sense, her triumph is the most signal and egregious. All departure from this principle he held to be heretical and detestable; and nothing he thought would be more honourable for him, than while he broke off all connexions with the Roman pontiff, to maintain in this essential article the purity of the catholic faith.

DISPUTATION WITH LAMBERT.

There was one Lambert, a schoolmaster in London, who had been questioned and confined for unsound opinions by archbishop Warham; but upon the death of that prelate, and the change of counsels at court, he had been released. Not terrified with the danger which he had incurred, he still continued to promulgate his tenets; and having heard Dr. Taylor, afterwards bishop of Lincoln, defend in a sermon the corporal presence, he could not forbear expressing to Taylor his dissent from that doctrine; and he drew up his objections under ten several heads. Taylor communicated the paper to Dr. Barnes, who happened to be a Lutheran, and who maintained, that though the substance of bread and wine remained in the sacrament, yet the real body and blood of Christ were there also, and were in a certain mysterious manner incorporated with the material elements. By the present laws and practice Barnes was no less exposed to the stake than Lambert; yet such was the persecuting rage which prevailed, that he determined to bring this man to condign punishment; because in their common departure from the ancient faith he had dared to go one step further than himself. He engaged Taylor to accuse Lambert before Cranmer and Latimer, who, whatever their private opinion might be on these points, were obliged to conform themselves to the standard of orthodoxy established by Henry When Lambert was cited before these prelates, they endeavoured to bend him to a recantation: and they were surprised when, instead of complying, he ventured to appeal to the king.

The king, not displeased with an opportunity where

he could at once exert his supremacy, and display his learning, accepted the appeal; and resolved to mix, in a very unfair manner, the magistrate with the disputant. Public notice was given that he intended to enter the lists with the schoolmaster: scaffolds were erected in Westminster-hall for the accommodation of the audience: Henry appeared on his throne, accompanied with all the ensigns of majesty: the prelates were placed on his right hand; the temporal peers on his left: the judges and most eminent lawyers had a place assigned them behind the bishops: the courtiers of greatest distinction behind the peers: and in the midst of this splendid assembly was produced the unhappy Lambert, who was required to defend his opinions against his royal antagonist.

The bishop of Chichester opened the conference, by saying, that Lambert, being charged with heretical pravity, had appealed from his bishop to the king; as if he expected more favour from this application, and as if the king could ever be induced to protect a heretic: that though his majesty had thrown off the usurpation of the see of Rome; had disincorporated some idle monks, who lived like drones in a bee-hive: had abolished the idolatrous worship of images; had published the Bible in English, for the instruction of all his subjects; and had made some lesser alterations, which every one must approve of; yet was he determined to maintain the purity of the catholic faith, and to punish with the utmost severity all departure from it; and that he had taken the present opportunity, before so learned and grave an audience, of convincing Lambert of his errors; but if he still continued obstinate in them, he must expect the most condign punishment.

After this preamble, which was not very encouraging, the king asked Lambert, with a stern countenance, what his opinion was of Christ's corporeal presence in the sacrament of the altar; and when Lambert began his reply with some compliment to his majesty, he rejected the praise with disdain and indignation. He afterwards pressed Lambert with arguments drawn from scripture and the schoolmen. The audience applauded the force of his reasoning and the extent of his erudition: Cranmer seconded his proofs by some new topics: Gardiner entered the lists as a support to Cranmer: Tonstal took up the argument after Gardiner: Stokesley brought fresh aid to Tonstal: six bishops more appeared successively in the field after Stokesley: and the disputation, if it deserves the name, was prolonged for five hours; till Lambert, fatigued, confounded, brow-beaten, and abashed, was at last reduced to silence. The king then, returning to the charge, asked him whether he were convinced? and he proposed, as a concluding argument, this interesting question, Whether he were resolved to live or to die? Lambert, who possessed that courage which consists in obstinacy, replied that he cast himself wholly on his majesty's clemency: the king told him that he would be no protector of heretics; and therefore if that were his final answer, he must expect to be committed to the flames. Cromwell, as vicegerent, pronounced the sentence against him. [*See note* 3 A, *at the end of this Vol.*]

Lambert, whose vanity had probably incited him the more to persevere on account of the greatness of this public appearance, was not daunted by the terrors of the punishment to which he was condemned. His executioners took care to make the sufferings of a man who had personally opposed the king, as cruel as possible: he was burned at a slow fire; his legs and thighs were consumed to the stumps; and when there appeared no end of his torments, some of the guards, more merciful than the rest, lifted him on their halberts, and threw him into the flames, where he was consumed. While they were employed in this friendly office, he cried aloud several times, *None but Christ, None but Christ;* and these words were in his mouth when he expired.

Some few days before this execution, four Dutch anabaptists, three men and a woman, had faggots tied to their backs at Paul's-Cross, and were burned in that manner. And a man and a woman of the same sect and country were burned in Smithfield.

1539. It was the unhappy fate of the English during this age, that, when they laboured under any grievance, they had not the satisfaction of expecting redress from parliament: on the contrary, they had reason to dread each meeting of that assembly, and were then sure of having tyranny converted into law, and aggravated, perhaps, with some circumstance, which the arbitrary prince and his ministers had not hitherto devised, or did not think proper of themselves to carry into execution. This abject servility never appeared more conspicuously than in a new parliament, which the king now assembled (28th April,) and which, if he had been so pleased, might have been the last that ever sat in England. But he found them too useful instruments of dominion ever to entertain thoughts of giving them a total exclusion.

The chancellor opened the parliament by informing the house of lords, that it was his majesty's earnest desire to extirpate from his kingdom all diversity of opinion in matters of religion; and as this undertaking was, he owned, important and arduous, he desired them to choose a committe from among themselves, who might draw up certain articles of faith, and communicate them afterwards to the parliament. The lords named the vicar-general Cromwell, now created a peer, the archbishops of Canterbury and York, the bishops of Durham, Carlisle, Worcester, Bath and Wells, Bangor, and Ely. The house might have seen what a hopeful task they had undertaken: this small committee itself was agitated with such diversity of opinion, that it could come to no conclusion. The duke of Norfolk then moved in the house, That, since there were no hopes of having a report from the committee, the articles of faith, intended to be established, should be reduced to six; and a new committee be appointed to draw an act with regard to them. As this peer was understood to speak the sense of the king, his motion was immediately complied with; and after a short prorogation, the bill of the *six articles*, or the bloody bill, as the protestants justly termed it, was introduced, and having passed the two houses, received the royal assent.

LAW OF THE SIX ARTICLES.

In this law the doctrine of the real presence was established, the communion in one kind, the perpetual obligation of vows of chastity, the utility of private masses, the celibacy of the clergy, and the necessity of auricular confession. The denial of the first article, with regard to the real presence, subjected the person to death by fire, and to the same forfeiture as in cases of treason; and admitted not the privilege of abjuring—an unheard-of severity, and unknown to the inquisition itself. The denial of any of the other five articles, even though recanted, was punishable by the forfeiture of goods and chattels, and imprisonment during the king's pleasure: an obstinate adherence to error, or a relapse, was adjudged to be felony, and punishable with death. The marriage of priests was subjected to the same punishment. Their commerce with women was, on the first offence, forfeiture and imprisonment; on the second, death. The abstaining from confession, and from receiving the eucharist at the accustomed times, subjected the person to fine and to imprisonment during the king's pleasure; and if the criminal persevered after conviction, he was punishable by death and forfeiture, as in cases of felony. Commissioners were to be appointed by the king for inquiring into these heresies and irregular practices; and the criminals were to be tried by a jury.

The king, in framing this law, laid his oppressive

hand on both parties; and even the catholics had reason to complain, that the friars and nuns, though dismissed their convent, should be capriciously restrained to the practice of celibacy: [*See note* 3 B, *at the end of this Vol.*:] but as the protestants were chiefly exposed to the severity of the statute, the misery of adversaries, according to the usual maxims of party, was regarded by the adherents to the ancient religion, as their own prosperity and triumph. Cranmer had the courage to oppose this bill in the house; and though the king desired him to absent himself, he could not be prevailed on to give this proof of compliance. Henry was accustomed to Cranmer's freedom and sincerity; and being convinced of the general rectitude of his intentions, gave him an unusual indulgence in this particular, and never allowed even a whisper against him. That prelate, however, was now obliged, in obedience to the statute, to dismiss his wife, the niece of Osiander, a famous divine of Nuremberg; and Henry, satisfied with this proof of submission, showed him his former countenance and favour. Latimer and Shaxton threw up their bishoprics on account of the law, and were committed to prison.

PROCLAMATIONS MADE EQUAL TO LAWS.

The parliament, having thus resigned all their religious liberties, proceeded to an entire surrender of their civil; and without scruple or deliberation they made by one act a total subversion of the English constitution. They gave to the king's proclamation the same force as to a statute enacted by parliament; and, to render the matter worse, if possible, they framed this law as if it were only declaratory, and were intended to explain the natural extent of royal authority. The preamble contains, that the king had formerly set forth several proclamations, which froward persons had wilfully contemned, not considering what a king by his royal power may do; that this license might encourage offenders not only to disobey the laws of Almighty God, but also to dishonour the king's most royal majesty, *who may full ill bear it;* that sudden emergencies often occur, which require speedy remedies, and cannot await the slow assembling and deliberations of parliament; and that though the king was empowered by his authority, derived from God, to consult the public good on these occasions, yet the opposition of refractory subjects might push him to extremity and violence: for these reasons the parliament, that they might remove all occasion of doubt, ascertained by a statute this prerogative of the crown, and enabled his majesty, with the advice of his council, to set forth proclamations enjoining obedience under whatever pains and penalties he should think proper; and these proclamations were to have the force of perpetual laws.

What proves either a stupid or a wilful blindness in the parliament is, that they pretended, even after this statute, to maintain some limitations in the government; and they enacted, that no proclamation should deprive any person of his lawful possessions, liberties, inheritances, privileges, franchises; nor yet infringe any common law or laudable custom of the realm. They did not consider that no penalty could be inflicted upon the disobeying of proclamations, without invading some liberty or property of the subject; and that the power of enacting new laws, joined to the dispensing power then exercised by the crown, amounted to a full legislative authority. It is true the kings of England had always been accustomed from their own authority to issue proclamations, and to exact obedience to them; and this prerogative was, no doubt, a strong symptom of absolute government: but still there was a difference between a power which was exercised on a particular emergence, and which must be justified by the present expedience or necessity; and an authority conferred by a positive statute, which could no longer admit of control or limitation.

Could any act be more opposite to the spirit of liberty than this law, it would have been another of the same parliament. They passed an act of attainder not only against the marquis of Exeter, the lords Montacute, Darcy, Hussey, and others, who had been legally tried and condemned; but also against some persons of the highest quality, who had never been accused, or examined, or convicted. The violent hatred which Henry bore to cardinal Pole had extended itself to all his friends and relations; and his mother in particular, the countess of Salisbury, had on that account become extremely obnoxious to him. She was also accused of having employed her authority with her tenants, to hinder them from reading the new translation of the Bible; of having procured bulls from Rome, which it is said had been seen at Coudray, her country seat; and of having kept a correspondence with her son, the cardinal: but Henry found, either that these offences could not be proved, or that they would not by law be subjected to such severe punishments as he desired to inflict upon her. He resolved, therefore, to proceed in a more summary and more tyrannical manner; and for that purpose he sent Cromwell, who was but too obsequious to his will, to ask the judges whether the parliament could attaint a person who was forthcoming, without giving him any trial, or citing him to appear before them? The judges replied, that it was a dangerous question, and that the high court of parliament ought to give the example to inferior courts, of proceeding according to justice: no inferior court could act in that arbitrary manner, and they thought that the parliament never would. Being pressed to give a more explicit answer, they replied, that if a person were attainted in that manner, the attainder could never afterwards be brought in question, but must remain good in law. Henry learned by this decision, that such a method of proceeding, though directly contrary to all the principles of equity, was yet practicable; and this being all he was anxious to know, he resolved to employ it against the countess of Salisbury Cromwell showed to the house of peers a banner, on which were embroidered the five wounds of Christ, the symbol chosen by the northern rebels; and this banner, he affirmed, was found in the countess's house. No other proof seems to have been produced in order to ascertain her guilt: the parliament, without further inquiry, passed a bill of attainder against her; and they involved in the same bill, without any better proof, as far as appears, Gertrude, marchioness of Exeter, sir Adrian Fortescue, and sir Thomas Dingley. These two gentlemen were executed: the marchioness was pardoned, and survived the king; the countess received a reprieve.

The only beneficial act passed this session, was that by which the parliament confirmed the surrender of the monasteries: yet even this act contains much falsehood, much tyranny, and, were it not that all private rights must submit to public interest, much injustice and iniquity. The scheme of engaging the abbots to surrender their monasteries had been conducted, as may easily be imagined, with many invidious circumstances: arts of all kinds had been employed; every motive that could work on the frailty of human nature had been set before them; and it was with great difficulty that these dignified conventuals were brought to make a concession, which most of them regarded as destructive of their interests, as well as sacrilegious and criminal in itself. Three abbots had shown more constancy than the rest, the abbots of Colchester, Reading, and Glastenbury: and in order to punish them for their opposition, and make them an example to others, means had been found to convict them of treason; they had perished by the hands of the executioner, and the revenue of the convents had been forfeited. Besides, though none of these violences had taken place, the king knew that a surrender made by men who were only tenants for life, would not bear examination; and he was therefore resolved to make all sure by his usual expedient, an act of parliament.

In the preamble to this act, the parliament asserts that all the surrenders made by the abbots had been, "without constraint, of their own accord, and according to due course of common law." And in consequence, the two houses confirm the surrenders, and secure the property of the abbey-lands to the king and his successors for ever. It is remarkable that all the mitred abbots still sat in the house of peers: and that none of them made any protests against this injurious statute.

In this session the rank of all the great officers of state was fixed: Cromwell, as vicegerent, had the precedency assigned him above all of them. It was thought singular, that a blacksmith's son, for he was no other, should have place next the royal family; and that a man possessed of no manner of literature should be set at the head of the church.

As soon as the act of the six articles had passed, the catholics were extremely vigilant in informing against offenders; and no less than five hundred persons were in a little time thrown into prison. But Cromwell, who had not had interest to prevent that act, was able for the present to elude its execution. Seconded by the duke of Suffolk and chancellor Audley, as well as by Cranmer, he remonstrated against the cruelty of punishing so many delinquents; and he obtained permission to set them at liberty. The uncertainty of the king's humour gave each party an opportunity of triumphing in its turn. No sooner had Henry passed this law, which seemed to inflict so deep a wound on the reformers, than he granted a general permission for every one to have the new translation of the Bible in his family: a concession regarded by that party as an important victory.

HENRY'S PROJECTS OF MARRIAGE.

But as Henry was observed to be much governed by his wives while he retained his fondness for them, the final prevalence of either party seemed much to depend on the choice of the future queen. Immediately after the death of Jane Seymour, the most beloved of all his wives, he began to think of a new marriage. He first cast his eye towards the duchess-dowager of Milan, niece to the emperor; and he made proposals for that alliance. But meeting with difficulties, he was carried by his friendship for Francis rather to think of a French princess. He demanded the duchess-dowager of Longueville, daughter of the duke of Guise, a prince of the house of Lorraine; but Francis told him, that the lady was already betrothed to the king of Scotland. The king, however, would not take a refusal: he had set his heart extremely on the match, the information which he had received of the duchess's accomplishments and beauty, had prepossessed him in her favour; and having privately sent over Meautys to examine her person, and get certain intelligence of her conduct, the accounts which that agent brought him served further to inflame his desires. He learned that she was big made; and he thought her on that account the more proper match for him who was now become somewhat corpulent. The pleasure too of mortifying his nephew, whom he did not love, was a further incitement to his prosecution of this match; and he insisted that Francis should give him the preference to the king of Scots. But Francis, though sensible that the alliance of England was of much greater importance to his interests, would not affront his friend and ally; and, to prevent further solicitations, he immediately sent the princess to Scotland. Not to shock, however, Henry's humour, Francis made him an offer of Mary of Bourbon, daughter of the duke of Vendôme; but as the king was informed that James had formerly rejected this princess, he would not hear any further of such a proposal. The French monarch then offered him the choice of the two younger sisters of the queen of Scots; and he assured him that they were nowise inferior either in merit or size to their elder sister and that one of them was even superior in beauty. The king was as scrupulous with regard to the person of his wives as if his heart had been really susceptible of a delicate passion; and he was unwilling to trust any relations, or even pictures, with regard to this important particular. He proposed to Francis, that they should have a conference at Calais on pretence of business; and that this monarch should bring along with him the two princesses of Guise, together with the finest ladies of quality in France, that he might make a choice among them. But the gallant spirit of Francis was shocked with the proposal: he was impressed with too much regard, he said, for the fair sex, to carry ladies of the first quality like geldings to a market, there to be chosen or rejected by the humour of the purchaser. Henry would hearken to none of these niceties, but still insisted on his proposal; which, however, notwithstanding Francis's earnest desire of obliging him, was finally rejected.

The king then began to turn his thoughts towards a German alliance; and, as the princes of the Smalcaldic league were extremely disgusted with the emperor on account of his persecuting their religion, he hoped, by matching himself into one of their families, to renew a connexion which he regarded as so advantageous to him. Cromwell joyfully seconded this intention; and proposed to him Anne of Cleves, whose father, the duke of that name, had great interest among the Lutheran princes, and whose sister, Sibylla, was married to the elector of Saxony, the head of the protestant league. A flattering picture of the princess by Hans Holben determined Henry to apply to her father; and after some negociation, the marriage, notwithstanding the opposition of the elector of Saxony, was at last concluded; and Anne was sent over to England. The king, impatient to be satisfied with regard to the person of his bride, came privately to Rochester, and got a sight of her. He found her big indeed, and tall as he could wish; but utterly destitute both of beauty and grace, very unlike the pictures and representations which he had received: he swore she was a great Flanders mare; and declared that he never could possibly bear her any affection. The matter was worse when he found that she could speak no language but Dutch, of which he was entirely ignorant; and that the charms of her conversation were not likely to compensate for the homeliness of her person. He returned to Greenwich very melancholy; and he much lamented his hard fate to Cromwell, as well as to lord Russel, sir Anthony Brown, and sir Anthony Denny. This last gentleman, in order to give him comfort, told him, that his misfortune was common to him with all kings; who could not, like private persons, choose for themselves; but must receive their wives from the judgment and fancy of others.

It was the subject of debate among the king's counsellors, whether the marriage could not yet be dissolved, and the princess be sent back to her own country. Henry's situation seemed at that time very critical. After the ten years' truce concluded between the emperor and the king of France, a good understanding was thought to have taken place between these rival monarchs; and such marks of union appeared as gave great jealousy to the court of England. The emperor, who knew the generous nature of Francis, even put a confidence in him, which is rare to that degree among great princes. An insurrection had been raised in the Low Countries by the inhabitants of Ghent, and seemed to threaten the most dangerous consequences. Charles, who resided at that time in Spain, resolved to go in person to Flanders, in order to appease those disorders; but he found great difficulties in choosing the manner of his passing thither. The road by Italy and Germany was tedious; the voyage through the Channel dangerous, by reason of the English naval power: he asked Francis's permission to pass through his dominions; and he intrusted himself into the hands of a rival whom he had so mortally offended. The French monarch received him at Paris

with great magnificence and courtesy; and though prompted both by revenge and interest, as well as by the advice of his mistress and favourites, to make advantage of the present opportunity, he conducted the emperor safely out of his dominions, and would not so much as speak to him of business during his abode in France, lest his demands should bear the air of violence upon his royal guest.

Henry, who was informed in all these particulars, believed that an entire and cordial union had taken place between these princes; and that their religious zeal might prompt them to fall with combined arms upon England. An alliance with the German princes seemed now more than ever requisite for his interest and safety; and he knew that if he sent back the princess of Cleves, such an affront would be highly resented by her friends and family.....1540. He was therefore resolved, notwithstanding his aversion to her, to complete the marriage; (6th January;) and he told Cromwell, that since matters had gone so far, he must put his neck into the yoke. Cromwell, who knew how much his own interests were concerned in this affair, was very anxious to learn from the king, next morning after the marriage, whether he now liked his spouse any better The king told him that he hated her worse than ever; and that her person was more disgusting on a near approach: he was resolved never to meddle with her; and even suspected her not to be a true maid: a point about which he entertained an extreme delicacy. He continued, however, to be civil to Anne; he even seemed to repose his usual confidence in Cromwell; but though he exerted this command over himself, a discontent lay lurking in his breast, and was ready to burst out on the first opportunity.

A session of parliament was held, (12th April,) and none of the abbots were now allowed a place in the house of peers. The king, by the mouth of the chancellor, complained to the parliament of the great diversity of religions which still prevailed among his subjects: a grievance, he affirmed, which ought the less to be endured, because the scriptures were now published in English, and ought universally to be the standard of belief to all mankind. But he had appointed, he said, some bishops and divines to draw up a list of tenets to which the people were to assent; and he was determined that Christ, the doctrine of Christ, and the truth, should have the victory. The king seems to have expected more effect in ascertaining truth, from this new book of his doctors, than had ensued from the publication of the scriptures. Cromwell, as vicar-general, made also, in the king's name, a speech to the upper house; and the peers in return bestowed great flattery on him, and in particular said, that he was worthy, by his desert, to be vicar-general of the universe. That minister seemed to be no less in his master's good graces: he received, soon after the sitting of the parliament, the title of earl of Essex, and was installed knight of the garter.

There remained only one religious order in England; the knights of St. John of Jerusalem, or the knights of Malta, as they are commonly called. This order, partly ecclesiastical, partly military, had by their valour done great service to Christendom; and had very much retarded at Jerusalem, Rhodes, and Malta, the rapid progress of the barbarians. During the general surrender of the religious houses in England, they had exerted their spirit, and had obstinately refused to yield up their revenues to the king; and Henry, who would endure no society that professed obedience to the pope, was obliged to have recourse to parliament for the dissolution of this order. Their revenues were large, and formed an addition nowise contemptible to the many acquisitions which the king had already made. But he had very ill husbanded the great revenue acquired by the plunder of the church: his profuse generosity dissipated faster than his rapacity could supply; and the parliament was surprised this session to find a demand made upon them of fourtenths, and a subsidy of one shilling in the pound during two years: so ill were the public expectations answered, that the crown was never more to require any supply from the people. The commons, though lavish of their liberty, and of the blood of their fellow-subjects, were extremely frugal of their money; and it was not without difficulty so small a grant could be obtained by this absolute and dreaded monarch. The convocation gave the king four shillings in the pound, to be levied in two years. The pretext for these grants was, the great expense which Henry had undergone for the defence of the realm, in building forts along the sea-coast, and in equipping a navy. As he had at present no ally on the continent in whom he reposed much confidence, he relied only on his domestic strength, and was on that account obliged to be more expensive in his preparations against the danger of an invasion.

FALL OF CROMWELL.

The king's favour to Cromwell, and his acquiescence in the marriage with Anne of Cleves, were both of them deceitful appearances: his aversion to the queen secretly increased every day; and having at last broken all restraint, it prompted him at once to seek the dissolution of a marriage so odious to him, and to involve his minister in ruin, who had been the innocent author of it. The fall of Cromwell was hastened by other causes. All the nobility hated a man who, being of such low extraction, had not only mounted above them by his station of vicar-general, but had engrossed many of the other considerable offices of the crown: besides enjoying that commission, which gave him a high and almost absolute authority over the clergy, and even over the laity, he was privy-seal, chamberlain, and master of the wards: he had also obtained the order of the garter, a dignity which had ever been conferred only on men of illustrious families, and which seemed to be profaned by its being communicated to so mean a person. The people were averse to him, as the supposed author of the violence on the monasteries; establishments which were still revered and beloved by the commonalty. The catholics regarded him as the concealed enemy of their religion: the protestants, observing his exterior concurrence with all the persecutions exercised against them, were inclined to bear him as little favour; and reproached him with the timidity, if not treachery, of his conduct. And the king, who found that great clamours had on all hands arisen against the administration, was not displeased to throw on Cromwell the load of public hatred; and he hoped by making so easy a sacrifice to regain the affections of his subjects.

But there was another cause which suddenly set all these motives in action, and brought about an unexpected revolution in the ministry. The king had fixed his affection on Catherine Howard, niece to the duke of Norfolk; and being determined to gratify this new passion, he could find no expedient but by procuring a divorce from his present consort, to raise Catherine to his bed and throne. The duke, who had long been engaged in enmity with Cromwell, made the same use of her insinuations to ruin this minister, that he had formerly done of Anne Boleyn's against Wolsey: and when all engines were prepared, he obtained a commission from the king to arrest Cromwell at the council-table, on an accusation of high-treason, and to commit him to the Tower. Immediately after, a bill of attainder was framed against him; and the house of peers thought proper, without trial, examination, or evidence, to condemn to death a man, whom a few days before they had declared worthy to be vicar-general of the universe. The house of commons passed the bill, though not without some opposition. Cromwell was accused of heresy and treason; but the proofs of his treasonable practices are utterly improbable, and

even absolutely ridiculous. The only circumstance of his conduct by which he seems to have merited this fate, was his being the instrument of the king's tyranny, in conducting like iniquitous bills, in the preceding session, against the countess of Salisbury and others.

Cromwell endeavoured to soften the king by the most humble supplications; but all to no purpose: it was not the practice of that prince to ruin his ministers and favourites by halves; and though the unhappy prisoner once wrote to him in so moving a strain as even to draw tears from his eyes, he hardened himself against all movements of pity, and refused his pardon. The conclusion of Cromwell's letter ran in these words: "I, a most woful prisoner, am ready to submit to death when it shall please God and your majesty; and yet the frail flesh incites me to call to your grace for mercy and pardon of mine offences. Written at the Tower with the heavy heart and trembling hand of your highness's most miserable prisoner, and poor slave, Thomas Cromwell." And a little below, "Most gracious prince, I cry for mercy, merey, mercy!" When brought to the place of execution, (28th July,) he avoided all earnest protestations of his innocence, and all complaints against the sentence pronounced upon him. He knew that Henry would resent on his son those symptoms of opposition to his will, and that his death alone would not terminate that monarch's vengeance. He was a man of prudence, industry, and abilities; worthy of a better master and of a better fate. Though raised to the summit of power from a low origin, he betrayed no insolence or contempt towards his inferiors; and was careful to remember all the obligations which, during his more humble fortune, he had owed to any one. He had served as a private sentinel in the Italian wars; when he received some good offices from a Lucquese merchant, who had entirely forgotten his person, as well as the service which he had rendered him. Cromwell, in his grandeur, happened at London to cast his eye on his benefactor, now reduced to poverty by misfortunes. He immediately sent for him, reminded him of their ancient friendship, and by his grateful assistance reinstated him in his former prosperity and opulence.

KING'S DIVORCE FROM ANNE OF CLEVES.

The measures for divorcing Henry from Anne of Cleves were carried on at the same time with the bill of attainder against Cromwell. The house of peers, in conjunction with the commons, applied to the king by petition, desiring that he would allow his marriage to be examined; and orders were immediately given to lay the matter before the convocation. Anne had formerly been contracted by her father to the duke of Lorraine; but she, as well as the duke, were at that time under age, and the contract had been afterwards annulled by consent of both parties. The king, however, pleaded this pre-contract as a ground of divorce; and he added two reasons more, which may seem a little extraordinary: that when he espoused Anne he had not *inwardly* given his consent, and that he had not thought proper to consummate the marriage. The convocation was satisfied with these reasons, and solemnly annulled the marriage between the king and queen: the parliament ratified the decision of the clergy; [*See note* 3 C, *at the end of this Vol.*] and the sentence was soon after notified to the princess.

Anne was blest with a happy insensibility of temper, even in the points which the most nearly affect her sex; and the king's aversion towards her, as well as his prosecution of the divorce, had never given her the least uneasiness. She willingly hearkened to terms of accommodation with him; and when he offered to adopt her as his sister, to give her place next the queen and his own daughter, and to make a settlement of three thousand pounds a year upon her, she accepted of the conditions, and gave her consent to the divorce. She even wrote to her brother, (for her father was now dead,) that she had been very well used in England, and desired him to live on good terms with the king. The only instance of pride which she betrayed was, that she refused to return to her own country after the affront which she had received; and she lived and died in England.

Notwithstanding Anne's moderation, this incident produced a great coldness between the king and the German princes; but as the situation of Europe was now much altered, Henry was the more indifferent about their resentment. The close intimacy which had taken place between Francis and Charles had subsisted during a very short time: the dissimiiarity of their characters soon renewed, with greater violence than ever, their former jealousy and hatred. While Charles remained at Paris, Francis had been imprudently engaged, by his open temper, and by that satisfaction which a noble mind naturally feels in performing generous actions, to make in confidence some dangerous discoveries to that interested monarch; and having now lost all suspicion of his rival, he hoped that the emperor and he, supporting each other, might neglect every other alliance. He not only communicated to his guest the state of his negociations with sultan Solyman and the Venetians; he also laid open the solicitations which he had received from the court of England to enter into a confederacy against him. Charles had no sooner reached his own dominions, than he showed himself unworthy of the friendly reception which he had met with. He absolutely refused to fulfil his promise, and put the duke of Orleans in possession of the Milanese: he informed Solyman and the senate of Venice of the treatment which they had received from their ally; and he took care that Henry should not be ignorant how readily Francis had abandoned his ancient friend, to whom he owed such important obligations, and had sacrificed him to a new confederate: he even poisoned and misrepresented many things which the unsuspecting heart of the French monarch had disclosed to him. Had Henry possessed true judgment and generosity, this incident alone had been sufficient to guide him in the choice of his ally. But his domineering pride carried him immediately to renounce the friendship of Francis, who had so unexpectedly given the preference to the emperor: and as Charles invited him to a renewal of ancient amity, he willingly accepted the offer; and thinking himself secure in this alliance, he neglected the friendship both of Francis and of the German princes.

HIS MARRIAGE WITH CATHERINE HOWARD. *August* 8.

The new turn which Henry had taken with regard to foreign affairs was extremely agreeable to his catholic subjects; and as it had perhaps contributed, among other reasons, to the ruin of Cromwell, it made them entertain hopes of a final prevalence over their antagonists. The marriage of the king with Catherine Howard, which followed soon after his divorce from Anne of Cleves, was also regarded as a favourable incident to their party; and the subsequent events corresponded to their expectations. The king's councils being now directed by Norfolk and Gardiner, a furious persecution commenced against the protestants; and the law of the six articles was executed with rigour. Dr. Barnes, who had been the cause of Lambert's execution, felt in his turn the severity of the persecuting spirit; and, by a bill which passed in parliament, he was, without trial, condemned to the flames, together with Jerome Gerrard. He discussed theological questions even at the stake; and as the dispute between him and the sheriff turned upon the invocation of saints, he said, that he doubted whether the saints could pray for us, but if they could, he hoped in half-an-hour to be pray-

ing for the sheriff and the spectators. He next entreated the sheriff to carry to the king his dying request, which he fondly imagined would have authority with that monarch, who had sent him to the stake. The purport of his request was, that Henry, besides repressing superstitious ceremonies, should be extremely vigilant in preventing fornication and common swearing.

While Henry was exerting his violence against the protestants, he spared not the catholics who denied his supremacy; and a foreigner at that time in England had reason to say, that those who were against the pope were burned, and those who were for him were hanged. The king even displayed in an ostentatious manner this tyrannical impartiality, which reduced both parties to subjection, and infused terror into every breast. Barnes, Gerrard, and Jerome had been carried to the place of execution on three hurdles: and along with them there was placed on each hurdle a catholic, who was also executed for his religion. These catholics were Abel, Fetherstone, and Powel, who declared that the most grievous part of their punishment was the being coupled to such heretical miscreants as suffered with them.

Though the spirit of the English seemed to be totally sunk under the despotic power of Henry, there appeared some symptoms of discontent: an inconsiderable rebellion broke out in Yorkshire, headed by sir John Nevil; but it was soon suppressed, and Nevil, with other ringleaders, was executed. The rebels were supposed to have been instigated by the intrigues of cardinal Pole; and the king was instantly determined to make the countess of Salisbury, who already lay under sentence of death, suffer for her son's offences. He ordered her to be carried to execution; (27th May;) and this venerable matron maintained still, in these distressful circumstances, the spirit of that long race of monarchs from which she was descended. She refused to lay her head on the block, or submit to a sentence where she had received no trial. She told the executioner, that if he would have her head, he must win it the best way he could: and thus, shaking her venerable grey locks, she ran about the scaffold; and the executioner followed her with his axe, aiming many fruitless blows at her neck before he was able to give the fatal stroke. Thus perished the last of the line of Plantagenet, which with great glory, but still greater crimes and misfortunes, had governed England for the space of three hundred years. Lord Leonard Grey, a man who had formerly rendered service to the crown, was also beheaded for treason soon after the countess of Salisbury. We know little concerning the grounds of his prosecution.

The insurrection in the north engaged Henry to make a progress thither, in order to quiet the minds of his people, to reconcile them to his government, and to abolish the ancient superstitions to which those parts were much addicted. [1541.] He had also another motive for this journey: he purposed to have a conference at York with his nephew, the king of Scotland, and, if possible, to cement a close and indissoluble union with that kingdom.

STATE OF AFFAIRS IN SCOTLAND.

The same spirit of religious innovation which had seized other parts of Europe, had made its way into Scotland, and had begun, before this period, to excite the same jealousies, fears, and persecutions. About the year 1527, Patrick Hamilton, a young man of a noble family, having been created abbot of Ferne, was sent abroad for his education; but had fallen into company with some reformers, and he returned into his own country, very ill-disposed towards that church, of which his birth and his merit entitled him to attain the highest dignities. The fervour of youth, and his zeal for novelty, made it impossible for him to conceal his sentiments; and Campbell, prior of the Dominicans, who under colour of friendship and a sympathy in opinion had insinuated himself into his confidence, accused him before Beaton, archbishop of St. Andrews. Hamilton was invited to St. Andrews, in order to maintain with some of the clergy a dispute concerning the controverted points; and after much reasoning with regard to justification, free-will, original sin, and other topics of that nature, the conference ended with their condemning Hamilton to be burned for his errors. The young man, who had been deaf to the insinuations of ambition, was less likely to be shaken with the fears of death; while he proposed to himself both the glory of bearing testimony to the truth, and the immediate reward attending his martyrdom. The people, who compassionated his youth, his virtue, and his noble birth, were much moved at the constancy of his end; and an incident which soon followed still more confirmed them in their favourable sentiments towards him. He had cited Campbel, who still insulted him at the stake, to answer before the judgment-seat of Christ; and as that persecutor, either astonished with these events, or overcome with remorse, or, perhaps, seized casually with a distemper, soon after lost his senses, and fell into a fever, of which he died, the people regarded Hamilton as a prophet as well as a martyr.

Among the disciples converted by Hamilton was one friar Forrest, who became a zealous preacher; and who, though he did not openly discover his sentiments, was suspected to lean towards the new opinions. His diocesan, the bishop of Dunkel, enjoined him, when he met with a good epistle or good gospel which favoured the liberties of holy church, to preach on it, and let the rest alone. Forrest replied, that he had read both Old and New Testament, and had not found an ill epistle or ill gospel in any part of them. The extreme attachment to the scriptures was regarded in those days as a sure characteristic of heresy; and Forrest was soon after brought to trial, and condemned to the flames. While the priests were deliberating on the place of his execution, a bystander advised them to burn him in a cellar: for that the smoke of Mr. Patrick Hamilton had infected all those on whom it blew.

The clergy were at that time reduced to great difficulties, not only in Scotland, but all over Europe. As the reformers aimed at a total subversion of ancient establishments, which they represented as idolatrous, impious, and detestable; the priests, who found both their honours and properties at stake, thought that they had a right to resist, by every expedient, these dangerous invaders, and that the same simple principles of equity which justified a man in killing a pirate or a robber, would acquit them for the execution of such heretics. A toleration, though it is never acceptable to ecclesiastics, might, they said, be admitted in other cases; but seemed an absurdity where fundamentals were shaken, and where the possessions and even the existence of the established clergy were brought in danger. But though the church was thus carried by policy, as well as inclination, to kindle the fires of persecution, they found the success of this remedy very precarious, and observed, that the enthusiastic zeal of the reformers, inflamed by punishment, was apt to prove contagious on the compassionate minds of the spectators. The new doctrine, amidst all the dangers to which it was exposed, secretly spread itself everywhere; and the minds of men were gradually disposed to a revolution in religion.

But the most dangerous symptom for the clergy in Scotland was, that the nobility, from the example of England, had cast a wishful eye on the church revenues, and hoped, if a reformation took place, to enrich themselves by the plunder of the ecclesiastics. James himself, who was very poor, and was somewhat inclined to magnificence, particularly in building, had been swayed by like motives; and began to threaten the clergy with the same fate that had attended them

in the neighbouring country. Henry also never ceased exhorting his nephew to imitate his example; and being moved both by the pride of making proselytes, and the prospect of security, should Scotland embrace a close union with him, he solicited the king of Scots to meet him at York; and he obtained a promise to that purpose.

The ecclesiastics were alarmed at this resolution of James, and they employed every expedient in order to prevent the execution of it. They represented the danger of innovation; the pernicious consequences of aggrandizing the nobility, already too powerful; the hazard of putting himself into the hands of the English, his hereditary enemies; the dependence on them which must ensue upon his losing the friendship of France, and of all foreign powers. To these considerations they added the prospect of immediate interest, by which they found the king to be much governed: they offered him a present gratuity of fifty thousand pounds: they promised him that the church should always be ready to contribute to his supply: and they pointed out to him the confiscation of heretics, as the means of filling his exchequer, and of adding a hundred thousand pounds a year to the crown revenues. The insinuations of his new queen, to whom youth, beauty, and address had given a powerful influence over him, seconded all these reasons; and James was at last engaged first to delay his journey, then to send excuses to the king of England, who had already come to York, in order to be present at the interview.*

Henry, vexed with the disappointment, and enraged at the affront, vowed vengeance against his nephew; and he began, by permitting piracies at sea and incursions at land, to put his threats in execution. But he received soon after, in his own family, an affront to which he was much more sensible, and which touched him in a point where he always showed an extreme delicacy. He had thought himself very happy in his new marriage: the agreeable person and disposition of Catherine had entirely captivated his affections; and he made no secret of his devoted attachment to her. He had even publicly, in his own chapel, returned solemn thanks to heaven for the felicity which the conjugal state afforded him; and he directed the bishop of Lincoln to compose a form of prayer for that purpose. But the queen's conduct very little merited this tenderness: one Lascelles brought intelligence of her dissolute life to Cranmer; and told him that his sister, formerly a servant in the family of the old duchess of Norfolk, with whom Catherine was educated, had given him a particular account of her licentious manners. Derham and Mannoc, both of them servants to the duchess, had been admitted to her bed; and she had even taken little care to conceal her shame from the other servants of the family. The primate, struck with this intelligence, which it was equally dangerous to conceal or to discover, communicated the matter to the earl of Hertford, and to the chancellor. They agreed that the matter should by no means be buried in silence; and the archbishop himself seemed the most proper person to disclose it to the king. Cranmer, unwilling to speak on so delicate a subject, wrote a narrative of the whole, and conveyed it to Henry, who was infinitely astonished at the intelligence. So confident was he of the fidelity of his consort, that at first he gave no credit to the information; and he said to the privy-seal, to lord Russel, high-admiral, sir Anthony Brown, and Wriothesley, that he regarded the whole as a falsehood. Cranmer was now in a very perilous situation; and had not full proof been found, certain and inevitable destruction hung over him. The king's impatience, however, and jealousy, prompted him to search the matter to the bottom: the privy-seal was ordered to examine Lascelles, who persisted in the information he had given; and still appealed to his sister's testimony. That nobleman next made a journey under pretence of hunting, and went to Sussex, where the woman at that time resided: he found her both constant in her former intelligence, and particular as to the facts; and the whole bore but too much the face of probability. Mannoc and Derham, who were arrested at the same time, and examined by the chancellor, made the queen's guilt entirely certain by their confession; and discovered other particulars which redounded still more to her dishonour. Three maids of the family were admitted into her secrets, and some of them had even passed the night in bed with her and her lovers. All the examinations were laid before the king, who was so deeply affected that he remained for a long time speechless, and at last burst into tears. He found, to his surprise, that his great skill in distinguishing a true maid, of which he boasted in the case of Anne of Cleves, had failed him in that of his present consort. The queen being next questioned, denied her guilt; but when informed that a full discovery was made, she confessed that she had been criminal before marriage; and only insisted that she had never been false to the king's bed. But as there was evidence that one Colepepper had passed the night with her alone since her marriage, and as it appeared that she had taken Derham, her old paramour, into her service, she seemed to deserve little credit in this asseveration; and the king, besides, was not in a humour to make any difference between these degrees of guilt.

1542. Henry found that he could not by any means so fully or expeditiously satiate his vengeance on all these criminals, as by assembling a parliament, (16th January,) the usual instrument of his tyranny. The two houses, having received the queen's confession, made an address to the king. They entreated him not to be vexed with this untoward accident, to which all men were subject; but to consider the frailty of human nature, and the mutability of human affairs; and from these views to derive a subject of consolation. They desired leave to pass a bill of attainder against the queen and her accomplices; and they begged him to give his assent to this bill, not in person, which would renew his vexation, and might endanger his health, but by commissioners appointed for that purpose. And as there was a law in force, making it treason to speak ill of the queen, as well as of the king, they craved his royal pardon if any of them should, on the present occasion, have transgressed any part of the statute.

Having obtained a gracious answer to these requests, the parliament proceeded to vote a bill of attainder for treason against the queen, and the viscountess of Rochefort, who had conducted her secret amours; and in this bill Colepepper and Derham were also comprehended. At the same time they passed a bill of attainder for misprision of treason against the old duchess of Norfolk, Catherine's grandmother; her uncle, lord William Howard, and his lady, together with the countess of Bridgewater, and nine persons more; because they knew the queen's vicious course of life before her marriage, and had concealed it. This was an effect of Henry's usual extravagance, to expect that parents should so far forget the ties of natural affection, and the sentiments of shame and decency, as to reveal to him the most secret disorders of their family. He himself seems to have been sensible of the cruelty of this proceeding: for he pardoned the duchess of Norfolk, and most of the others condemned for misprision of treason.

However, to secure himself for the future, as well as his successors, from this fatal accident, he engaged the parliament to pass a law somewhat extraordinary. It was enacted, That any one who knew, or vehemently suspected any guilt in the queen, might within twenty days disclose it to the king or council, without incurring the penalty of any former law against de-

* Henry had sent some books, richly ornamented, to his nephew, who, as soon as he saw by the titles that they had a tendency to defend the new doctrines, threw them into the fire, in the presence of the person who brought them: adding, it was better he should destroy them than they him. See Epist. Reginald. Pole, pars. 1. p. 173.

faming the queen; but prohibiting every one at the same time from spreading the matter abroad, or even privately whispering it to others: it was also enacted, That if the king married any woman who had been incontinent, taking her for a true maid, she should be guilty of treason if she did not previously reveal her guilt to him. The people made merry with this singular clause, and said, that the king must henceforth look out for a widow; for no reputed maid would ever be persuaded to incur the penalty of the statute. After all these laws were passed, the queen was beheaded on Tower-hill, together with lady Rocheford. They behaved in a manner suitable to their dissolute life: and as lady Rocheford was known to be the chief instrument in bringing Anne Boleyn to her end, she died unpitied; and men were further confirmed, by the discovery of this woman's guilt, in the favourable sentiments which they had entertained of that unfortunate queen.

The king made no demand of any subsidy from this parliament; but he found means of enriching his exchequer from another quarter: he took further steps towards the dissolution of colleges, hospitals, and other foundations of that nature. The courtiers had been practising on the presidents and governors to make a surrender of their revenues to the king; and they had been successful with eight of them. But there was an obstacle to their further progress: it had been provided, by the local statutes of most of these foundations, that no president or any number of fellows could consent to such a deed, without the unanimous vote of all the fellows; and this vote was not easily obtained. All such statutes were annulled by parliament; and the revenues of these houses were now exposed to the rapacity of the king and his favourites. [*See note* 3 D, *at the end of this Vol.*] The church had been so long their prey that nobody was surprised at any new inroads made upon her. From the regular, Henry now proceeded to make devastations on the secular clergy. He extorted from many of the bishops a surrender of chapter-lands; and by this device he pillaged the sees of Canterbury, York, and London, and enriched his greedy parasites and flatterers with their spoils.

ECCLESIASTIC AFFAIRS

The clergy have been commonly so fortunate as to make a concern for their temporal interest go hand in hand with a jealousy for orthodoxy; and both these passions be regarded by the people, ignorant and superstitious, as proof of zeal for religion; but the violent and headstrong character of Henry now disjoined these objects. His rapacity was gratified by plundering the church, his bigotry and arrogance by persecuting heretics. Though he engaged the parliament to mitigate the penalties of the six articles, so far as regards the marriage of priests, which was now only subjected to a forfeiture of goods, chattels, and lands, during life; he was still equally bent on maintaining a rigid purity in speculative principles. He had appointed a commission consisting of the two archbishops, and several bishops of both provinces, together with a considerable number of doctors of divinity; and by virtue of his ecclesiastical supremacy, he had given them in charge to choose a religion for his people. Before the commissioners had made any progress in this arduous undertaking, the parliament in 1541 had passed a law, by which they ratified all the tenets which these divines should thereafter establish with the king's consent: and they were not ashamed of thus expressly declaring that they took their religion upon trust, and had no other rule, in spiritual as well as temporal concerns, than the arbitrary will of their master. There is only one clause of the statute which may seem at first sight to favour somewhat of the spirit of liberty: it was enacted, That the ecclesiastical commissioners should establish nothing repugnant to the laws and statutes of the realm. But in reality this proviso was inserted by the king, to serve his own purposes. By introducing a confusion and contradiction into the laws, he became more master of every one's life and property. And as the ancient independence of the church still gave him jealousy, he was well pleased, under cover of such a clause, to introduce appeals from the spiritual to the civil courts. It was for a like reason that he would never promulgate a body of canon-law; and he encouraged the judges on all occasions to interpose in ecclesiastical causes, wherever they thought the law of royal prerogative concerned. A happy innovation, though at first invented for arbitrary purposes!

The king, armed by the authority of parliament, or rather by their acknowledgment of that spiritual supremacy which he believed inherent in him, employed his commissioners to select a system of tenets for the assent and belief of the nation. A small volume was soon after published, called the *Institution of a Christian Man*, which was received by the convocation, and voted to be the standard of orthodoxy. All the delicate points of justification, faith, free-will, good works, and grace, are there defined with a leaning towards the opinion of the reformers: the sacraments, which a few years before were only allowed to be three, were now increased to the number of seven, conformably to the sentiments of the catholics. The king's caprice is discernible throughout the whole; and the book is in reality to be regarded as his composition. For Henry, while he made his opinion a rule for the nation, would tie his own hands by no canon or authority, not even by any which he himself had formerly established.

The people had occasion, soon after, to see a further instance of the king's inconstancy. He was not long satisfied with his Institution of a Christian Man: he ordered a new book to be composed, called the *Erudition of a Christian Man;* and, without asking the assent of the convocation, he published, by his own authority and that of the parliament, this new model of orthodoxy. It differs from the Institution; but the king was no less positive in his new creed than he had been in the old; and he required the belief of the nation to veer about at his signal. In both these compositions he was particularly careful to inculcate the doctrine of passive obedience; and he was equally careful to retain the nation in the practice.

While the king was spreading his own books among the people, he seems to have been extremely perplexed, as were also the clergy, what course to take with the scriptures. A review had been made by the synod, of the new translation of the Bible; and Gardiner had proposed, that instead of employing English expressions throughout, several Latin words should still be preserved; because they contained, as he pretended, such peculiar energy and significance, that they had no correspondent terms in the vulgar tongue. Among these were, *ecclesia, pœnitentia, pontifex, contritus, holocausta, sacramentum, elementa, ceremonia, mysterium, presbyter, sacrificium, humilitas, satisfactio, peccatum, gratia, hostia, charitas*, &c. But as this mixture would have appeared extremely barbarous, and was plainly calculated for no other purpose than to retain the people in their ancient ignorance, the proposal was rejected. The knowledge of the people, however, at least their disputative turn, seemed to be an inconvenience still more dangerous; and the king and parliament,* soon after the publication of the scriptures, retracted the concession which they had formerly made; and prohibited all but gentlemen and merchants from perusing them.† Even that liberty was not granted without an apparent hesitation, and a dread of the consequences: these persons were allowed to read, *so*

* Which met on the 22nd of January, 1543.

† 33 Hen. VIII., c. 1. The reading of the Bible, however, could not at that time have much effect in England, where so few persons had learned to read. There were but 500 copies printed of this first authorized edition of the Bible; a book of which there are now several millions of copies in the kingdom.

it be done quietly and with good order. And the preamble to the act sets forth, "That many seditious and ignorant persons had abused the liberty granted them of reading the Bible, and that great diversity of opinion, animosities, tumults, and schisms, had been occasioned by perverting the sense of the scriptures." It seemed very difficult to reconcile the king's model for uniformity with the permission of free inquiry.

The mass-book also passed under the king's revisal; and little alteration was as yet made in it: some doubtful or fictitious saints only were struck out; and the name of the pope was erased. The latter precaution was likewise used with regard to every new book that was printed, or even old book that was sold. The word Pope was carefully omitted or blotted out; as if that precaution could abolish the term from the language, or as if such a persecution of it did not rather imprint it more strongly in the memory of the people.

The king took care about this time to clear the churches from another abuse which had crept into them. Plays, interludes, and farces were there often acted in derision of the former superstitions; and the reverence of the multitude for ancient principles and modes of worship was thereby gradually effaced. We do not hear that the catholics attempted to retaliate, by employing this powerful engine against their adversaries, or endeavoured by like arts to expose that fanatical spirit by which it appears the reformers were frequently actuated. Perhaps the people were not disposed to relish a jest on that side: perhaps the greater simplicity and the more spiritual abstract worship of the protestants, gave less hold to ridicule, which is commonly founded on sensible representations. It was therefore a very agreeable concession which the king made to the catholic party, to suppress entirely these religious comedies.

Thus Henry laboured incessantly, by arguments, creeds, and penal statutes, to bring his subjects to an uniformity in their religious sentiments: but as he entered himself with the greatest earnestness into all those scholastic disputes, he encouraged the people by his example, to apply themselves to the study of theology; and it was in vain afterwards to expect, however present fear might restrain their tongues or pens, that they would cordially agree in any set of tenets or opinions prescribed to them.

CHAPTER XXXIII.

War with Scotland—Victory at Solway—Death of James V.—Treaty with Scotland—New Rupture—Rupture with France—A Parliament—Affairs of Scotland—A Parliament—Campaign in France—A Parliament—Peace with France and Scotland—Persecutions—Execution of the Earl of Surrey—Attainder of the Duke of Norfolk—Death of the King—His Character—Miscellaneous Transactions.

WAR WITH SCOTLAND. 1542.

HENRY, being determined to avenge himself on the king of Scots for slighting the advances which he had made him, would gladly have obtained a supply from parliament, in order to prosecute that enterprise; but as he did not think it prudent to discover his intentions, that assembly, conformably to their frugal maxims, would understand no hints; and the king was disappointed in his expectations. He continued, however, to make preparations for war; and as soon as he thought himself in a condition to invade Scotland, he published a manifesto, by which he endeavoured to justify hostilities. He complained of James's breach of word, in declining the promised interview; which was the real ground of the quarrel: but in order to give a more specious colouring to the enterprise, he mentioned other injuries; namely, that his nephew had granted protection to some English rebels and fugitives, and had detained some territory, which Henry pretended belonged to England. He even revived the old claim to the vassalage of Scotland, and he summoned James to do homage to him as his liege lord and superior. He employed the duke of Norfolk, whom he called the scourge of the Scots, to command in the war; and though James sent the bishop of Aberdeen and sir James Learmont of Darsay to appease his uncle, he would hearken to no terms of accommodation. While Norfolk was assembling his army at Newcastle, sir Robert Bowes, attended by sir Ralph Sadler, sir Ralph Evers, sir Brian Latoun, and others, made an incursion into Scotland, and advanced towards Jedburgh, with an intention of pillaging and destroying that town. The earl of Angus, and George Douglas, his brother, who had been many years banished their country, and had subsisted by Henry's bounty, joined the English army in this excursion; and the forces commanded by Bowes, exceeded four thousand men. James had not been negligent in his preparations for defence, and had posted a considerable body, under the command of the earl of Huntley, for the protection of the borders. Lord Hume, at the head of his vassals, was hastening to join Huntley when he met with the English army on the 24th of August; and an action immediately ensued. During the engagement the forces under Huntley began to appear; and the English, afraid of being surrounded and overpowered, took to flight, and were pursued by the enemy. Evers, Latoun, and some other persons of distinction, were taken prisoners. A few only of small note fell in the skirmish.

The duke of Norfolk, meanwhile, began to move from his camp at Newcastle; and being attended by the earls of Shrewsbury, Derby, Cumberland, Surrey, Hertford, Rutland, with many others of the nobility, he advanced to the borders. His forces amounted to above twenty thousand men; and it required the utmost efforts of Scotland to resist such a formidable armament. James had assembled his whole military force at Fala and Sautrey, and was ready to advance as soon as he should be informed of Norfolk's invading his kingdom. The English passed the Tweed at Berwick, and marched along the banks of the river as far as Kelso; but hearing that James had collected near thirty thousand men, they repassed the river, at that village, and retreated into their own country. The king of Scots, inflamed with a desire of military glory, and of revenge on his invaders, gave the signal for pursuing them, and carrying the war into England. He was surprised to find that his nobility, who were in general disaffected on account of the preference which he had given to the clergy, opposed this resolution, and refused to attend him in his projected enterprise. Enraged at this mutiny, he reproached them with cowardice, and threatened vengeance; but still resolved, with the forces which adhered to him, to make an impression on the enemy. He sent ten thousand men to the western borders, who entered England at Solway frith; and he himself followed them at a small distance, ready to join them upon occasion. Disgusted, however, at the refractory disposition of his nobles, he sent a message to the army, depriving lord Maxwel, their general, of his commission, and conferring the command on Oliver Sinclair, a private gentleman, who was his favourite. The army was extremely disgusted with this alteration, and was ready to disband, when a small body of English appeared, not exceeding five hundred men, under the command of Dacres and Musgrave.

VICTORY AT SOLWAY. *November* 24.

A panic seized the Scots, who immediately took to flight, and were pursued by the enemy. Few were killed in this rout; for it was no action; but a great many were taken prisoners, and some of the principal nobility: among these the earls of Cassilis and Glen-

cairn; the lords Maxwel, Fleming, Somerville, Oliphant, Grey, who were all sent to London, and given in custody to different noblemen.

The king of Scots, hearing of this disaster, was astonished; and being naturally of a melancholic disposition, as well as endowed with a high spirit, he lost all command of his temper on this dismal occasion. Rage against his nobility, who he believed had betrayed him; shame for a defeat by such unequal numbers; regret for the past, fear of the future; all these passions so wrought upon him, that he would admit of no consolation, but abandoned himself wholly to despair. His body was wasted by sympathy with his anxious mind; and even his life began to be thought in danger. He had no issue living; and hearing that his queen was safely delivered, he asked whether she had brought him a male or a female child? Being told the latter, he turned himself in his bed: "The crown came with a woman," said he, "and it will go with one: many miseries await this poor kingdom: Henry will make it his own either by force of arms or by marriage."

DEATH OF JAMES THE FIFTH. *December* 14.

A few days after, he expired, in the flower of his age; a prince of considerable virtues and talents; well fitted by his vigilance and personal courage for repressing those disorders to which his kingdom during that age was so much exposed. He executed justice with impartiality and rigour; but as he supported the commonalty and the church against the rapine of the nobility, he escaped not the hatred of that order. The protestants also, whom he opposed, have endeavoured to throw many stains on his memory; but have not been able to fix any considerable imputation upon him. [*See note* 3F, *at the end of this Vol.*]

1543. Henry was no sooner informed of his victory, and the death of his nephew, than he projected, as James had foreseen, the scheme of uniting Scotland to his own dominions, by marrying his son Edward to the heiress of that kingdom. He called together the Scottish nobles who were his prisoners; and after reproaching them in severe terms for their pretended breach of treaty, he began to soften his tone, and proposed to them this expedient, by which he hoped those disorders, so prejudicial to both states, would for the future be prevented. He offered to bestow on them their liberty without ransom; and only required of them engagements to favour the marriage of the prince of Wales with their young mistress. They were easily prevailed on to give their assent to a proposal which seemed so natural and so advantageous to both kingdoms: and being conducted to Newcastle, they delivered to the duke of Norfolk hostages for their return, in case the intended nuptials were not completed: and they thence proceeded to Scotland, where they found affairs in some confusion.

The pope, observing his authority in Scotland to be in danger from the spreading of the new opinions, had bestowed on Beaton, the primate, the dignity of cardinal, in order to confer more influence upon him; and that prelate had long been regarded as prime-minister to James, and as the head of that party which defended the ancient privileges and property of the ecclesiastics. Upon the death of his master, this man, apprehensive of the consequences both to his party and to himself, endeavoured to keep possession of power; and for that purpose he is accused of executing a deed which required a high degree of temerity. He forged, it is said, a will for the king, appointing himself, and three noblemen more, regents of the kingdom during the minority of the infant princess: at least, for historians are not well agreed in the circumstances of the fact, he had read to James a paper of that import, to which the monarch, during the delirium which preceded his death, had given an imperfect assent and approbation. By virtue of this will Beaton had put himself in possession of the government; and having united his interests with those of the queen-dowager, he obtained the consent of the convention of states, and excluded the pretensions of the earl of Arran.

James, earl of Arran, of the name of Hamilton, was next heir to the crown by his grandmother, daughter of James III., and on that account seemed best entitled to possess that high office into which the cardinal had intruded himself. The prospect also of his succession after a princess, who was in such tender infancy, procured him many partisans; and though his character indicated little spirit, activity, or ambition, a propensity which he had discovered for the new opinions had attached to him all the zealous promoters of those innovations. By means of these adherents, joined to the vassals of his own family, he had been able to make opposition to the cardinal's administration; and the suspicion of Beaton's forgery, with the accession of the noblemen who had been prisoners in England, assisted too by some money sent from London, was able to turn the balance in his favour. The earl of Angus and his brother, having taken the present opportunity of returning into their native country, opposed the cardinal with all the credit of that powerful family; and the majority of the convention had now embraced opposite interests to those which formerly prevailed. Arran was declared governor; the cardinal was committed to custody under the care of lord Seton; and a negociation was commenced with sir Ralph Sadler, the English ambassador, for the marriage of the infant queen with the prince of Wales.

TREATY WITH SCOTLAND.

The following conditions were quickly agreed on; that the queen should remain in Scotland till she should be ten years of age; that she should then be sent to England to be educated; that six Scottish noblemen should immediately be delivered as hostages to Henry; and that the kingdom, notwithstanding its union with England, should still retain its laws and privileges. By means of these equitable conditions the war between the nations, which had threatened Scotland with such dismal calamities, seemed to be fully composed, and to be changed into perpetual concord and amity.

But the cardinal-primate, having prevailed on Seton to restore him to his liberty, was able, by his intrigues, to confound all these measures, which appeared so well concerted. He assembled the most considerable ecclesiastics; and having represented to them the imminent danger to which their revenues and privileges were exposed, he persuaded them to collect privately from the clergy a large sum of money, by which, if intrusted to his management, he engaged to overturn the schemes of their enemies. Besides the partisans whom he acquired by pecuniary motives, he roused up the zeal of those who were attached to the catholic worship; and he represented the union with England as the sure forerunner of ruin to the church and to the ancient religion. The national antipathy of the Scots to their southern neighbours was also an infallible engine by which the cardinal wrought upon the people; and though the terror of Henry's arms, and their own inability to make resistance, had procured a temporary assent to the alliance and marriage proposed, the settled habits of the nation produced an extreme aversion to those measures. The English ambassador and his retinue received many insults from persons whom the cardinal had instigated to commit those violences, in hopes of bringing on a rupture: but Sadler prudently dissembled the matter; and waited patiently till the day appointed for the delivery of the hostages. He then demanded of the regent the performance of that important article; but received for answer, that his authority was very precarious, that the nation had now taken a different impression, and that it was not in his power to compel any of the nobility to deliver themselves as hostages to the English. Sadler, foreseeing the consequence of this refusal, sent a summons to all

those who had been prisoners in England, and required them to fulfil the promise which they had given of returning into custody. None of them showed so much sentiment of honour as to fulfil their engagements, except Gilbert Kennedy, earl of Cassilis. Henry was so well pleased with the behaviour of this nobleman, that he not only received him graciously, but honoured him with presents, gave him his liberty, and sent him back to Scotland, with his two brothers whom he had left as hostages.

NEW RUPTURE.

This behaviour of the Scottish nobles, though it reflected dishonour on the nation, was not disagreeable to the cardinal, who foresaw, that all these persons would now be deeply interested to maintain their enmity and opposition to England. And as a war was soon expected with that kingdom, he found it necessary immediately to apply to France, and to crave the assistance of that ancient ally during the present distresses of the Scottish nation. Though the French king was fully sensible of his interest in supporting Scotland, a demand of aid could not have been made on him at a more unseasonable juncture. His pretensions on the Milanese, and his resentment against Charles, had engaged him in a war with that potentate; and having made great though fruitless efforts during the preceding campaign, he was the more disabled at present from defending his own dominions, much more from granting any succour to the Scots. Matthew Stuart, earl of Lenox, a young nobleman of a great family, was at that time in the French court; and Francis being informed that he was engaged in ancient and hereditary enmity with the Hamiltons, who had murdered his father, sent him over to his native country, as a support to the cardinal and the queen-mother: and he promised that a supply of money, and, if necessary, even military succours, should soon be dispatched after him. Arran, the governor, seeing all these preparations against him, assembled his friends, and made an attempt to get the person of the infant queen into his custody: but being repulsed, he was obliged to come to an accommodation with his enemies, and to intrust that precious charge to four neutral persons, the heads of potent families, the Grahams, Areskines, Lindseys, and Levingstones. The arrival of Lenox, in the midst of these transactions, served to render the victory of the French party over the English still more indisputable.

RUPTURE WITH FRANCE.

The opposition which Henry met with in Scotland from the French intrigues excited his resentment, and further confirmed the resolution which he had already taken, of breaking with France, and of uniting his arms with those of the emperor. He had other grounds of complaint against the French king, which, though not of great importance, yet being recent, were able to overbalance those great injuries which he had formerly received from Charles. He pretended that Francis had engaged to imitate his example in separating himself entirely from the see of Rome, and that he had broken his promise in that particular. He was dissatisfied that James his nephew had been allowed to marry, first Magdalene of France, then a princess of the house of Guise; and he considered these alliances as pledges which Francis gave of his intentions to support the Scots against the power of England. He had been informed of some railleries which the French king had thrown out against his conduct with regard to his wives. He was disgusted that Francis, after so many obligations which he owed him, had sacrificed him to the emperor; and in the confidence of friendship, had rashly revealed his secrets to that subtle and interested monarch. And he complained that regular payments were never made of the sums due to him by France, and of the pension which had been stipulated. Impelled by all these motives, he alienated himself from his ancient friend and confederate, and formed a league with the emperor, who earnestly courted his alliance. This league, besides stipulations for mutual defence, contained a plan for invading France; and the two monarchs agreed to enter Francis's dominions with an army, each of twenty-five thousand men; and to require that prince to pay Henry all the sums which he owed him, and to consign Boulogne, Montreuil, Terouenne, and Ardres, as a security for the regular payment of his pension for the future: in case these conditions were rejected, the confederate princes agreed to challenge for Henry the crown of France, or, in default of it, the duchies of Normandy, Aquitaine, and Guienne; for Charles, the duchy of Burgundy, and some other territories. That they might have a pretence for enforcing these claims, they sent a message to Francis, requiring him to renounce his alliance with Sultan Solyman, and to make reparation for all the prejudice which Christendom had sustained from that unnatural confederacy. Upon the French king's refusal, war was declared against him by the allies. It may be proper to remark, that the partisans of France objected to Charles his alliance with the heretical king of England, as no less obnoxious than that which Francis had contracted with Solyman: and they observed, that this league was a breach of the solemn promise, which he had given to Clement VII. never to make peace or alliance with England.

A PARLIAMENT. *January* 22.

While the treaty with the emperor was negociating, the king summoned a new session of parliament, in order to obtain supplies for his projected war with France. The parliament granted him a subsidy, to be paid in three years: it was levied in a peculiar manner; but exceeded not three shillings in the pound upon any individual.* The convocation gave the king six shillings in the pound, to be levied in three years. Greater sums were always, even during the establishment of the catholic religion, exacted from the clergy than from the laity: which made the emperor Charles say, when Henry dissolved the monasteries, and sold their revenues, or bestowed them on his nobility and courtiers, that he had killed the hen which brought him the golden eggs.

The parliament also facilitated the execution of the former law, by which the king's proclamations were made equal to statutes: they appointed that any nine counsellors should form a legal court for punishing all disobedience to proclamations. The total abolition of juries in criminal causes, as well as of all parliaments, seemed, if the king had so pleased, the necessary consequence of this enormous law. He might issue a proclamation, enjoining the execution of any penal statute, and afterwards try the criminals, not for breach of the statute, but for disobedience to his proclamation. It is remarkable that Lord Mountjoy entered a protest against this law; and it is equally remarkable, that that protest is the only one entered against any public bill during this whole reign.

It was enacted this session, That any spiritual person who preached or taught contrary to the doctrine contained in the king's book, *the Erudition of a Christian Man*, or contrary to any doctrine which he should *thereafter* promulgate, was to be admitted on the first conviction to renounce his error; on the second, he was required to carry a faggot; which if he refused to do, or fell into a third offence, he was to be burnt. But the laity, for the third offence, were only to forfeit their goods and chattels, and be liable to perpetual im-

* They who were worth in goods twenty shillings and upwards, to five pounds, paid four pence of every pound; from five pounds to ten pounds, eight pence; from ten pounds to twenty pounds, sixteen pence; from twenty and upwards, two shillings. Lands, fees, and annuities, from twenty shillings to five pounds, paid eight pence in the pound; from five pounds to ten pounds, sixteen pence; from ten pounds to twenty pounds, two shillings from twenty pounds and upwards, three shillings.

prisonment. Indictments must be laid within a year after the offence, and the prisoner was allowed to bring witnesses for his exculpation. These penalties were lighter than those which were formerly imposed on a denial of the real presence: it was, however, subjoined in this statute, that the act of the six articles was still in force. But in order to make the king more entirely master of his people, it was enacted, That he might hereafter at his pleasure change this act, or any provision in it. By this clause both parties were retained in subjection: so far as regarded religion, the king was invested in the fullest manner with the sole legislative authority in his kingdom: and all his subjects were, under the severest penalties, expressly bound to receive implicitly whatever doctrine he should please to recommend to them.

The reformers began to entertain hopes that this great power of the crown might still be employed in their favour. The king married Catherine Par, widow of Nevil lord Latimer; (July 12th;) a woman of virtue, and somewhat inclined to the new doctrine. By this marriage Henry confirmed what had formerly been foretold in jest, that he would be obliged to espouse a widow. The king's league with the emperor seemed a circumstance no less favourable to the catholic party; and thus matters remained still nearly balanced between the factions.

The advantages gained by this powerful confederacy between Henry and Charles were inconsiderable during the present year. The campaign was opened with a victory gained by the duke of Cleves, Francis's ally, over the forces of the emperor: Francis in person took the field early, and made himself master, without resistance, of the whole duchy of Luxembourg: he afterwards took Landrecy, and added some fortifications to it. Charles having at last assembled a powerful army, appeared in the Low Countries; and after taking almost every fortress in the duchy of Cleves, he reduced the duke to accept of the terms which he was pleased to prescribe to him. Being then joined by a body of six thousand English, he sat down before Landrecy, and covered the siege with an army of above forty thousand men. Francis advanced at the head of an army not much inferior; as if he intended to give the emperor battle, or oblige him to raise the siege: but while these two rival monarchs were facing each other, and all men were in expectation of some great event, the French king found means of throwing succour into Landrecy; and having thus effected his purpose, he skilfully made a retreat. Charles, finding the season far advanced, despaired of success in his enterprise, and found it necessary to go into winter-quarters.

AFFAIRS IN SCOTLAND.

The vanity of Henry was flattered by the figure which he made in the great transactions on the continent: but the interests of his kingdom were more deeply concerned in the event of affairs in Scotland. Arran, the governor, was of so indolent and unambitious a character, that had he not been stimulated by his friends and dependents, he never had aspired to any share in the administration; and when he found himself overpowered by the party of the queen-dowager, the cardinal, and the earl of Lenox, he was glad to accept of any terms of accommodation, however dishonourable. He even gave them a sure pledge of his sincerity, by renouncing the principles of the reformers, and reconciling himself to the Romish communion in the Franciscan church at Stirling. By this weakness and levity he lost his credit with the whole nation, and rendered the protestants, who were hitherto the chief support of his power, his mortal enemies. The cardinal acquired an entire ascendant in the kingdom: the queen-dowager placed implicit confidence in him: the governor was obliged to yield to him in every pretension: Lenox alone was become an obstacle to his measures, and reduced him to some difficulty.

The inveterate enmity which had taken place between the families of Lenox and Arran made the interests of these two noblemen entirely incompatible; and as the cardinal and the French party, in order to engage Lenox the more in their cause, had flattered him with the hopes of succeeding to the crown after their infant sovereign, this rivalship had tended still further to rouse the animosity of the Hamiltons. Lenox too had been encouraged to aspire to the marriage of the queen-dowager, which would have given him some pretensions to the regency: and as he was become assuming on account of the services which he had rendered the party, the cardinal found that since he must choose between the friendship of Lenox and that of Arran, the latter nobleman, who was more easily governed, and who was invested with present authority, was in every respect preferable. Lenox, finding that he was not likely to succeed in his pretensions to the queen-dowager, and that Arran, favoured by the cardinal, had acquired the ascendancy, retired to Dunbarton, the governor of which was entirely at his devotion: he entered into a secret correspondence with the English court; and he summoned his vassals and partisans to attend him. All those who were inclined to the protestant religion, or were on any account discontented with the cardinal's administration, now regarded Lenox as the head of their party; and they readily made him a tender of their services. In a little time he had collected an army of ten thousand men, and he threatened his enemies with immediate destruction. The cardinal had no equal force to oppose to him, but as he was a prudent man, he foresaw that Lenox could not long subsist so great an army, and he endeavoured to gain time by opening a negociation with him. He seduced his followers by various artifices; he prevailed on the Douglases to change party; he represented to the whole nation the danger of civil wars and commotions: and Lenox, observing the unequal contest in which he was engaged, was at last obliged to lay down his arms, and to accept of an accommodation with the governor and the cardinal. Present peace was restored; but no confidence took place between the parties. Lenox, fortifying his castles, and putting himself in a posture of defence, waited the arrival of English succours, from whose assistance alone he expected to obtain the superiority over his enemies.

A PARLIAMENT. *January* 14, 1544.

While the winter season restrained Henry from military operations, he summoned a new parliament; in which a law was passed, such as he was pleased to dictate, with regard to the succession of the crown. After declaring that the prince of Wales or any of the king's male issue were first and immediate heirs to the crown, the parliament restored the two princesses, Mary and Elizabeth, to their right of succession. This seemed a reasonable piece of justice, and corrected what the king's former violence had thrown into confusion; but it was impossible for Henry to do anything, how laudable soever, without betraying, in some circumstance, his usual extravagance and caprice: though he opened the way for these two princesses to mount the throne, he would not allow the acts to be reversed which had declared them illegitimate; he made the parliament confer on him a power of still excluding them, if they refused to submit to any conditions which he should be pleased to impose; and he required them to enact, that in default of his own issue, he might dispose of the crown as he pleased, by will or letters-patent. He did not probably foresee, that, in proportion as he degraded the parliament, by rendering it the passive instrument of his variable and violent inclinations, he taught the people to regard all its acts as invalid, and thereby defeated even the purposes which he was so bent to attain.

An act passed, declaring that the king's usual style should be "King of England, France, and Ireland, de-

fender of the faith, and on earth the supreme head of the church of England and Ireland." It seemed a palpable inconsistency to retain the title of Defender of the Faith which the court of Rome had conferred on him, for maintaining its cause against Luther; and yet subjoin his ecclesiastical supremacy in opposition to the claims of that court.

An act also passed for the remission of the debt which the king had lately contracted by a general loan, levied on the people. It will easily be believed, that after the former act of this kind, the loan was not entirely voluntary. But there was a peculiar circumstance attending the present statute, which none but Henry would have thought of; namely, that those who had already gotten payment, either in whole or in part, should refund the money to the exchequer.

The oaths which Henry imposed for the security of his ecclesiastical model, were not more reasonable than his other measures. All his subjects of any distinction had already been obliged to renounce the pope's supremacy; but as the clauses to which they swore had not been deemed entirely satisfactory, another oath was imposed; and it was added, that all those who had taken the former oaths should be understood to have taken the new one. A strange supposition! to represent men as bound by an oath which they had never taken.

The most commendable law to which the parliament gave their sanction, was that by which they mitigated the law of the six articles, and enacted, that no person should be put to his trial upon an accusation concerning any of the offences comprised in that sanguinary statute, except on the oath of twelve persons before commissioners authorized for the purpose; and that no person should be arrested or committed to ward for any such offence before he was indicted. Any preacher accused of speaking in his sermon contrary to these articles, must be indicted within forty days.

The king always experienced the limits of his authority whenever he demanded subsidies, however moderate, from the parliament; and therefore, not to hazard a refusal, he made no mention this season of a supply: but as his wars both in France and Scotland, as well as his usual prodigality, had involved him in great expense, he had recourse to other methods of filling his exchequer. Notwithstanding the former abolition of his debts, he yet required new loans from his subjects: and he enhanced gold from forty-five shillings to forty-eight an ounce; and silver from three shillings and ninepence to four shillings. His pretence for this innovation was to prevent the money from being exported; as if that expedient could anywise serve the purpose. He even coined some base money, and ordered it to be current by proclamation. He named commissioners for levying a benevolence, and he extorted about seventy thousand pounds by this expedient. Read, alderman of London, a man somewhat advanced in years, having refused to contribute, or not coming up to the expectation of the commissioners, was enrolled as a foot-soldier in the Scottish wars, and was there taken prisoner. Roach, who had been equally refractory, was thrown into prison, and obtained not his liberty but by paying a large composition. These powers of the prerogative, (which at that time passed unquestioned,) the compelling of any man to serve in any office, and the imprisoning of any man during pleasure, not to mention the practice of extorting loans, rendered the sovereign in a manner absolute master of the person and property of every individual.

Early this year the king sent a fleet and an army to invade Scotland. The fleet consisted of near two hundred vessels, and carried on board ten thousand men. Dudley, lord Lisle, conducted the sea-forces; the earl of Hertford the land. The troops were disembarked near Leith; and, after dispersing a small body which opposed them, they took that town without resistance, and then marched to Edinburgh. The gates were soon beaten down; (for little or no resistance was made;) and the English first pillaged, and then set fire to the city. The regent and cardinal were not prepared to oppose so great a force, and they fled to Stirling. Hertford marched eastward (18th May); and being joined by a new body under Evers, warden of the east marches, he laid waste the whole country, burned and destroyed Haddington and Dunbar, then retreated into England; having lost only forty men in the whole expedition. The earl of Arran collected some forces; but finding that the English were already departed, he turned them against Lenox, who was justly suspected of a correspondence with the enemy. That nobleman, after making some resistance, was obliged to fly into England; where Henry settled a pension on him, and even gave him his niece, lady Margaret Douglas, in marriage. In return, Lenox stipulated conditions by which, had he been able to execute them, he must have reduced his country to total servitude.

Henry's policy was blamed in this sudden and violent incursion; by which he inflamed the passions of the Scots, without subduing their spirit; and it was commonly said, that he did too much if he intended to solicit an alliance, and too little if he meant a conquest. But the reason of his recalling the troops so soon was, his eagerness to carry on a projected enterprise against France, in which he intended to employ the whole force of his kingdom. He had concerted a plan with the emperor, which threatened the total ruin of that monarchy, and must, as a necessary consequence, have involved the ruin of England. These two princes had agreed to invade France with forces amounting to above a hundred thousand men: Henry engaged to set out from Calais; Charles from the Low Countries: they were to enter on no siege; but leaving all the frontier towns behind them, to march directly to Paris, where they were to join their forces, and thence to proceed to the entire conquest of the kingdom. France could not oppose to these formidable preparations much above forty thousand men.

CAMPAIGN IN FRANCE. *July* 14.

Henry, having appointed the queen regent during his absence, passed over to Calais with thirty thousand men, accompanied by the dukes of Norfolk and Suffolk, Fitzalan, earl of Arundel, Vere, earl of Oxford, the earl of Surrey, Paulet lord St. John, lord Ferrers of Chartley, lord Mountjoy, lord Grey of Wilton, sir Anthony Brown, sir Francis Bryan, and the most flourishing nobility and gentry of this kingdom. The English army was soon joined by the count de Buren, admiral of Flanders, with ten thousand foot and four thousand horse; and the whole composed an army which nothing on that frontier was able to resist. The chief force of the French armies was drawn to the side of Champagne, in order to oppose the Imperialists.

The emperor, with an army of near sixty thousand men, had taken the field much earlier than Henry; and not to lose time, while he waited for the arrival of his confederate, he sat down before Luxembourg, which was surrendered to him: he thence proceeded to Commercy on the Meuse, which he took: Ligny met with the same fate: he next laid siege to St. Disier on the Marne, which, though a weak place, made a brave resistance, under the count of Sancerre, the governor, and the siege was protracted beyond expectation.

The emperor was employed before this town at the time the English forces were assembled in Picardy. Henry, either tempted by the defenceless condition of the French frontier, or thinking that the emperor had first broken his engagement, by forming sieges, or perhaps foreseeing at last the dangerous consequences of entirely subduing the French power, instead of marching forward to Paris, sat down before Montreuil and Boulogne. The duke of Norfolk commanded the army before Montreuil: the king himself that before Boulogne. Vervin was governor of the latter place, and under him Philip Corse, a brave old soldier, who en-

couraged the garrison to defend themselves to the last extremity against the English. He was killed on the 14th of September during the course of the siege, and the town was immediately surrendered to Henry by the cowardice of Vervin; who was afterwards beheaded for this dishonourable capitulation.

During the course of this siege Charles had taken St. Disier; and finding the season much advanced, he began to hearken to a treaty of peace with France, since all his schemes for subduing that kingdom were likely to prove abortive. In order to have a pretence for deserting his ally, he sent a messenger to the English camp, requiring Henry immediately to fulfil his engagements, and to meet him with his army before Paris. Henry replied, that he was too far engaged in the siege of Boulogne to raise it with honour, and that the emperor himself had first broken the concert by besieging St. Disier. This answer served Charles as a sufficient reason for concluding a peace with Francis, at Crepy, on the 18th of September, where no mention was made of England. He stipulated to give Flanders as a dowry to his daughter, whom he agreed to marry to the duke of Orleans, Francis's second son; and Francis in return withdrew his troops from Piedmont and Savoy, and renounced all claim to Milan, Naples, and other territories in Italy. This peace, so advantageous to Francis, was procured partly by the decisive victory obtained in the beginning of the campaign by the count of Anguyen over the Imperialists at Cerisolles in Piedmont, partly by the emperor's great desire to turn his arms against the protestant princes in Germany. Charles ordered his troops to separate from the English in Picardy; and Henry, finding himself obliged to raise the siege of Montreuil, returned into England on the 30th of September. This campaign served to the populace as a matter of great triumph; but all men of sense concluded that the king had, as in all his former military enterprises, made, at a great expense, an acquisition which was of no importance.

The war with Scotland, meanwhile, was conducted feebly, and with various success. Sir Ralph Evers, now lord Evers, and sir Bryan Latoun, made an inroad into that kingdom; and having laid waste the counties of Teviotdale and the Merse, they proceeded to the abbey of Coldingham, which they took possession of and fortified. The governor assembled an army of eight thousand men, in order to dislodge them from this post; but he had no sooner opened his batteries before the place than a sudden panic seized him; he left the army, and fled to Dunbar. He complained of the mutiny of his troops, and pretended apprehensions lest they should deliver him into the hands of the English: but his own unwarlike spirit was generally believed to have been the motive of this dishonourable flight. The Scottish army, upon the departure of their general, fell into confusion; and had not Angus, with a few of his retainers, brought off the cannon, and protected their rear, the English might have gained great advantages over them. Evers, elated with this success, boasted to Henry that he had conquered all Scotland to the Forth; and he claimed a reward for this important service. The duke of Norfolk, who knew with what difficulty such acquisitions would be maintained against a warlike enemy, advised the king to grant him, as his reward, the conquests of which he boasted so highly.....1545. The next inroad made by the English showed the vanity of Evers's hopes. This general led about five thousand men into Tiviotdale, and was employed in ravaging that country; when intelligence was brought him that some Scottish forces appeared near the abbey of Melross. Angus had roused the governor to more activity; and a proclamation being issued for assembling the troops of the neighbouring counties, a considerable body had repaired thither to oppose the enemy. Norman Lesly, son of the earl of Rothes, had also joined the army with some volunteers from Fife; and he inspired courage into the whole, as well by this accession of force, as by his personal bravery and intrepidity. In order to bring their troops to the necessity of a steady defence, the Scottish leaders ordered all their cavalry to dismount; and they resolved to wait, on some high grounds near Ancram, on the 17th February, the assault of the English. The English, whose past successes had taught them too much to despise the enemy, thought, when they saw the Scottish horses led off the field, that the whole army was retiring; and they hastened to attack them. The Scots received them in good order; and being favoured by the advantage of the ground, as well as by the surprise of the English, who expected no resistance, they soon put them to flight, and pursued them with considerable slaughter. Evers and Latoun were both killed, and above a thousand men were made prisoners. In order to support the Scots in this war, Francis some time after sent over a body of auxiliaries, to the number of three thousand five hundred men, under the command of Montgomery, lord of Lorges. Re-enforced by these succours, the governor assembled an army of fifteen thousand men at Haddington, and marched thence to ravage the east borders of England. He laid all waste wherever he came; and having met with no considerable resistance, he retired into his own country, and disbanded his army. The earl of Hertford, in revenge, committed ravages on the middle and west marches; and the war on both sides was signalized rather by the ills inflicted on the enemy, than by any considerable advantage gained by either party.

The war likewise between France and England was not distinguished this year by any memorable event. Francis had equipped a fleet of above two hundred sail, besides galleys; and having embarked some land forces on board, he sent them to make a descent in England. They sailed to the Isle of Wight, where they found the English fleet lying at anchor in St. Helen's. It consisted not of above a hundred sail; and the admiral thought it most advisable to remain in that road, in hopes of drawing the French into the narrow channels and the rocks, which were unknown to them. The two fleets cannonaded each other for two days; and except the sinking of the Mary Rose, one of the largest ships of the English fleet, the damage on both sides was inconsiderable.

Francis's chief intention in equipping so great a fleet was, to prevent the English from throwing succours into Boulogne, which he resolved to besiege; and for that purpose, he ordered a fort to be built, by which he intended to block up the harbour. After a considerable loss of time and money, the fort was found so ill constructed, that he was obliged to abandon it; and though he had assembled on that frontier an army of near forty thousand men, he was not able to effect any considerable enterprise. Henry, in order to defend his possessions in France, had levied fourteen thousand Germans; who having marched to Fleurines in the bishopric of Liege, found that they could advance no further. The emperor would not allow them a passage through his dominions: they received intelligence of a superior army on the side of France ready to intercept them: want of occupation and of pay soon produced a mutiny among them: and having seized the English commissaries as a security for arrears, they retreated into their own country. There seems to have been some want of foresight in this expensive armament.

A PARLIAMENT. *November* 23.

The great expense of these two wars maintained by Henry, obliged him to summon a new parliament. The commons granted him a subsidy, payable in two years, of two shillings a pound on land:* the spirituality voted him six shillings a pound. But the parliament, apprehensive lest more demands should be made upon them, endeavoured to save themselves by a very extraordi-

* Those who possessed goods or money above five pourds and below ten were to pay eight pence a pound; those above ten pounds, a shilling.

nary liberality of other people's property: by one vote they bestowed on the king all the revenues of the universities as well as of the chantries, free chapels,* and hospitals. Henry was pleased with this concession, as it increased his power; but he had no intention to rob learning of all her endowments; and he soon took care to inform the universities that he meant not to touch their revenues. Thus these ancient and celebrated establishments owe their existence to the generosity of the king, not to the protection of this servile and prostitute parliament.

The prostitute spirit of the parliament further appeared in the preamble of a statute, in which they recognise the king to have always been, by the word of God, supreme head of the church of England; and acknowledge that archbishops, bishops, and other ecclesiastical persons, have no manner of jurisdiction but by his royal mandate: to him alone, say they, and such persons as he shall appoint, full power and authority is given from above to hear and determine all manner of causes ecclesiastical, and to correct all manner of heresies, errors, vices, and sin whatsoever. No mention is here made of the concurrence of a convocation, or even of a parliament. His proclamations are, in effect, acknowledged to have not only the force of law, but the authority of revelation; and by his royal power he might regulate the actions of men, control their words, and even direct their inward sentiments and opinions.

On the 24th of December the king made, in person, a speech to the parliament on proroguing them; in which, after thanking them for their loving attachment to him, which, he said, equalled what was ever paid by their ancestors to any king of England, he complained of their dissensions, disputes, and animosities in religion. He told them, that the several pulpits were become a kind of batteries against each other; and that one preacher called another heretic and anabaptist, which was retaliated by the opprobrious appellations of papist and hypocrite: that he had permitted his people the use of the scriptures, not in order to furnish them with materials for disputing and railing, but that he might enable them to inform their consciences, and instruct their children and families: that it grieved his heart to find how that precious jewel was prostituted, by being introduced into the conversation of every alehouse and tavern, and employed as a pretence for decrying the spiritual and legal pastors: and that he was sorry to observe that the word of God, while it was the object of so much anxious speculation, had very little influence on their practice; and that though an imaginary knowledge so much abounded, charity was daily going to decay. The king gave good advice; but his own example, by encouraging speculation and dispute, was ill fitted to promote that peaceable submission of opinion which he recommended.

1546. Henry employed in military preparations the money granted by parliament; and he sent over the earl of Hertford and lord Lisle, the admiral, to Calais with a body of nine thousand men, two-thirds of which consisted of foreigners. Some skirmishes of small moment ensued with the French; and no hopes of any considerable progress could be entertained by either party. Henry, whose animosity against Francis was not violent, had given sufficient vent to his humour by this short war; and finding that from his great increase in corpulence and decay in strength, he could not hope for much longer life, he was desirous of ending a quarrel which might prove dangerous to his kingdom during a minority. Francis likewise, on his part, was not averse to peace with England; because having lately lost his son, the duke of Orleans, he revived his ancient claim upon Milan, and foresaw that hostilities must soon, on that account, break out between him and the emperor.

* A chantry was a little church, chapel, or particular altar in some cathedral church, &c., endowed with lands or other revenues for the maintenance of one or more priests, daily to say mass, or perform divine service, for the use of the founders, or such others as they appointed: free chapels were independent on any church, and endowed for much the same purpose as the former. Jacob's Law Dict.

PEACE WITH FRANCE AND SCOTLAND.

June 7.

Commissioners, therefore, having met at Campe, a small place between Ardres and Guisnes, the articles were soon agreed on, and the peace signed by them. The chief conditions were, that Henry should retain Boulogne during eight years, or till the former debt due by Francis should be paid. This debt was settled at two millions of livres, besides a claim of five hundred thousand livres, which was afterwards to be adjusted. Francis took care to comprehend Scotland in the treaty. Thus all that Henry obtained by a war which cost him above one million three hundred and forty thousand pounds sterling, was a bad and a chargeable security for a debt which was not a third of the value.

The king, now freed from all foreign wars, had leisure to give his attention to domestic affairs; particularly to the establishment of uniformity in opinion, on which he was so intent. Though he allowed an English translation of the Bible, he had hitherto been very careful to keep the mass in Latin; but he was at last prevailed on to permit that the litany, a considerable part of the service, should be celebrated in the vulgar tongue; and by this innovation, he excited anew the hopes of the reformers, who had been somewhat discouraged by the severe law of the six articles. One petition of the new litany was a prayer to save us "*from the tyranny of the bishop of Rome, and from all his detestable enormities.*" Cranmer employed his credit to draw Henry into further innovations; and he took advantage of Gardiner's absence, who was sent on an embassy to the emperor: but Gardiner having written to the king, that if he carried his opposition against the catholic religion to greater extremities, Charles threatened to break off all commerce with him, the success of Cranmer's projects was for some time retarded. Cranmer lost this year the most sincere and powerful friend that he possessed at court, Charles Brandon, duke of Suffolk: the queen-dowager of France, consort to Suffolk, had died some years before. This nobleman is one instance that Henry was not altogether incapable of a cordial and steady friendship; and Suffolk seems to have been worthy of the favour which, from his earliest youth, he had enjoyed with his master. The king was sitting in council when informed of Suffolk's death; and he took the opportunity both to express his own sorrow for the loss, and to celebrate the merits of the deceased. He declared, that during the whole course of their friendship, his brother-in-law had never made one attempt to injure an adversary, and had never whispered a word to the disadvantage of any person. "Is there any of you, my lords, who can say as much?" When the king subjoined these words, he looked round in all their faces, and saw that confusion which the consciousness of secret guilt naturally threw upon them.

Cranmer himself, when bereaved of this support, was the more exposed to those cabals of the courtiers, which the opposition in party and religion, joined to the usual motives of interest, rendered so frequent among Henry's ministers and counsellors. The catholics took hold of the king by his passion for orthodoxy; and they represented to him, that if his laudable zeal for enforcing the truth met with no better success, it was altogether owing to the primate, whose example and encouragement were, in reality, the secret supports of heresy. Henry, seeing the point at which they aimed, feigned a compliance, and desired the council to make inquiry into Cranmer's conduct; promising that, if he were found guilty, he should be committed to prison and brought to condign punishment. Everybody now considered the primate as lost; and his old friends, from interested views, as well as

the opposite party from animosity, began to show him marks of neglect and disregard. He was obliged to stand several hours among the lacqueys at the door of the council-chamber before he could be admitted; and when he was at last called in, he was told, that they had determined to send him to the Tower. Cranmer said, that he appealed to the king himself; and finding his appeal disregarded, he produced a ring which Henry had given him as a pledge of favour and protection. The council were confounded; and when they came before the king, he reproved them in the severest terms; and told them that he was well acquainted with Cranmer's merit, as well as with their malignity and envy: but he was determined to crush all their cabals, and to teach them, by the severest discipline, since gentle methods were ineffectual, a more dutiful concurrence in promoting his service. Norfolk, who was Cranmer's capital enemy, apologized for their conduct, and said, that their only intention was to set the primate's innocence in a full light, by bringing him to an open trial: and Henry obliged them all to embrace him as a sign of their cordial reconciliation. The mild temper of Cranmer rendered this agreement more sincere on his part, than is usual in such forced compliances.

PERSECUTIONS.

But though Henry's favour for Cranmer rendered fruitless all accusations against him, his pride and peevishness, irritated by his declining state of health, impelled him to punish with fresh severity all others who presumed to entertain a different opinion from himself, particularly in the capital point of the real presence. Anne Ascue, a young woman of merit as well as beauty, who had great connexions with the chief ladies at court, and with the queen herself, was accused of dogmatizing on that delicate article; and Henry, instead of showing indulgence to the weakness of her sex and age, was but the more provoked that a woman should dare to oppose his theological sentiments. She was prevailed on by Bonner's menaces to make a seeming recantation; but she qualified it with some reserves, which did not satisfy that zealous prelate. She was thrown into prison, and she there employed herself in composing prayers and discourses, by which she fortified her resolution to endure the utmost extremity rather than relinquish her religious principles. She even wrote to the king, and told him, that as to the Lord's supper, she believed as much as Christ himself had said of it, and as much of his divine doctrine as the catholic church had required: but while she could not be brought to acknowledge an assent to the king's explications, this declaration availed her nothing, and was rather regarded as a fresh insult. The chancellor, Wriothesely, who had succeeded Audley, and who was much attached to the catholic party, was sent to examine her with regard to her patrons at court, and the great ladies who were in correspondence with her: but she maintained a laudable fidelity to her friends, and would confess nothing. She was put to the torture in the most barbarous manner, and continued still resolute in preserving secresy. Some authors* add an extraordinary circumstance: that the chancellor, who stood by, ordered the lieutenant of the Tower to stretch the rack still further; but that officer refused compliance; the chancellor menaced him; but met with a new refusal; upon which that magistrate, who was otherwise a person of merit, but intoxicated with religious zeal, put his own hand to the rack, and drew it so violently that he almost tore her body asunder. Her constancy still surpassed the barbarity of her prosecutors, and they found all their efforts to be baffled. She was then condemned to be burnt alive; and being so dislocated by the rack that she could not stand, she was carried to the stake in a chair. Together with her were conducted Nicholas Belenian, a priest, John Lassels, of the king's household, and John Adams, a tailor, who had been condemned for the same crime to the same punishment. They were all tied to the stake; and in that dreadful situation the chancellor sent to inform them that their pardon was ready drawn and signed, and should instantly be given them, if they would merit it by a recantation. They only regarded this offer as a new ornament to their crown of martyrdom; and they saw with tranquillity the executioner kindle the flames which consumed them. Wriothesely did not consider that this public and noted situation interested their honour the more to maintain a steady perseverance.

Though the secresy and fidelity of Anne Ascue saved the queen from this peril, that princess soon after fell into a new danger, from which she narrowly escaped. An ulcer had broken out in the king's leg, which, added to his extreme corpulency, and his bad habit of body, began both to threaten his life, and to render him even more than usually peevish and passionate. The queen attended him with the most tender and dutiful care, and endeavoured by every soothing art and compliance, to allay those gusts of humour to which he was become so subject. His favourite topic of conversation was theology; and Catherine, whose good sense enabled her to discourse on any subject, was frequently engaged in the argument; and being secretly inclined to the principles of the reformers, she unwarily betrayed too much of her mind on these occasions. Henry, highly provoked that she should presume to differ from him, complained of her obstinacy to Gardiner, who gladly laid hold of the opportunity to inflame the quarrel. He praised the king's anxious concern for preserving the orthodoxy of his subjects; and represented, that the more elevated the person was who was chastised, and the more near to his person, the greater terror would the example strike into every one, and the more glorious would the sacrifice appear to posterity. The chancellor, being consulted, was engaged by religious zeal to second these topics; and Henry, hurried on by his own impetuous temper, and encouraged by his counsellors, went so far as to order articles of impeachment to be drawn up against his consort. Wriothesely executed his commands; and soon after brought the paper to him to be signed: for as it was high-treason to throw slander upon the queen, he might otherwise have been questioned for his temerity. By some means this important paper fell into the hands of one of the queen's friends, who immediately carried the intelligence to her. She was sensible of the extreme danger to which she was exposed; but did not despair of being able, by her prudence and address, still to elude the efforts of her enemies. She paid her usual visit to the king, and found him in a more serene disposition than she had reason to expect. He entered on the subject which was so familiar to him; and he seemed to challenge her to an argument in divinity. She gently declined the conversation, and remarked that such profound speculations were ill suited to the natural imbecility of her sex. Women, she said, by their first creation, were made subject to men: the male was created after the image of God; the female after the image of the male: it belonged to the husband to choose principles for his wife: the wife's duty was, in all cases, to adopt implicitly the sentiments of her husband: and as to herself, it was doubly her duty, being blest with a husband who was qualified by his judgment and learning not only to choose principles for his own family, but for the most wise and knowing of every nation. "Not so! by St. Mary," replied the king, "you are now become a doctor, Kate; and better fitted to give than receive instruction." She meekly replied, that she was sensible how little she was entitled to these praises; that though she usually declined not any con-

* Fox, vol. ii. p. 578. Speed, p. 780. Baker, p. 299. But Burnet questions the truth of this circumstance: Fox, however, transcribes her own paper where she relates it. I must add, in justice to the king, that he disapproved of Wriothesely's conduct, and commended the lieutenant.

versation, however sublime, when proposed by his majesty, she well knew that her conceptions could serve to no other purpose than to give him a little momentary amusement; that she found the conversation apt to languish, when not revived by some opposition, and she had ventured sometimes to feign a contrariety of sentiments, in order to give him the pleasure of refuting her; and that she also purposed, by this innocent artifice, to engage him into topics whence she had observed by frequent experience that she reaped profit and instruction. "And is it so, sweetheart?" replied the king; "then are we perfect friends again." He embraced her with great affection, and sent her away with assurances of his protection and kindness. Her enemies, who knew nothing of this sudden change, prepared next day to convey her to the Tower, pursuant to the king's warrant. Henry and Catherine were conversing amicably in the garden when the chancellor appeared with forty of the pursuivants. The king spoke to him at some distance from her; and seemed to expostulate with him in the severest manner: she even overheard the appellations of "*knave*," "*fool*," and "*beast*," which he liberally bestowed upon that magistrate; and then ordered him to depart his presence: she afterward interposed to mitigate his anger: he said to her, "Poor soul! you know not how ill entitled this man is to your good offices." Thenceforth the queen, having narrowly escaped so great a danger, was careful not to offend Henry's humour by any contradiction; and Gardiner, whose malice had endeavoured to widen the breach, could never afterwards regain his favour and good opinion.

But Henry's tyrannical disposition, soured by ill health, burst out soon after to the destruction of a man who possessed a much superior rank to that of Gardiner. The duke of Norfolk and his father, during this whole reign, and even a part of the foregoing, had been regarded as the greatest subjects in the kingdom, and had rendered considerable service to the crown. The duke himself had in his youth acquired reputation by naval enterprises: he had much contributed to the victory gained over the Scots at Flouden: he had suppressed a dangerous rebellion in the north; and he had always done his part with honour in all the expeditions against France. Fortune seemed to conspire with his own industry, in raising him to the greatest elevation. From the favours heaped on him by the crown he had acquired an immense estate: the king had successively been married to two of his nieces; and the king's natural son, the duke of Richmond, had married his daughter: besides his descent from the ancient family of the Mowbrays, by which he was allied to the throne, he had espoused a daughter of the duke of Buckingham, who was descended by a female from Edward III.; and as he was believed still to adhere secretly to the ancient religion, he was regarded, both abroad and at home, as the head of the catholic party. But all these circumstances, in proportion as they exalted the duke, provoked the jealousy of Henry; and he foresaw danger, during his son's minority, both to the public tranquillity, and to the new ecclesiastical system, from the attempts of so potent a subject. But nothing tended more to expose Norfolk to the king's displeasure, than the prejudices which Henry had entertained against the earl of Surrey, son of that nobleman.

Surrey was a young man of the most promising hopes, and had distinguished himself by every accomplishment which became a scholar, a courtier, and a soldier. He excelled in all the military exercises which were then in request: he encouraged the fine arts by his patronage and example: he had made some successful attempts in poetry; and being smitten with the romantic gallantry of the age, celebrated the praises of his mistress, by his pen and his lance, in every masque and tournament. His spirit and ambition were equal to his talents and his quality; and he did not always regulate his conduct by the caution and reserve which his situation required. He had been left governor of Boulogne when that town was taken by Henry; but though his personal bravery was unquestioned, he had been unfortunate in some encounters with the French. The king, somewhat displeased with his conduct, had sent over Hertford to command in his place; and Surrey was so imprudent as to drop some menacing expressions against the ministers on account of this affront which was put upon him. And as he refused to marry Hertford's daughter, and even waved every other proposal of marriage, Henry imagined that he had entertained views of espousing the lady Mary; and he was instantly determined to repress, by the most severe expedients, so dangerous an ambition.

Actuated by all these motives, and perhaps influenced by that old disgust with which the ill conduct of Catherine Howard had inspired him against her whole family, he gave private orders to arrest Norfolk and Surrey; and they were on the same day, (12th December, 1547,) confined in the Tower. Surrey, being a commoner, his trial was the more expeditious; and as to proofs, neither parliaments nor juries seem ever to have given the least attention to them in any cause of the crown during this whole reign.

EXECUTION OF THE EARL OF SURREY.

He was accused of entertaining in his family some Italians who were *suspected* to be spies; a servant of his had paid a visit to cardinal Pole, in Italy, whence he was *suspected* of holding a correspondence with that obnoxious prelate; he had quartered the arms of Edward the Confessor on his scutcheon, which made him be *suspected* of aspiring to the crown, though both he and his ancestors had openly, during the course of many years, maintained that practice, and the heralds had even justified it by their authority. These were the crimes for which a jury, notwithstanding his eloquent and spirited defence, condemned the earl of Surrey for high-treason; and their sentence was soon after executed upon him.

ATTAINDER OF THE DUKE OF NORFOLK.

The innocence of the duke of Norfolk was still, if possible, more apparent than that of his son; and his services to the crown had been greater. His duchess, with whom he lived on bad terms, had been so base as to carry intelligence to his enemies of all she knew against him. Elizabeth Holland, a mistress of his, had been equally subservient to the designs of the court: yet with all these advantages his accusers discovered no greater crime than his once saying that the king was sickly, and could not hold out long; and the kingdom was likely to fall into disorders, through the diversity of religious opinions. He wrote a pathetic letter to the king, pleading his past services, and protesting his innocence: soon after, he embraced a more proper expedient for appeasing Henry, by making a submission and confession such as his enemies required: but nothing could mollify the unrelenting temper of the king. He assembled a parliament on the 14th of January, as the surest and most expeditious instrument of his tyranny; and the house of peers, without examining the prisoner, without trial or evidence, passed a bill of attainder against him, and sent it down to the commons. Cranmer, though engaged for many years in an opposite party to Norfolk, and though he had received many and great injuries from him, would have no hand in so unjust a prosecution; and he retired to his seat at Croydon. The king was now approaching fast towards his end; and fearing lest Norfolk should escape him, he sent a message to the commons, by which he desired them to hasten the bill, on pretence that Norfolk, enjoyed the dignity of earl-marshal, and it was necessary to appoint another, who might officiate at the ensuing ceremony of installing his son, prince of Wales. The obsequious commons obeyed

his directions, though founded on so frivolous a pretence; and the king, having affixed the royal assent to the bill by commissioners, issued orders for the execution of Norfolk on the morning of the 29th of January. But news being carried to the Tower that the king himself had expired that night, the lieutenant deferred obeying the warrant: and it was not thought advisable by the council to begin a new reign by the death of the greatest nobleman in the kingdom, who had been condemned by a sentence so unjust and tyrannical.

The king's health had long been in a declining state; but for several days all those near him plainly saw his end approaching. He was become so froward, that no one durst inform him of his condition; and as some persons during this reign had suffered as traitors for foretelling the king's death, every one was afraid lest in the transports of his fury he might, on this pretence, punish capitally the author of such friendly intelligence. At last Sir Anthony Denny ventured to disclose to him the fatal secret, and exhorted him to prepare for the fate which was awaiting him. He expressed his resignation; and desired that Cranmer might be sent for: but before the prelate arrived he was speechless, though he still seemed to retain his senses.

DEATH OF THE KING.

Cranmer desired him to give some sign of his dying in the faith of Christ: he squeezed the prelate's hand, and immediately expired, after a reign of thirty-seven years and nine months; and in the fifty-sixth year of his age.

The king had made his will near a month before his demise; in which he confirmed the destination of parliament, by leaving the crown first to prince Edward, then to the lady Mary, next to the lady Elizabeth. The two princesses he obliged, under the penalty of forfeiting their title to the crown, not to marry without consent of the council, which he appointed for the government of his minor son. After his own children, he settled the succession on Frances Brandon, marchioness of Dorset, elder daughter of his sister, the French queen; then on Eleanor, countess of Cumberland, the second daughter. In passing over the posterity of the queen of Scots, his elder sister, he made use of the power obtained from parliament; but as he subjoined, that after the failure of the French queen's posterity the crown should descend to the next lawful heir, it afterwards became a question, whether these words could be applied to the Scottish line. It was thought that these princes were not the next heirs after the house of Suffolk, but before that house; and that Henry, by expressing himself in this manner, meant entirely to exclude them. The late injuries which he had received from the Scots, had irritated him extremely against that nation; and he maintained to the last that character of violence and caprice, by which his life had been so much distinguished. Another circumstance of his will may suggest the same reflection with regard to the strange contrarieties of his temper and conduct: he left money for masses to be said for delivering his soul from purgatory; and though he destroyed all those institutions established by his ancestors and others for the benefit of *their* souls; and had even left the doctrine of purgatory doubtful in all the articles of faith which he promulgated during his later years, he was yet determined, when the hour of death was approaching, to take care at least of his own future repose, and to adhere to the safer side of the question.*

HIS CHARACTER.

It is difficult to give a just summary of this prince's qualities: he was so different from himself in different parts of his reign, that, as is well remarked by lord Herbert, his history is his best character and description. The absolute uncontrolled authority which he maintained at home, and the regard which he acquired among foreign nations, are circumstances which entitle him in some degree to the appellation of a *great* prince; while his tyranny and barbarity exclude him from the character of a *good* one. He possessed, indeed, great vigour of mind, which qualified him for exercising dominion over men, courage, intrepidity, vigilance, inflexibility; and though these qualities lay not always under the guidance of a regular and solid judgment, they were accompanied with good parts and an extensive capacity; and every one dreaded a contest with a man who was known never to yield or to forgive, and who, in every controversy, was determined either to ruin himself or his antagonist. A catalogue of his vices would comprehend many of the worst qualities incident to human nature: violence, cruelty, profusion, rapacity, injustice, obstinacy, arrogance, bigotry, presumption, caprice: but neither was he subject to all these vices in the most extreme degree, nor was he at intervals altogether destitute of virtues; he was sincere, open, gallant, liberal, and capable at least of a temporary friendship and attachment. In this respect he was unfortunate, that the incidents of his reign served to display his faults in their full light: the treatment which he met with from the court of Rome provoked him to violence; the danger of a revolt from his superstitious subjects, seemed to require the most extreme severity. But it must at the same time be acknowledged, that his situation tended to throw an additional lustre on what was great and magnanimous in his character: the emulation between the emperor and the French king rendered his alliance, notwithstanding his impolitic conduct, of great importance in Europe: the extensive powers of his prerogative, and the submissive, not to say slavish, disposition of his parliaments, made it the more easy for him to assume and maintain that entire dominion by which his reign is so much distinguished in the English history.

It may seem a little extraordinary, that notwithstanding his cruelty, his extortion, his violence, his arbitrary administration, this prince not only acquired the regard of his subjects, but never was the object of their hatred: he seems even in some degree to have possessed to the last their love and affection. His exterior qualities were advantageous, and fit to captivate the multitude: his magnificence and personal bravery rendered him illustrious in vulgar eyes: and it may be said with truth, that the English in that age were so thoroughly subdued, that, like Eastern slaves, they were inclined to admire those acts of violence and tyranny which were exercised over themselves, and at their own expense.

With regard to foreign states, Henry appears long to have supported an intercourse of friendship with Francis, more sincere and disinterested than usually takes place between neighbouring princes. Their common jealousy of the emperor Charles, and some resemblance in their characters (though the comparison sets the French monarch in a very superior and advantageous light) served as the cement of their mutual amity. Francis is said to have been affected with the king's death, and to have expressed much regret for the loss. His own health began to decline: he foretold that he should not long survive his friend: and he died in about two months after him.

MISCELLANEOUS TRANSACTIONS.

There were ten parliaments summoned by Henry VIII., and twenty-three sessions held. The whole time in which these parliaments sat during this long reign exceeded not three years and a half. It amounted not to a twelvemonth during the first twenty years. The innovations in religion obliged the king afterwards to call these assemblies more frequently: but

* See his will in Fuller, Heylin, and Rymer, p. 110. There is no reasonable ground to suspect its authenticity.

though these were the most important transactions that ever fell under the cognizance of parliament, their devoted submission to Henry's will, added to their earnest desire of soon returning to their country-seats, produced a quick dispatch of the bills, and made the sessions of short duration. All the king's caprices were indeed blindly complied with, and no regard was paid to the safety or liberty of the subject. Besides the violent prosecution of whatever he was pleased to term heresy, the laws of treason were multiplied beyond all former precedent. Even words to the disparagement of the king, queen, or royal issue were subjected to that penalty; and so little care was taken in framing these rigorous statutes, that they contain obvious contradictions; insomuch that had they been strictly executed, every man without exception must have fallen under the penalty of treason. By one statute, for instance, it was declared treason to assert the validity of the king's marriage either with Catherine of Arragon or Anne Boleyn; by another it was treason to say anything to the disparagement or slander of the princesses Mary and Elizabeth; and to call them spurious, would no doubt have been construed to their slander. Nor would even a profound silence, with regard to these delicate points, be able to save a person from such penalties. For by the former statute, whoever refused to answer upon oath to any point contained in that act, was subjected to the pains of treason. The king, therefore, needed only propose to any one a question with regard to the legality of either of his first marriages: if the person were silent, he was a traitor by law; if he answered either in the negative or in the affirmative, he was no less a traitor. So monstrous were the inconsistencies which arose from the furious passions of the king, and the slavish submission of his parliaments. It is hard to say whether these contradictions were owing to Henry's precipitancy, or to a formed design of tyranny.

It may not be improper to recapitulate whatever is memorable in the statutes of this reign, whether with regard to government or commerce: nothing can better show the genius of the age than such a review of the laws.

The abolition of the ancient religion much contributed to the regular execution of justice. While the catholic superstition subsisted, there was no possibility of punishing any crime in the clergy: the church would not permit the magistrate to try the offences of her members, and she could not herself inflict any civil penalties upon them. But Henry restricted these pernicious immunities: the privilege of clergy was abolished for the crimes of petty-treason, murder, and felony, to all under the degree of subdeacon. But the former superstition not only protected crimes in the clergy; it exempted also the laity from punishment, by affording them shelter in the churches and sanctuaries. The parliament abridged these privileges. It was first declared, that no sanctuaries were allowed in cases of high-treason; next, in those of murder, felony, rapes, burglary, and petty-treason; and it limited them in other particulars. The further progress of the Reformation removed all distinction between the clergy and other subjects; and also abolished entirely the privileges of sanctuaries. These consequences were implied in the neglect of the canon-law.

The only expedient employed to support the military spirit during this age was, the reviving and extending of some old laws enacted for the encouragement of archery, on which the defence of the kingdom was supposed much to depend. Every man was ordered to have a bow: butts were ordered to be erected in every parish: and every bowyer was ordered, for each bow of yew which he made, to make two of elm or wich for the service of the common people. The use of cross-bows and hand-guns was also prohibited. What rendered the English bowmen more formidable was, that they carried halberts with them, by which they were enabled upon occasion to engage in close fight with the enemy. Frequent musters or arrays were also made of the people, even during time of peace; and all men of substance were obliged to have a complete suit of armour, or harness, as it was called. The martial spirit of the English, during that age, rendered this precaution, it was thought, sufficient for the defence of the nation; and as the king had then an absolute power of commanding the service of all his subjects, he could instantly, in case of danger, appoint new officers, and levy regiments, and collect an army as numerous as he pleased. When no faction or division prevailed among the people, there was no foreign power that ever thought of invading England. The city of London alone could muster fifteen thousand men. Discipline, however, was an advantage wanting to those troops; though the garrison of Calais was a nursery of officers; and Tournay first, Boulogne afterwards, served to increase the number. Every one who served abroad was allowed to alienate his lands without paying any fees. A general permission was granted to dispose of land by will. The parliament was so little jealous of its privileges, (which indeed were at that time scarcely worth preserving,) that there is an instance of one Strode, who, because he had introduced into the lower house some bill regarding tin, was severely treated by the Stannery courts in Cornwall: heavy fines were imposed on him; and upon his refusal to pay, he was thrown into a dungeon, loaded with irons, and used in such a manner as brought his life in danger: yet all the notice which the parliament took of this enormity, even in such a paltry court, was to enact, "That no man could afterwards be questioned for his conduct in parliament." This prohibition, however, must be supposed to extend only to the inferior courts; for as to the king, and privy-council, and star-chamber, they were scarcely bound by any law.

There is a bill of tonnage and poundage, which shows what uncertain ideas the parliament had formed both of their own privileges and of the rights of the sovereign. This duty had been voted to every king since Henry IV., during the term of his own life only: yet Henry VIII. had been allowed to levy it six years without any law; and though there had been four parliaments assembled during that time, no attention had been given either to grant it to him regularly, or restrain him from levying it. At last the parliament resolved to give him that supply: but even in this concession they plainly show themselves at a loss to determine whether they grant it, or whether he has a right of himself to levy it. They say that the imposition was made to endure during the natural life of the late king and no longer; they yet blame the merchants who had not paid it to the present king: they observe that the law for tonnage and poundage was expired; yet make no scruple to call that imposition the king's due: they affirm that he had sustained great and manifold losses by those who had defrauded him of it; and to provide a remedy, they vote him that supply during his lifetime, and no longer. It is remarkable that, notwithstanding this last clause, all his successors for more than a century persevered in the like irregular practice: if a practice may deserve that epithet in which the whole nation acquiesced, and which gave no offence. But when Charles I. attempted to continue in the same course which had now received the sanction of many generations, so much were the opinions of men altered, that a furious tempest was excited by it; and historians, partial or ignorant, still represent this measure as a most violent and unprecedented enormity in that unhappy prince.

The king was allowed to make laws for Wales without consent of parliament. It was forgotten, that with regard both to Wales and England, the limitation was abolished by the statute which gave to the royal proclamations the force of laws.

The foreign commerce of England, during this age, was mostly confined to the Netherlands. The inhabitants of the Low Countries bought the English commodities, and distributed them into other parts of Europe. Hence the mutual dependence of those countries on each other; and the great loss sustained by both in case of a rupture. During all the variations of politics, the sovereigns endeavoured to avoid coming to this extremity; and though the king usually bore a greater friendship to Francis, the nation always leaned towards the emperor.

In 1528, hostilities commenced between England and the Low Countries; and the inconvenience was soon felt on both sides. While the Flemings were not allowed to purchase cloth in England, the English merchants could not buy it from the clothiers, and the clothiers were obliged to dismiss their workmen, who began to be tumultuous for want of bread. The cardinal, to appease them, sent for the merchants, and ordered them to buy cloth as usual: they told him, that they could not dispose of it as usual; and notwithstanding his menaces, he could get no other answer from them. An agreement was at last made to continue the commerce between the states, even during war.

It was not till the end of this reign that any salads, carrots, turnips, or other edible roots were produced in England. The little of these vegetables that was used, was formerly imported from Holland and Flanders. Queen Catherine, when she wanted a salad, was obliged to dispatch a messenger thither on purpose. The use of hops, and the planting of them, was introduced from Flanders about the beginning of this reign, or end of the preceding.

Foreign artificers, in general, much surpassed the English in dexterity, industry, and frugality: hence the violent animosity which the latter, on many occasions, expressed against any of the former who were settled in England. They had the assurance to complain, that all their customers went to foreign tradesmen; and, in the year 1517, being moved by the seditious sermons of one Dr. Bele, and the intrigues of Lincoln, a broker, they raised an insurrection. The apprentices, and others of the poorer sort, in London, began by breaking open the prisons, where some persons were confined for insulting foreigners. They next proceeded to the house of Meutas, a Frenchman, much hated by them; where they committed great disorders; killed some of his servants; and plundered his goods. The mayor could not appease them; nor sir Thomas More, late under-sheriff, though much respected in the city. They also threatened cardinal Wolsey with some insult; and he thought it necessary to fortify his house, and put himself on his guard. Tired at last with these disorders, they dispersed themselves; and the earls of Shrewsbury and Surrey seized some of them. A proclamation was issued, that women should not meet together to babble and talk, and that all men should keep their wives in their houses. Next day the duke of Norfolk came into the city at the head of thirteen hundred armed men, and made inquiry into the tumult. Bele and Lincoln, and several others, were sent to the Tower, and condemned for treason. Lincoln and thirteen more were executed. The other criminals, to the number of four hundred, were brought before the king with ropes about their necks, fell on their knees, and cried for mercy. Henry knew at that time how to pardon; he dismissed them without further punishment.

So great was the number of foreign artisans in the city, that at least fifteen thousand Flemings alone were at one time obliged to leave it, by an order of council, when Henry became jealous of their favour for queen Catherine. Henry himself confesses, in an edict of the star-chamber, printed among the statutes, that the foreigners starved the natives; and obliged them, from idleness, to have recourse to theft, murder, and other enormities. He also asserts that the vast multitude of foreigners raised the price of grain and bread. And to prevent an increase of the evil, all foreign artificers were prohibited from having above two foreigners in their house, either journeymen or apprentices. A like jealousy arose against the foreign merchants; and to appease it, a law was enacted obliging all denizens to pay the duties imposed upon aliens. The parliament had done better to have encouraged foreign merchants and artisans to come over in greater numbers to England; which might have excited the emulation of the natives, and have improved their skill. The prisoners in the kingdom for debts and crimes are asserted, in an act of parliament, to be sixty thousand persons and above, which is scarcely credible. Harrison asserts that seventy-two thousand criminals were executed during this reign for theft and robbery, which would amount nearly to two thousand a year. He adds, that in the latter end of Elizabeth's reign, there were not punished capitally four hundred in a year: it appears that, in all England, there are not at present fifty executed for those crimes. If these facts be just, there has been a great improvement in morals since the reign of Henry VIII. And this improvement has been chiefly owing to the increase of industry and of the arts which have given maintenance, and, what is almost of equal importance, occupation to the lower classes.

There is a remarkable clause in a statute passed near the beginning of this reign, by which we might be induced to believe that England was extremely decayed from the flourishing condition which it had attained in preceding times. It had been enacted in the reign of Edward II. that no magistrate in town or borough, who by his office ought to keep assize, should during the continuance of his magistracy, sell, either in wholesale or retail, any wine or victuals. This law seemed equitable, in order to prevent fraud or private views in fixing the assize: yet the law is repealed in this reign. The reason assigned is, that "since the making of that statute and ordinance, many and the most part of all the cities, boroughs, and towns corporate, within the realm of England, are fallen in ruin and decay, and are not inhabited by merchants, and men of such substance as at the time of making that statute: for at this day the dwellers and inhabitants of the same cities and boroughs are commonly bakers, vintners, fishmongers, and other victuallers; and there remain few others to bear the offices." Men have such a propensity to exalt past times above the present, that it seems dangerous to credit this reasoning of the parliament, without further evidence to support it. So different are the views in which the same object appears, that some may be inclined to draw an opposite inference from this fact. A more regular police was established in the reign of Henry VIII. than in any former period, and a stricter administration of justice; an advantage which induced the men of landed property to leave the provincial towns, and to retire into the country. Cardinal Wolsey, in a speech to parliament, represented it as a proof of the increase of riches, that the customs had increased beyond what they were formerly.

But if there were really a decay of commerce, and industry, and populousness in England, the statutes of this reign, except by abolishing monasteries, and retrenching holidays, circumstances of considerable moment, were not in other respects well calculated to remedy the evil. The fixing of the wages of artificers was attempted: luxury in apparel was prohibited by repeated statutes; and probably without effect. The chancellor and other ministers were empowered to fix the price of poultry, cheese, and butter. A statute was even passed to fix the price of beef, pork, mutton, and veal. Beef and pork were ordered to be sold at a halfpenny a pound; mutton and veal at a halfpenny half-a-farthing, money of that age. The preamble of the statute says, that these four species of butcher's meat were the food of the poorer sort. This act was afterwards repealed.

The practice of depopulating the country, by abandoning tillage, and throwing the lands into pasturage, still continued; as appears by the new laws which were, from time to time, enacted against that practice. The king was entitled to half the rents of the land, where any farm-houses were allowed to fall to decay. The unskilful husbandry was probably the cause why the proprietors found no profit in tillage. The number of sheep allowed to be kept in one flock was restrained to two thousand. Sometimes, says the statute, one proprietor, or farmer, would keep a flock of twenty-four thousand. It is remarkable, that the parliament ascribes the increasing price of mutton to this increase of sheep: because, say they, the commodity being gotten into few hands, the price of it is raised at pleasure. It is more probable that the effect proceeded from the daily increase of money: for it seems almost impossible that such a commodity could be engrossed.

In the year 1544, it appears that an acre of good land in Cambridgeshire was let at a shilling, or about fifteen-pence of our present money. This is ten times cheaper than the usual rent at present. But commodities were not above four times cheaper: a presumption of the bad husbandry in that age.

Some laws were made with regard to beggars and vagrants; one of the circumstances in government which humanity would most powerfully recommend to a benevolent legislator, which seems, at first sight, the most easily adjusted; and which is yet the most difficult to settle in such a manner as to attain the end without destroying industry. The convents formerly were a support to the poor; but at the same time tended to encourage idleness and beggary.

In 1546 a law was made for fixing the interest of money at ten per cent.; the first legal interest known in England. Formerly all loans of that nature were regarded as usurious. The preamble of this very law treats the interest of money as illegal and criminal: and the prejudices still remained so strong, that the law permitting interest was repealed in the following reign.

This reign, as well as many of the foregoing, and even subsequent reigns, abounds with monopolizing laws, confining particular manufactures to particular towns, or excluding the open country in general. There remain still too many traces of similar absurdities. In the subsequent reign, the corporations which had been opened by a former law, and obliged to admit tradesmen of different kinds, were again shut up by act of parliament; and every one was prohibited from exercising any trade who was not of the corporation.

Henry, as he possessed himself some talent for letters, was an encourager of them in others. He founded Trinity college in Cambridge, and gave it ample endowments. Wolsey founded Christ Church in Oxford, and intended to call it Cardinal College: but upon his fall, which happened before he had entirely finished his scheme, the king seized all the revenues; and this violence, above all the other misfortunes of that minister, is said to have given him the greatest concern. But Henry afterwards restored the revenues of the college, and only changed the name. The cardinal founded in Oxford the first chair for teaching Greek; and this novelty rent that university into violent factions, which frequently came to blows. The students divided themselves into parties, which bore the names of Greeks and Trojans, and sometimes fought with as great animosity as was formerly exercised by those hostile nations. A new and more correct method of pronouncing Greek being introduced, it also divided the Grecians themselves into parties; and it was remarked that the catholics favoured the former pronunciation, the protestants gave countenance to the new. Gardiner employed the authority of the king and council to suppress innovations in this particular, and to preserve the corrupt sound of the Greek alphabet. So little liberty was then allowed of any kind! The penalties inflicted upon the new pronunciation were no less than whipping, degradation, and expulsion; and the bishop declared, that, rather than permit the liberty of innovating in the pronunciation of the Greek alphabet, it were better that the language itself were totally banished the universities. The introduction of the Greek language into Oxford excited the emulation of Cambridge. Wolsey intended to have enriched the library of his college at Oxford with copies of all the manuscripts that were in the Vatican. The countenance given to letters by this king and his ministers contributed to render learning fashionable in England: Erasmus speaks with great satisfaction of the general regard paid by the nobility and gentry to men of knowledge. It is needless to be particular in mentioning the writers of this reign, or of the preceding. There is no man of that age who has the least pretension to be ranked among our classics. Sir Thomas More, though he wrote in Latin, seems to come the nearest to the character of a classical author.

CHAPTER XXXIV.

EDWARD VI.

State of the Regency — Innovations in the Regency — Hertford Protector — Reformation completed — Gardiner's Opposition — Foreign Affairs — Progress of the Reformation in Scotland — Assassination of Cardinal Beaton — Conduct of the War with Scotland — Battle of Pinkey — A Parliament — Further Progress of the Reformation — Affairs of Scotland — Young Queen of Scots sent into France — Causes of Lord Seymour — Dudley, Earl of Warwick — A Parliament — Attainder of Lord Seymour — His Execution. — Ecclesiastical Affairs.

STATE OF THE REGENCY. 1547.

THE late king, by the regulations which he imposed on the government of his infant son, as well as by the limitations of the succession, had projected to reign even after his decease; and he imagined that his ministers, who had always been so obsequious to him during his lifetime, would never afterwards depart from the plan which he had traced out to them. He fixed the majority of the prince at the completion of his eighteenth year; and as Edward was then only a few months past nine, he appointed sixteen executors; to whom, during the minority, he intrusted the government of the kingdom. Their names were, Cranmer, archbishop of Canterbury; lord Wriothesely, chancellor; lord St. John, great master; lord Russel, privy-seal; the earl of Hertford, chamberlain; viscount Lisle, admiral; Tonstal, bishop of Durham; sir Anthony Brown, master of horse; sir William Paget, secretary of state; sir Edward North, chancellor of the court of augmentations; sir Edward Montague, chief-justice of the common-pleas; judge Bromley; sir Anthony Denny, and sir William Herbert, chief gentlemen of the privy-chamber; sir Edward Wotton, treasurer of Calais; Dr. Wotton, dean of Canterbury. To these executors, with whom was intrusted the whole regal authority, were appointed twelve counsellors, who possessed no immediate power, and could only assist with their advice when any affair was laid before them. The council was composed of the earls of Arundel and Essex; sir Thomas Cheny, treasurer of the household; sir John Gage, comptroller; sir Anthony Wingfield, vice-chamberlain; sir William Petre, secretary of state; sir Richard Rich, sir John Baker, sir Ralph Sadler, sir Thomas Seymour, sir Richard Southwel, and sir Edmund Peckham. The usual caprice of Henry appears somewhat in this nomination; while he appointed several persons of inferior station among his executors, and gave only the place of counsellor to a person of such high rank as the earl of Arundel, and to sir Thomas Seymour, the king's uncle

INNOVATIONS IN THE REGENCY.

But the first act of the executors and counsellors was to depart from the destination of the late king in a material article. No sooner were they met than it was suggested, that the government would lose its dignity, for want of some head who might represent the royal majesty, who might receive addresses from foreign ambassadors, to whom dispatches from English ministers abroad might be carried, and whose name might be employed in all orders and proclamations: and as the king's will seemed to labour under a defect in this particular, it was deemed necessary to supply it, by choosing a protector, who, though he should possess all the exterior symbols of royal dignity, should yet be bound in every act of power, to follow the opinion of the executors. This proposal was very disagreeable to chancellor Wriothesely. That magistrate, a man of an active spirit and high ambition, found himself, by his office, entitled to the first rank in the regency after the primate; and as he knew that this prelate had no talent or inclination for state affairs, he hoped that the direction of public business would of course devolve in a great measure upon himself. He opposed therefore the proposal of choosing a protector; and represented that innovation as an infringement of the late king's will, which, being corroborated by act of parliament, ought in everything to be a law to them, and could not be altered but by the same authority which had established it. But he seems to have stood alone in the opposition. The executors and counsellors were mostly courtiers who had been raised by Henry's favour, not men of high birth or great hereditary influence; and as they had been sufficiently accustomed to submission during the reign of the late monarch, and had no pretensions to govern the nation by their own authority, they acquiesced the more willingly in a proposal which seemed calculated for preserving public peace and tranquillity.

HERTFORD PROTECTOR.

It being therefore agreed to name a protector, the choice fell of course on the earl of Hertford, who, as he was the king's maternal uncle, was strongly interested in his safety; and, possessing no claims to inherit the crown, could never have any separate interest, which might lead him to endanger Edward's person or his authority. The public was informed by proclamation of this change in the administration; and despatches were sent to all foreign courts to give them intimation of it. All those who were possessed of any office resigned their former commissions, and accepted new ones in the name of the young king. The bishops themselves were constrained to make a like submission. Care was taken to insert in their new commissions, that they held their offices during pleasure: and it is there expressly affirmed, that all manner of authority and jurisdiction, as well ecclesiastical as civil, is originally derived from the crown.

The executors in their next measure showed a more submissive deference to Henry's will; because many of them found their account in it. The late king had intended, before his death, to make a new creation of nobility, in order to supply the place of those peerages which had fallen by former attainders, or the failure of issue; and that he might enable the new peers to support their dignity, he had resolved, either to bestow estates on them, or advance them to higher offices. He had even gone so far as to inform them of this resolution; and in his will he charged his executors to make good all his promises. That they might ascertain his intentions in the most authentic manner, sir William Paget, sir Anthony Denny, and sir William Herbert, with whom Henry had always conversed in a familiar manner, were called before the board of regency; and having given evidence of what they knew concerning the king's promises, their testimony was relied on, and the executors proceeded to the fulfilling of these engagements.

On the 17th of February, Hertford was created duke of Somerset, mareschal and lord-treasurer; Wriothesely, earl of Southampton; the earl of Essex, marquis of Northampton; viscount Lisle, earl of Warwick; sir Thomas Seymour, lord Seymour of Sudley, and admiral; sir Richard Rich, sir William Willoughby, sir Edward Sheffield, accepted the title of baron. Several, to whom the same dignity was offered, refused it; because the other part of the king's promises, the bestowing of estates on these new noblemen, was deferred till a more convenient opportunity. Some of them, however, as also Somerset, the protector, were in the meantime endowed with spiritual preferments, deaneries, and prebends. For, among many other invasions of ecclesiastical privileges and property, this irregular practice of bestowing spiritual benefices on laymen began now to prevail.

The earl of Southampton had always been engaged in an opposite party to Somerset; and it was not likely that factions, which had secretly prevailed even during the arbitrary reign of Henry, should be suppressed in the weak administration that usually attends a minority. The former nobleman, that he might have the greater leisure for attending to public business, had, of himself and from his own authority, put the great seal in commission, and had empowered four lawyers, Southwel, Tregonel, Oliver, and Bellasis, to execute in his absence the office of chancellor. This measure seemed very exceptionable; and the more so, as two of the commissioners being canonists, the lawyers suspected that by this nomination the chancellor had intended to discredit the common law. Complaints were made to the council; who, influenced by the protector, gladly laid hold of the opportunity to depress Southampton. They consulted the judges with regard to so unusual a case, and received for answer, that the commission was illegal, and that the chancellor, by his presumption in granting it, had justly forfeited the great seal, and was even liable to punishment. The council summoned him to appear before them. He maintained, that he held his office by the late king's will, founded on an act of parliament, and could not lose it without a trial in parliament; that, if the commission which he had granted were found illegal, it might be cancelled, and all the ill consequences of it be easily remedied; and that the depriving him of his office for an error of this nature, was a precedent by which any other innovation might be authorized. But the council, notwithstanding these topics of defence, declared that he had forfeited the great seal; that a fine should be imposed upon him; and that he should be confined to his own house during pleasure.

The removal of Southampton increased the protector's authority, as well as tended to suppress faction in the regency; yet was not Somerset contented with this advantage: his ambition carried him to seek still further acquisitions. On pretence that the vote of the executors, choosing him protector, was not a sufficient foundation for his authority, he procured a patent (12th March) from the young king, by which he entirely overturned the will of Harry VIII., produced a total revolution in the government, and may seem even to have subverted all the laws of the kingdom. He named himself protector with full regal power, and appointed a council, consisting of all the former counsellors, and all the executors, except Southampton: he reserved a power of naming any other counsellors at pleasure and he was bound to consult with such only as he thought proper. The protector and his council were likewise empowered to act at discretion, and to execute whatever they deemed for the public service, without incurring any penalty or forfeiture from any law, statute, proclamation, or ordinance whatsoever. Even had this patent been more moderate in its concessions, and had it been drawn by directions from the

executors appointed by Henry, its legality might justly be questioned; since it seems essential to a trust of this nature to be exercised by the persons intrusted, and not to admit of a delegation to others: but as the patent, by its very tenor, where the executors are not so much as mentioned, appears to have been surreptitiously obtained from a minor king, the protectorship of Somerset was a plain usurpation, which it is impossible by any arguments to justify. The connivance, however, of the executors, and their present acquiescence in the new establishment, made it be universally submitted to; and as the young king discovered an extreme attachment to his uncle, who was also in the main a man of moderation and probity, no objections were made to his power and title. All men of sense likewise, who saw the nation divided by the religious zeal of the opposite sects, deemed it the more necessary to intrust the government to one person, who might check the exorbitances of faction, and insure the public tranquillity. And though some clauses of the patent seemed to imply a formal subversion of all limited government, so little jealousy was then usually entertained on that head, that no exception was ever taken at bare claims or pretensions of this nature, advanced by any person possessed of sovereign power. The actual exercise alone of arbitrary administration, and that in many, and great, and flagrant, and unpopular instances, was able sometimes to give some umbrage to the nation.

REFORMATION COMPLETED.

The extensive authority and imperious character of Henry had retained the partisans of both religions in subjection; but, upon his demise, the hopes of the protestants, and the fears of the catholics, began to revive, and the zeal of these parties produced everywhere disputes and animosities, the usual preludes to more fatal divisions. The protector had long been regarded as a secret partisan of the reformers; and being now freed from restraint, he scrupled not to discover his intention of correcting all abuses in the ancient religion, and of adopting still more of the protestant innovations. He took care that all persons intrusted with the king's education should be attached to the same principles; and as the young prince discovered a zeal for every kind of literature, especially the theological, far beyond his tender years, all men foresaw, in the course of his reign, the total abolition of the catholic faith in England; and they early began to declare themselves in favour of those tenets which were likely to become in the end entirely prevalent. After Southampton's fall, few members of the council seemed to retain any attachment to the Romish communion; and most of the counsellors appeared even sanguine in forwarding the progress of the Reformation. The riches which most of them had acquired from the spoils of the clergy, induced them to widen the breach between England and Rome; and by establishing a contrariety of speculative tenets, as well as of discipline and worship, to render a coalition with the mother church altogether impracticable. Their rapacity also, the chief source of their reforming spirit, was excited by the prospect of pillaging the secular, as they had already done the regular clergy; and they knew that while any share of the old principles remained, or any regard to the ecclesiastics, they could never hope to succeed in that enterprise.

The numerous and burdensome superstitions with which the Romish church was loaded, had thrown many of the reformers, by the spirit of opposition, into an enthusiastic strain of devotion; and all rites, ceremonies, pomp, order, and exterior observances were zealously proscribed by them as hindrances to their spiritual contemplations, and obstructions to their immediate converse with heaven. Many circumstances concurred to inflame this daring spirit; the novelty itself of their doctrines, the triumph of making proselytes, the furious persecutions to which they were exposed, their animosity against the ancient tenets and practices, and the necessity of procuring the concurrence of the laity, by depressing the hierarchy, and by tendering to them the plunder of the ecclesiastics. Wherever the Reformation prevailed over the opposition of civil authority, this genius of religion appeared in its full extent, and was attended with consequences, which, though less durable, were, for some time, not less dangerous than those which were connected with the ancient superstition. But as the magistrate took the lead in England, the transition was more gradual; much of the ancient religion was still preserved; and a reasonable degree of subordination was retained in discipline, as well as some pomp, order, and ceremony in public worship.

The protector, in his schemes for advancing the Reformation, had always recourse to the counsels of Cranmer, who, being a man of moderation and prudence, was averse to all violent changes, and determined to bring over the people, by insensible innovations, to that system of doctrine and discipline which he deemed the most pure and perfect. He probably also foresaw that a system, which carefully avoided the extremes of Reformation, was likely to be most lasting; and that a devotion merely spiritual was fitted only for the first fervours of a new sect, and upon the relaxation of these naturally gave place to the inroads of superstition. He seems, therefore, to have intended the establishment of a hierarchy, which, being suited to a great and settled government, might stand as a perpetual barrier against Rome, and might retain the reverence of the people, even after their enthusiastic zeal was diminished, or entirely evaporated.

The person who opposed, with greatest authority, any further advances towards Reformation, was Gardiner, bishop of Winchester; who, though he had not obtained a place in the council of regency, on account of the late disgusts which he had given to Henry, was entitled, by his age, experience, and capacity, to the highest trust and confidence of his party.

GARDINER'S OPPOSITION.

This prelate still continued to magnify the great wisdom and learning of the late king, which, indeed, were generally and sincerely revered by the nation; and he insisted on the prudence of persevering, at least till the young king's majority, in the ecclesiastical model established by that great monarch. He defended the use of images, which were now openly attacked by the protestants; and he represented them as serviceable in maintaining a sense of religion among the illiterate multitude. He even deigned to write an apology for *holy water*, which bishop Ridley had decried in a sermon; and he maintained that, by the power of the Almighty, it might be rendered an instrument of doing good; as much as the shadow of St. Peter, the hem of Christ's garment, or the spittle and clay laid upon the eyes of the blind. Above all, he insisted that the laws ought to be observed, that the constitution ought to be preserved inviolate, and that it was dangerous to follow the will of the sovereign, in opposition to an act of parliament.

But though there remained at that time in England an idea of laws and a constitution, sufficient at least to furnish a topic of argument to such as were discontented with an immediate exercise of authority, this plea could scarcely in the present case be maintained with any plausibility by Gardiner. An act of parliament had invested the crown with a legislative power; and royal proclamations, even during a minority, were armed with the force of laws. The protector, finding himself supported by this statute, was determined to employ his authority in favour of the reformers; and having suspended, during the interval, the jurisdiction of the bishops, he appointed a general visitation to be made in all the dioceses of England. The visitors consisted of a mixture of clergy and laity, and had six cir-

cuits assigned them. The chief purport of their instruction was, besides correcting immoralities and irregularities in the clergy, to abolish the ancient superstitions, and to bring the discipline and worship somewhat nearer the practice of the reformed churches. The moderation of Somerset and Cranmer is apparent in the conduct of this delicate affair. The visitors were enjoined to retain for the present all images which had not been abused to idolatry; and to instruct the people not to despise such ceremonies as were not yet abrogated, but only to beware of some particular superstitions, such as the sprinkling of their beds with holy water, and the ringing of bells, or using of consecrated candles, in order to drive away the devil.

But nothing required more the correcting hand of authority than the abuse of preaching, which was now generally employed, throughout England, in defending the ancient practices and superstitions. The court of augmentation, in order to ease the exchequer of the annuities paid to monks, had commonly placed them in the vacant churches; and these men were led by interest, as well as by inclination, to support those principles which had been invented for the profit of the clergy. Orders therefore were given to restrain the topics of their sermons: twelve homilies were published, which they were enjoined to read to the people: and all of them were prohibited, without express permission, from preaching anywhere but in their parish churches. The purpose of this injunction was to throw a restraint on the catholic divines; while the protestant, by the grant of particular licences, should be allowed unbounded liberty.

Bonner made some opposition to these measures; but soon after retracted and acquiesced. Gardiner was more high-spirited and more steady. He represented the peril of perpetual innovations, and the necessity of adhering to some system. "'Tis a dangerous thing," said he, "to use too much freedom in researches of this kind. If you cut the old canal, the water is apt to run further than you have a mind to. If you indulge the humour of novelty, you cannot put a stop to people's demands, nor govern their indiscretions at pleasure." "For my part," said he, on another occasion, "my sole concern is, to manage the third and last act of my life with decency, and to make a handsome exit off the stage. Provided this point is secured, I am not solicitous about the rest. I am already by nature condemned to death: no man can give me a pardon from this sentence; nor so much as procure me a reprieve. To speak my mind, and to act as my conscience directs, are two branches of liberty which I can never part with. Sincerity in speech, and integrity in action, are entertaining qualities: they will stick by a man when everything else takes its leave; and I must not resign them upon any consideration. The best on it is, if I do not throw them away myself, no man can force them from me: but if I give them up, then I am ruined by myself, and deserve to lose all my preferments." This opposition of Gardiner drew on him the indignation of the council; and he was sent to the Fleet, where he was used with some severity.

One of the chief objections urged by Gardiner against the new homilies, was, that they defined, with the most metaphysical precision, the doctrines of grace, and of justification by faith; points, he thought, which it was superfluous for any man to know exactly, and which certainly much exceeded the comprehension of the vulgar. A famous martyrologist calls Gardiner, on account of this opinion, "An insensible ass, and one that had no feeling of God's spirit in the matter of justification." The meanest protestant imagined, at that time, that he had a full comprehension of all those mysterious doctrines; and he heartily despised the most learned and knowing person of the ancient religion, who acknowledged his ignorance with regard to them. It is indeed certain, that the reformers were very fortunate in their doctrine of justification, and might venture to foretell its success, in opposition to all the ceremonies, shows, and superstitions of popery. By exalting Christ and his sufferings, and renouncing all claim to independent merit in ourselves, it was calculated to become popular, and coincided with those principles of panegyric and of self-abasement which generally have place in religion.

Tonstal, bishop of Durham, having, as well as Gardiner, made some opposition to the new regulations, was dismissed the council; but no further severity was, for the present, exercised against him. He was a man of great moderation, and of the most unexceptionable character in the kingdom.

FOREIGN AFFAIRS.

The same religious zeal which engaged Somerset to promote the Reformation at home, led him to carry his attention to foreign countries, where the interests of the protestants were now exposed to the most imminent danger. The Roman pontiff, with much reluctance, and after long delays, had at last summoned a general council, which was assembled at Trent, and was employed, both in correcting the abuses of the church, and in ascertaining her doctrines. The emperor, who desired to repress the power of the court of Rome, as well as gain over the protestants, promoted the former object of the council; the pope, who found his own greatness so deeply interested, desired rather to employ them in the latter. He gave instructions to his legates, who presided in the council, to protract the debates, and to engage the theologians in argument and altercation, and dispute concerning the nice points of faith canvassed before them; a policy so easy to be executed, that the legates soon found it rather necessary to interpose, in order to appease the animosity of the divines, and bring them at last to some decision. The more difficult task for the legates was, to moderate or divert the zeal of the council for reformation, and to repress the ambition of the prelates, who desired to exalt the episcopal authority on the ruin of the sovereign pontiff. Finding this humour become prevalent, the legates, on pretence that the plague had broke out at Trent, transferred of a sudden the council to Bologna, where they hoped it would be more under the direction of his holiness.

The emperor, no less than the pope, had learned to make religion subservient to his ambition and policy. He was resolved to employ the imputation of heresy as a pretence for subduing the protestant princes, and oppressing the liberties of Germany; but found it necessary to cover his intentions under deep artifice, and to prevent the combination of his adversaries. He separated the palatine and the elector of Brandenburgh from the protestant confederacy: he took arms against the elector of Saxony, and the landgrave of Hesse: by the fortune of war, he made the former prisoner: he employed treachery and prevarication against the latter, and detained him captive, by breaking a safe-conduct which he had granted him. He seemed to have reached the summit of his ambition; and the German princes, who were astonished with his success, were further discouraged by the intelligence which they had received of the death, first of Henry VIII., then of Francis I., their usual resources in every calamity.

Henry II. who succeeded to the crown of France, was a prince of vigour and abilities; but less hasty in his resolution than Francis, and less inflamed with rivalship and animosity against the emperor Charles. Though he sent ambassadors to the princes of the Smalcaldic League, and promised them protection, he was unwilling, in the commencement of his reign, to hurry into a war with so great a power as that of the emperor; and he thought that the alliance of those princes was a sure resource, which he could at any time lay hold of. He was much governed by the duke of Guise and the cardinal of Lorraine; and he hearkened to their counsel, in choosing rather to give immediate assistance to Scotland, his ancient ally, which, even

before the death of Henry VIII., had loudly claimed the protection of the French monarchy.

PROGRESS OF THE REFORMATION IN SCOTLAND.

The hatred between the two factions, the partisans of the ancient and those of the new religion, became every day more violent in Scotland; and the resolution which the cardinal primate had taken to employ the most rigorous punishments against the reformers, brought matters to a quick decision. There was one Wishart, a gentleman by birth, who employed himself with great zeal in preaching against the ancient superstitions, and began to give alarm to the clergy, who were justly terrified with the danger of some fatal revolution in religion. This man was celebrated for the purity of his morals, and for his extensive learning: but these praises cannot be much depended on; because we know that, among the reformers, severity of manners supplied the place of many virtues; and the age was in general so ignorant, that most of the priests in Scotland imagined the New Testament to be a composition of Luther's, and asserted that the Old alone was the word of God. [*See note* 3 F, *at the end of this Vol.*] But however the case may have stood with regard to those estimable qualities ascribed to Wishart, he was strongly possessed with the desire of innovation; and he enjoyed those talents which qualified him for becoming a popular preacher, and for seizing the attention and affections of the multitude. The magistrates of Dundee, where he exercised his mission, were alarmed with his progress, and being unable or unwilling to treat him with rigour, they contented themselves with denying him the liberty of preaching, and with dismissing him the bounds of their jurisdiction. Wishart, moved with indignation that they had dared to reject him, together with the word of God, menaced them, in imitation of the ancient prophets, with some imminent calamity; and he withdrew to the west country, where he daily increased the number of his proselytes. Meanwhile a plague broke out in Dundee; and all men exclaimed, that the town had drawn down the vengeance of Heaven by banishing the pious preacher, and that the pestilence would never cease, till they had made him atonement for their offence against him. No sooner did Wishart hear of this change in their disposition, than he returned to them, and made them a new tender of his doctrine: but lest he should spread the contagion by bringing multitudes together, he erected his pulpit on the top of a gate: the infected stood within; the others without. And the preacher failed not, in such a situation, to take advantage of the immediate terrors of the people, and to enforce his evangelical mission.

The assiduity and success of Wishart became an object of attention to cardinal Beaton; and he resolved, by the punishment of so celebrated a preacher, to strike a terror into all other innovators. He engaged the earl of Bothwell to arrest him, and to deliver him into his hands, contrary to a promise given by Bothwell to that unhappy man: and being possessed of his prey, he conducted him to St. Andrew's, where, after a trial, he condemned him to the flames for heresy. Arran, the governor, was irresolute in his temper; and the cardinal, though he had gained him over to his party, found that he would not concur in the condemnation and execution of Wishart. He determined, therefore, without the assistance of the secular arm, to bring that heretic to punishment; and he himself beheld from his window the dismal spectacle. Wishart suffered with the usual patience; but could not forbear remarking the triumph of his insulting enemy. He foretold, that, in a few days, he should in the very same place lie as low as now he was exalted aloft in opposition to true piety and religion.

ASSASSINATION OF CARDINAL BEATON.

This prophecy was probably the immediate cause of the event which it foretold. The disciples of this martyr, enraged at the cruel execution, formed a conspiracy against the cardinal; and having associated to them Norman Lesly, who was disgusted on account of some private quarrel, they conducted their enterprise with great secresy and success. Early in the morning they entered the cardinal's palace, which he had strongly fortified; and though they were not above sixteen persons, they thrust out a hundred tradesmen and fifty servants, whom they seized separately, before any suspicion arose of their intentions; and having shut the gates, they proceeded very deliberately to execute their purpose on the cardinal. That prelate had been alarmed with the noise which he heard in the castle; and had barricadoed the door of his chamber: but finding that they had brought fire in order to force their way, and having obtained, as is believed, a promise of life, he opened the door; and reminding them that he was a priest, he conjured them to spare him. Two of the assassins rushed upon him with drawn swords, but a third, James Melvil, more calm and more considerate in villany, stopped their career, and bade them reflect that this work was the work and judgment of God, and ought to be executed with becoming deliberation and gravity. Then turning the point of his sword towards Beaton, he called to him, "Repent thee, thou wicked cardinal, of all thy sins and iniquities, especially of the murder of Wishart, that instrument of God for the conversion of these lands: it is his death which now cries vengeance upon thee: we are sent by God to inflict the deserved punishment. For here, before the Almighty, I protest, that it is neither hatred of thy person, nor love of thy riches, nor fear of thy power, which moves me to seek thy death: but only because thou hast been, and still remainest, an obstinate enemy to Christ Jesus, and his holy gospel." Having spoken these words, without giving Beaton time to finish that repentance to which he exhorted him, he thrust him through the body, and the cardinal fell dead at his feet.* This murder was executed on the 28th of May, 1546. The assassins, being re-enforced by their friends to the number of a hundred and forty persons, prepared themselves for the defence of the castle, and sent a messenger to London, craving assistance from Henry. That prince, though Scotland was comprehended in his peace with France, would not forego the opportunity of disturbing the government of a rival kingdom; and he promised to take them under his protection.

It was the peculiar misfortune of Scotland, that five short reigns had been successively followed by as many long minorities; and the execution of justice, which the prince was beginning to introduce, had been continually interrupted by the cabals, factions, and animosities of the great. But besides these inveterate and ancient evils, a new source of disorder had arisen, the disputes and contentions of theology, which were sufficient to disturb the most settled government; and the death of the cardinal, who was possessed of abilities and vigour, seemed much to weaken the hands of the administration. But the queen-dowager was a woman of uncommon talents and virtue; and she did as much to support the government, and supply the weakness of Arran, the governor, as could be expected in her situation.

CONDUCT OF THE WAR WITH SCOTLAND.

The protector of England, as soon as the state was brought to some composure, made preparations for war with Scotland; and he was determined to execute, if possible, that project of uniting the two kingdoms by

* The famous Scotch reformer, John Knox, calls James Melvil, p. 65, a man most gentle and most modest. It is very hard, but at the same time somewhat amusing, to consider the joy and alacrity and pleasure, which that historian discovers in his narrative of this assassination: and it is remarkable, that as the first edition of his work, these words were printed on the margin of the page: "The godly Fact and Words of James Melvil." But the following editors retrenched them. Knox himself had no hand in the murder of Beaton; but he afterwards joined the assassins, and assisted them in holding out the castle. See Keith's Hist. of the Ref. of Scotland p. 44.

marriage, on which the late king had been so intent, and which he had recommended with his dying breath to his executors. He levied an army of eighteen thousand men, and equipped a fleet of sixty sail, one half of which were ships of war, the other laden with provisions and ammunition. He gave the command of the fleet to lord Clinton; he himself marched at the head of the army, attended by the earl of Warwick. These hostile measures were covered with a pretence of revenging some depredations committed by the borderers; but besides that Somerset revived the ancient claim of the superiority of the English crown over that of Scotland, he refused to enter into negociation on any other condition than the marriage of the young queen with Edward.

The protector, before he opened the campaign, published a manifesto, in which he enforced all the arguments for that measure. He said, that nature seemed originally to have intended this island for one empire; and having cut it off from all communication with foreign states, and guarded it by the ocean, she had pointed out to the inhabitants the road to happiness and to security: that the education and customs of the people concurred with nature; and by giving them the same language, and laws, and manners, had invited them to a thorough union and coalition; that fortune had at last removed all obstacles, and had prepared an expedient by which they might become one people, without leaving any place for that jealousy, either of honour or of interests, to which rival nations are naturally exposed: that the crown of Scotland had devolved on a female; that of England on a male; and happily the two sovereigns, as of a rank, were also of an age the most suitable to each other: that the hostile dispositions which prevailed between the nations, and which arose from past injuries, would soon be extinguished, after a long and secure peace had established confidence between them: that the memory of former miseries, which at present inflamed their mutual animosity, would then serve only to make them cherish, with more passion, a state of happiness and tranquillity so long unknown to their ancestors: that when hostilities had ceased between the kingdoms, the Scottish nobility, who were at present obliged to remain perpetually in a warlike posture, would learn to cultivate the arts of peace, and would soften their minds to a love of domestic order and obedience: that as this situation was desirable to both kingdoms, so particularly to Scotland, which had been exposed to the greatest miseries from intestine and foreign wars, and saw herself every moment in danger of losing her independency, by the efforts of a richer and more powerful people: that though England had claims of superiority, she was willing to resign every pretension for the sake of future peace, and desired an union, which would be the more secure, as it would be concluded on terms entirely equal: and that besides all these motives, positive engagements had been taken for completing this alliance; and the honour and good faith of the nation were pledged to fulfil what her interest and safety so loudly demanded.

Somerset soon perceived that these remonstrances would have no influence; and that the queen-dowager's attachment to France and to the catholic religion would render ineffectual all negociations for the intended marriage. He found himself, therefore, obliged to try the force of arms, and to constrain the Scots by necessity to submit to a measure, for which they seemed to have entertained the most incurable aversion. He passed the borders at Berwick, (2nd of September,) and advanced towards Edinburgh, without meeting any resistance for some days, except from some small castles which he obliged to surrender at discretion. The protector intended to have punished the governor and garrison of one of these castles for their temerity in resisting such unequal force: but they eluded his anger by asking only a few hours' respite, till they should prepare themselves for death; after which they found his ears more open to their applications for mercy.

The governor of Scotland had summoned together the whole force of the kingdom; and his army, double in number to that of the English, had taken post on advantageous ground, guarded by the banks of the Eske, about four miles from Edinburgh. The English came within sight of them at Faside; and after a skirmish between the horse, where the Scots were worsted, and lord Hume dangerously wounded, Somerset prepared himself for a more decisive action. But having taken a view of the Scottish camp with the earl of Warwick, he found it difficult to make an attempt upon it with any probability of success. He wrote, therefore, another letter to Arran; and offered to evacuate the kingdom, as well as to repair all the damages which he had committed, provided the Scots would stipulate not to contract the queen to any foreign prince, but to detain her at home till she reached the age of choosing a husband for herself. So moderate a demand was rejected by the Scots merely on account of its moderation; and it made them imagine that the protector must either be reduced to great distress, or be influenced by fear, that he was now contented to abate so much of his former pretensions. Inflamed also by their priests, who had come to the camp in great numbers, they believed that the English were detestable heretics, abhorred of God, and exposed to divine vengeance; and that no success could ever crown their arms. They were confirmed in this fond conceit when they saw the protector change his ground, and move towards the sea; nor did they any longer doubt that he intended to embark his army, and make his escape on board the ships, which at that very time moved into the bay opposite to him. Determined therefore to cut off his retreat, they quitted their camp; and passing the river Eske, advanced into the plain. On the 10th of September they were divided into three bodies: Angus commanded the vanguard; Arran the main body; Huntley the rear: their cavalry consisted only of light-horse, which were placed on their left flank, strengthened by some Irish archers, whom Argyle had brought over for this service.

Somerset was much pleased when he saw this movement of the Scottish army; and as the English had usually been superior in pitched battles, he conceived great hopes of success. He ranged his van on the left, furthest from the sea; and ordered them to remain on the high grounds on which he placed them, till the enemy should approach.

THE BATTLE OF PINKEY.

He placed his main battle and his rear towards the right; and beyond the van he posted lord Grey at the head of the men-at-arms, and ordered him to take the Scottish van in flank, but not till they should be engaged in close fight with the van of the English.

While the Scots were advancing on the plain, they were galled with the artillery from the English ships: the eldest son of lord Graham was killed: the Irish archers were thrown into disorder; and even the other troops began to stagger: when lord Grey, perceiving their situation, neglected his orders, left his ground, and at the head of his heavy-armed horse, made an attack on the Scottish infantry, in hopes of gaining all the honour of the victory. On advancing, he found a slough and ditch in his way; and behind were ranged the enemy armed with spears, and the field on which they stood was fallow ground, broken with ridges which lay across their front, and disordered the movements of the English cavalry. From all these accidents, the shock of this body of horse was feeble and irregular; and as they were received on the points of the Scottish spears, which were longer than the lances of the English horsemen, they were in a moment pierced, overthrown, and discomfited. Grey himself was dangerously wounded: lord Edward Seymour, son of the protector,



had his horse killed under him: the standard was near being taken: and had the Scots possessed any good body of cavalry who could have pursued the advantage, the whole English army had been exposed to great danger.

The protector, meanwhile, assisted by sir Ralph Sadler and sir Ralph Vane, employed himself with diligence and success in rallying the cavalry. Warwick showed great presence of mind in maintaining the ranks of the foot, on which the horse had recoiled: he made sir Peter Meutas advance, captain of the foot harquebusiers, and sir Peter Gamboa, captain of some Italian and Spanish harquebusiers on horseback; and ordered them to ply the Scottish infantry with their shot. They marched to the slough, and discharged their pieces full in the face of the enemy: the ships galled them from the flank: the artillery, planted on a height, infested them from the front: the English archers poured in a shower of arrows upon them: and the van-guard, descending from the hill, advanced leisurely, and in good order, towards them. Dismayed with all these circumstances, the Scottish van began to retreat: the retreat soon changed into a flight, which was begun by the Irish archers. The panic of the van communicated itself to the main body, and passing thence to the rear, rendered the whole field a scene of confusion, terror, flight, and consternation. The English army perceived from the heights the condition of the Scots, and began the pursuit with loud shouts and acclamations, which added still more to the dismay of the vanquished. The horse in particular, eager to revenge the affront which they had received in the beginning of the day, did the most bloody execution on the flying enemy; and from the field of battle to Edinburgh, for the space of five miles, the whole ground was strewed with dead bodies. The priests, above all, and the monks, received no quarter; and the English made sport of slaughtering men, who, from their extreme zeal and animosity, had engaged in an enterprise so ill befitting their profession. Few victories have been more decisive, or gained with smaller loss to the conquerors. There fell not two hundred of the English; and according to the most moderate computation, there perished above ten thousand of the Scots. About fifteen hundred were taken prisoners. This action was called the battle of Pinkey, from a nobleman's seat of that name in the neighbourhood.

The queen-dowager and Arran fled to Stirling, and were scarcely able to collect such a body of forces as could check the incursions of small parties of the English. About the same time the earl of Lenox and lord Wharton entered the west marches, at the head of five thousand men, and after taking and plundering Annan, they spread devastation over all the neighbouring counties. Had Somerset prosecuted his advantages, he might have imposed what terms he pleased on the Scottish nation: but he was impatient to return to England, where he heard some counsellors, and even his own brother, the admiral, were carrying on cabals against his authority. Having taken the castles of Hume, Dunglass, Eymouth, Fastcastle, Roxborough, and some other small places, and having received the submission of some counties on the borders, he retired from Scotland. The fleet, besides destroying all the shipping along the coast, took Broughty in the Frith of Tay; and having fortified it, they there left a garrison. Arran desired leave to send commissioners in order to treat of a peace; and Somerset, having appointed Berwick for the place of conference, left Warwick with full powers to negociate; but no commissioners from Scotland ever appeared. The overture of the Scots was an artifice to gain time till succours should arrive from France.

The protector, on his arrival in England (4th of November,) summoned a parliament: and being somewhat elated with his success against the Scots, he procured from his nephew a patent appointing him to sit on the throne, upon a stool or bench at the right hand of the king, and to enjoy the same honours and privileges that had usually been possessed by any prince of the blood, or uncle of the kings of England. In this patent the king employed his dispensing power, by setting aside the statute of precedency enacted during the former reign.

A PARLIAMENT.

But if Somerset gave offence by assuming too much state, he deserves great praise on account of the laws passed this session, by which the rigour of former statutes was much mitigated, and some security given to the freedom of the constitution. All laws were repealed which extended the crime of treason beyond the statute of the twenty-fifth of Edward III.; all laws enacted during the late reign, extending the crime of felony; all the former laws against Lollardy or heresy, together with the statute of the six articles. None were to be accused for words, but within a month after they were spoken. By these repeals several of the most rigorous laws that ever had passed in England were annulled; and some dawn, both of civil and religious liberty, began to appear to the people. Heresy, however, was still a capital crime by the common law, and was subjected to the penalty of burning. Only there remained no precise standard by which that crime could be defined or determined: a circumstance which might either be advantageous or hurtful to public security, according to the disposition of the judges.

A repeal also passed of that law, the destruction of all laws, by which the king's proclamation was made of equal force with a statute. That other law likewise was mitigated, by which the king was empowered to annul every statute passed before the four-and-twentieth year of his age: he could prevent their future execution; but could not recall any past effects which had ensued from them.

It was also enacted, That all who denied the king's supremacy, or asserted the pope's, should for the first offence forfeit their goods and chattels, and suffer imprisonment during pleasure; for the second offence should incur the penalty of a *præmunire*; and for the third be attainted of treason. But if any, after the first of March ensuing, endeavoured, by writing, printing, or any overt act or deed, to deprive the king of his estate or titles, particularly of his supremacy, or to confer them on any other, he was to be adjudged guilty of treason. If any of the heirs of the crown should usurp upon another, or endeavour to break the order of succession, it was declared treason in them, their aiders, and abettors. These were the most considerable acts passed during this session. The members in general discovered a very passive disposition with regard to religion: some few appeared zealous for the Reformation: others secretly harboured a lasting propensity to the catholic faith: but the greater part appeared willing to take any impression which they should receive from interest, authority, or the reigning fashion.

The convocation met at the same time with the parliament; and as it was found that their debates were at first cramped by the rigorous statute of the six articles, the king granted them a dispensation from that law, before it was repealed by parliament. The lower house of convocation applied to have liberty of sitting with the commons in parliament; or if this privilege were refused them, which they claimed as their ancient right, they desired that no law regarding religion might pass in parliament without their consent and approbation. But the principles which now prevailed were more favourable to the civil than to the ecclesiastical power; and this demand of the convocation was rejected.

In 1548 the protector had assented to the repeal of that law which gave to the king's proclamations the authority of statutes; but he did not intend to renounce that arbitrary or discretionary exercise of

power, in issuing proclamations, which had ever been assumed by the crown, and which it is difficult to distinguish exactly from a full legislative power.

FURTHER PROGRESS OF THE REFORMATION.

He even continued to exert his authority in some particulars, which were then regarded as the most momentous. Orders were issued by council, that candles should no longer be carried about on Candlemas-day, ashes on Ash-Wednesday, palms on Palm-Sunday. These were ancient religious practices, now termed superstitions; though it is fortunate for mankind when superstition happens to take a direction so innocent and inoffensive. The severe disposition which naturally attends all reformers, prompted likewise the council to abolish some gay and showy ceremonies which belonged to the ancient religion.

An order was also issued by council for the removal of all images from the churches: an innovation which was much desired by the reformers, and which alone, with regard to the populace, amounted almost to a total change of the established religion. An attempt had been made to separate the use of images from their abuse, the reverence from the worship of them; but the execution of this design was found, upon trial, very difficult, if not wholly impracticable

As private masses were abolished by law, it became necessary to compose a new communion-service; and the council went so far, in the preface which they prefixed to this work, as to leave the practice of auricular confession wholly indifferent. This was a prelude to the entire abolition of that invention, one of the most powerful engines that ever was contrived for degrading the laity, and giving their spiritual guides an entire ascendant over them. And it may justly be said, that though the priest's absolution, which attends confession, serves somewhat to ease weak minds from the immediate agonies of superstitious terror, it operates only by enforcing superstition itself, and thereby preparing the mind for a more violent relapse into the same disorders.

The people were at that time extremely distracted by the opposite opinions of their preachers; and as they were totally unable to judge of the reasons advanced on either side, and naturally regarded everything which they heard at church as of equal authority, a great confusion and fluctuation resulted from this uncertainty. The council at first endeavoured to remedy the inconvenience, by laying some restraints on preaching; but finding this expedient ineffectual, they imposed a total silence on the preachers, and thereby put an end at once to all the polemics of the pulpit. By the nature of things this restraint could only be temporary. For in proportion as the ceremonies of public worship, its shows and exterior observances, were retrenched by the reformers, the people were inclined to contract a stronger attachment to sermons, whence alone they received any occupation or amusement. The ancient religion, by giving its votaries something to do, freed them from the trouble of thinking: sermons were delivered only in the principal churches, and at some particular fasts and festivals: and the practice of haranguing the populace, which, if abused, is so powerful an incitement to faction and sedition, had much less scope and influence during those ages.

AFFAIRS OF SCOTLAND.

The greater progress was made towards a reformation in England, the further did the protector find himself from all prospect of completing the union with Scotland; and the queen-dowager, as well as the clergy, became the more averse to all alliance with a nation which had so far departed from all ancient principles. Somerset, having taken the town of Haddington, had ordered it to be strongly garrisoned and fortified by lord Grey: he also erected some fortifications at Lauder: and he hoped that these two places, together with Broughty and some smaller fortresses which were in the hands of the English, would serve as a curb on Scotland, and would give him access into the heart of the country.

Arran, being disappointed in some attempts on Broughty, relied chiefly on the succours expected from France for the recovery of these places; and they arrived at last in the Frith, to the number of six thousand men; half of them Germans. They were commanded by Dessé, and under him by Andelot, Strozzi, Meilleraye, and count Rhingrave. The Scots were at that time so sunk by their misfortunes, that five hundred English horse were able to ravage the whole country without resistance, and make inroads to the gates of the capital: but on the appearance of the French succours, they collected more courage; and having joined Dessé with a considerable re-enforcement, they laid siege to Haddington. This was an undertaking for which they were by themselves totally unfit; and, even with the assistance of the French, they placed their chief hopes of success in starving the garrison. After some vain attempts to take the place by a regular siege, the blockade was formed, and the garrison was repulsed with loss in several sallies which they made upon the besiegers.

The hostile attempts which the late king and the protector had made against Scotland not being steady, regular, nor pushed to the last extremity, had served only to irritate the nation, and to inspire them with the strongest aversion to that union, which was courted in so violent a manner. Even those who were inclined to the English alliance were displeased to have it imposed on them by force of arms; and the earl of Huntley in particular said pleasantly, that he disliked not the match, but he hated the manner of wooing. The queen-dowager, finding these sentiments to prevail, called a parliament in an abbey near Haddington; and it was there proposed, that the young queen, for her great security, should be sent to France, and be committed to the custody of that ancient ally. Some objected that this measure was desperate, allowed no resource in case of miscarriage, exposed the Scots to be subjected by foreigners, involved them in perpetual war with England, and left them no expedient by which they could conciliate the friendship of that powerful nation. It was answered, on the other hand, that the queen's presence was the very cause of war with England; that that nation would desist when they found that their views of forcing a marriage had become altogether impracticable; and that Henry, being engaged by so high a mark of confidence, would take their sovereign under his protection, and use his utmost efforts to defend the kingdom. These arguments were aided by French gold, which was plentifully distributed among the nobles. The governor had a pension conferred on him of twelve thousand livres a year, received the title of duke of Chatelrault, and obtained for his son the command of a hundred men-at-arms. And as the clergy dreaded the consequence of the English alliance, they seconded this measure with all the zeal and industry which either principle or interest could inspire.

YOUNG QUEEN OF SCOTS SENT INTO FRANCE.

It was accordingly determined to send the queen to France, and, what was understood to be the necessary consequence, to marry her to the dauphin. Villegaignon, commander of four French galleys lying in the Frith of Forth, set sail as if he intended to return home; but when he reached the open sea he turned northwards, passed by the Orkneys, and came in on the west coast at Dunbarton: an extraordinary voyage for ships of that fabric. The young queen was there committed to him; and being attended by the

lords Areskine and Livingstone, she put to sea, and after meeting with some tempestuous weather, arrived safely at Brest, whence she was conducted to Paris, and soon after she was betrothed to the dauphin.

Somerset, pressed by many difficulties at home, and despairing of success in his enterprise against Scotland, was desirous of composing the differences with that kingdom, and he offered the Scots a ten years' truce; but as they insisted on his restoring all the places which he had taken, the proposal came to nothing. The Scots recovered the fortresses of Hume and Fastcastle by surprise, and put the garrison to the sword: they repulsed with loss the English, who under the command of lord Seymour, made a descent, first in Fife, then at Montrose: in the former action James Stuart, natural brother to the queen, acquired honour; in the latter Areskine of Dun. An attempt was made by sir Robert Bowes and sir Thomas Palmer, at the head of a considerable body, to throw relief into Haddington; but these troops falling into an ambuscade, were almost wholly cut in pieces. And though a small body of two hundred men escaped all the vigilance of the French, and arrived safely in Haddington, with some ammunition and provisions, the garrison was reduced to such difficulties, that the protector found it necessary to provide more effectually for their relief. He raised an army of eighteen thousand men, and adding three thousand Germans, who on the dissolution of the protestant alliance had offered their service to England, he gave the command of the whole to the earl of Shrewsbury. Dessé raised the blockade on the approach of the English; and with great difficulty made good his retreat to Edinburgh, where he posted himself advantageously. Shrewsbury, who had lost the opportunity of attacking him on his march, durst not give him battle in his present situation; and contenting himself with the advantage already gained, of supplying Haddington, he retired into England.

Though the protection of France was of great consequence to the Scots in supporting them against the invasions of England, they reaped still more benefit from the distractions and divisions which had crept into the counsels of this latter kingdom.

CABALS OF LORD SEYMOUR.

Even the two brothers, the protector and admiral, not content with the high stations which they severally enjoyed, and the great eminence to which they had arisen, had entertained the most violent jealousy of each other; and they divided the whole court and kingdom by their opposite cabals and pretensions. Lord Seymour was a man of insatiable ambition; arrogant, assuming, implacable; and though esteemed of superior capacity to the protector, he possessed not to the same degree the confidence and regard of the people. By his flattery and address he had so insinuated himself into the good graces of the queen-dowager, that, forgetting her usual prudence and decency, she married him immediately upon the demise of the late king; insomuch that had she soon proved pregnant, it might have been doubtful to which husband the child belonged. The credit and riches of this alliance supported the ambition of the admiral; but gave umbrage to the duchess of Somerset, who, uneasy that the younger brother's wife should have the precedency, employed all her credit with her husband, which was too great, first to create, then to widen, the breach between the two brothers.

The first symptom of this misunderstanding appeared when the protector commanded the army in Scotland. Secretary Paget, a man devoted to Somerset, remarked, that Seymour was forming separate intrigues among the counsellors; was corrupting, by presents, the king's servants; and even endeavouring, by improper indulgences and liberalities, to captivate the affections of the young monarch. Paget represented to him the danger of this conduct; desired him to reflect on the numerous enemies, whom the sudden elevation of their family had created; and warned him, that any dissension between him and the protector would be greedily laid hold of to effect the ruin of both. Finding his remonstrances neglected, he conveyed intelligence of the danger to Somerset, and engaged him to leave the enterprise upon Scotland unfinished, in order to guard against the attempts of his domestic enemies. In the ensuing parliament the admiral's projects appeared still more dangerous to public tranquillity; and as he had acquired many partisans, he made a direct attack upon his brother's authority. He represented to his friends, that formerly, during a minority, the office of protector of the kingdom had been kept separate from that of governor of the king's person; and that the present union of these two important trusts conferred on Somerset an authority which could not safely be lodged in any subject. The young king was even prevailed on to write a letter to the parliament, desiring that Seymour might be appointed his governor; and that nobleman had formed a party in the two houses, by which he hoped to effect his purpose. The design was discovered before its execution; and some common friends were sent to remonstrate with him; but had so little influence, that he threw out many menacing expressions, and rashly threatened, that if he were thwarted in his attempt, he would make this parliament the blackest that ever sat in England. The council sent for him to answer for his conduct; but he refused to attend: they then began to threaten in their turn, and informed him that the king's letter, instead of availing him anything to the execution of his views, would be imputed to him as a criminal enterprise, and be construed as a design to disturb the government, by forming a separate interest with a child and minor. They even let fall some menaces of sending him to the Tower for his temerity; and the admiral, finding himself prevented in his design, was obliged to submit, and to desire a reconciliation with his brother.

The mild and moderate temper of Somerset made him willing to forget these enterprises of the admiral; but the ambition of that turbulent spirit could not be so easily appeased. His spouse, the queen-dowager, died in child-bed; but so far from regarding this event as a check to his aspiring views, he founded on it the scheme of a more extraordinary elevation. He made his addresses to the lady Elizabeth, then in the sixteenth year of her age; and that princess, whom even the hurry of business and the pursuits of ambition could not, in her more advanced years, disengage entirely from the tender passions, seems to have listened to the insinuations of a man who possessed every talent proper to captivate the affections of the fair. But as Henry VIII. had excluded his daughters from all hopes of succession, if they married without the consent of his executors, which Seymour could never hope to obtain, it was concluded that he meant to effect his purpose by expedients still more rash and more criminal. All the other measures of the admiral tended to confirm this suspicion. He continued to attack, by presents, the fidelity of those who had more immediate access to the king's person: he endeavoured to seduce the young prince into his interests: he found means of holding a private correspondence with him: he openly decried his brother's administration; and asserted, that by enlisting Germans and other foreigners, he intended to form a mercenary army, which might endanger the king's authority, and the liberty of the people; by promises and persuasion he brought over to his party many of the principal nobility; and had extended his interest all over England: he neglected not even the most popular persons of inferior rank; and had computed that he could, on occasion, muster an army of ten thousand men, composed of his servants, tenants, and retainers: he had already provided arms for their use; and having engaged in his interests sir John Sharington, a corrupt man, master of the mint at Bristol, he flattered himself that money would not be

wanting. Somerset was well apprized of all these alarming circumstances, and endeavoured, by the most friendly expedients, by entreaty, reason, and even by heaping new favours upon the admiral, to make him desist from his dangerous counsels; but finding all endeavours ineffectual, he began to think of more severe remedies. The earl of Warwick was an ill instrument between the brothers; and had formed the design, by inflaming the quarrel, to raise his own fortune on the ruins of both.

DUDLEY EARL OF WARWICK.

Dudley, earl of Warwick, was the son of that Dudley minister to Henry VII., who having, by rapine, extortion, and perversion of law, incurred the hatred of the public, had been sacrificed to popular animosity in the beginning of the subsequent reign. The late king, sensible of the iniquity, at least illegality of the sentence, had afterwards restored young Dudley's blood by act of parliament; and finding him endowed with abilities, industry, and activity, he had intrusted him with many important commands, and had ever found him successful in his undertakings. He raised him to the dignity of viscount Lisle, conferred on him the office of admiral, and gave him by his will a place among his executors. Dudley made still further progress during the minority; and having obtained the title of earl of Warwick, and undermined the credit of Southampton, he bore the chief rank among the protector's counsellors. The victory gained at Pinkey was much ascribed to his courage and conduct; and he was universally regarded as a man equally endowed with the talents of peace and of war. But all these virtues were obscured by still greater vices; an exorbitant ambition, an insatiable avarice, a neglect of decency, a contempt of justice: and as he found that lord Seymour, whose abilities and enterprising spirit he chiefly dreaded, was involving himself in ruin by his rash counsels, he was determined to push him on the precipice, and thereby remove the chief obstacle to his own projected greatness.

When Somerset found that the public peace was endangered by his brother's seditious, not to say rebellious schemes, he was the more easily persuaded by Warwick to employ the extent of royal authority against him; and, after depriving him of the office of admiral, he signed a warrant for committing him to the Tower. Some of his accomplices were also taken into custody; and three privy-counsellors being sent to examine them, made a report that they had met with very full and important discoveries. Yet still the protector suspended the blow, and showed a reluctance to ruin his brother. He offered to desist from the prosecution, if Seymour would promise him a cordial reconciliation; and renouncing all ambitious hopes, be contented with a private life, and retire into the country. But as Seymour made no other answer to these friendly offers than menaces and defiances, he ordered a charge to be drawn up against him, consisting of thirty-three articles; and the whole to be laid before the privy-council. It is pretended, that every particular was so incontestably proved, both by witnesses and his own handwriting, that there was no room for doubt; yet did the council think proper to go in a body to the Tower in order more fully to examine the prisoner. He was not daunted by the appearance: he boldly demanded a fair trial; required to be confronted with the witnesses; desired that the charge might be left with him, in order to be considered; and refused to answer any interrogatories by which he might accuse himself.

It is apparent that, notwithstanding what is pretended, there must have been some deficiency in the evidence against Seymour, when such demands, founded on the plainest principles of law and equity, were absolutely rejected. We shall indeed conclude, if we carefully examine the charge, that many of the articles were general, and scarcely capable of any proof; many of them, if true, susceptible of a more favourable interpretation: and that though on the whole Seymour appears to have been a dangerous subject, he had not advanced far in those treasonable projects imputed to him. The chief part of his actual guilt seems to have consisted in some unwarrantable practices in the admiralty, by which pirates were protected, and illegal impositions laid upon the merchants.

A PARLIAMENT. *November* 4.

But the administration had at that time an easy instrument of vengeance, to wit, the parliament; and needed not to give themselves any concern with regard either to the guilt of the persons whom they prosecuted, or the evidence which could be produced against them.

ATTAINDER OF LORD SEYMOUR. 1549.

A session of parliament being held, it was resolved to proceed against Seymour by bill of attainder; and the young king being induced, after much solicitation, to give his consent to it, a considerable weight was put on his approbation. The matter was first laid before the upper house; and several peers, rising up in their places, gave an account of what they knew concerning lord Seymour's conduct, and his criminal words or actions. Those narratives were received as undoubted evidence; and though the prisoner had formerly engaged many friends and partisans among the nobility, no one had either the courage or equity to move that he might be heard in his defence, that the testimony against him should be delivered in a legal manner, and that he should be confronted with the witnesses. A little more scruple was made in the house of commons; there were even some members who objected against the whole method of proceeding by bill of attainder passed in absence; and insisted that a formal trial should be given to every man before his condemnation. But when a message was sent by the king, on the 20th of March, enjoining the house to proceed, and offering that the same narratives should be laid before them which had satisfied the peers, they were easily prevailed on to acquiesce. The bill passed in a full house. Near four hundred voted for it; not above nine or ten against it.

HIS EXECUTION.

The sentence was soon after executed, and the prisoner was beheaded on Tower-hill. The warrant was signed by Somerset, who was exposed to much blame on account of the violence of these proceedings. The attempts of the admiral seem chiefly to have been levelled against his brother's usurped authority; and though his ambitious, enterprising character, encouraged by a marriage with the lady Elizabeth, might have endangered the public tranquillity, the prudence of foreseeing evils at such a distance was deemed too great, and the remedy was plainly illegal. It could only be said that this bill of attainder was somewhat more tolerable than the preceding ones, to which the nation had been inured; for here, at least, some shadow of evidence was produced.

ECCLESIASTICAL AFFAIRS.

All the considerable business transacted this session, besides the attainder of lord Seymour, regarded ecclesiastical affairs; which were now the chief object of attention throughout the nation. A committee of bishops and divines had been appointed by the council to compose a liturgy; and they had executed the work committed to them. They proceeded with moderation in this delicate undertaking: they retained as much of the ancient mass as the principles of the reformers

would permit: they indulged nothing to the spirit of contradiction, which so naturally takes place in all great innovations: and they flattered themselves that they had established a service in which every denomination of Christians might without scruple concur. The mass had always been celebrated in Latin; a practice which might have been deemed absurd, had it not been found useful to the clergy, by impressing the people with an idea of some mysterious unknown virtue in those rites, and by checking all their pretensions to be familiarly acquainted with their religion. But as the reformers pretended in some few particulars to encourage private judgment in the laity, the translation of the liturgy, as well as of the Scriptures, into the vulgar tongue, seemed more conformable to the genius of their sect; and this innovation, with the retrenching of prayers to saints, and of some superstitious ceremonies, was the chief difference between the old mass and the new liturgy. The parliament established this form of worship in all the churches, and ordained a uniformity to be observed in all the rites and ceremonies.

There was another material act which passed this session. The former canons had established the celibacy of the clergy; and though this practice is usually ascribed to the policy of the court of Rome, who thought that the ecclesiastics would be more devoted to their spiritual head, and less dependent on the civil magistrate, when freed from the powerful tie of wives and children; yet was this institution much forwarded by the principles of superstition inherent in human nature. These principles had rendered the panegyrics on an inviolate chastity so frequent among the ancient fathers, long before the establishment of celibacy. And even this parliament, though they enacted a law permitting the marriage of priests, yet confess in the preamble, "That it were better for priests and the ministers of the church to live chaste and without marriage, and it were much to be wished they would of themselves abstain." The inconveniencies which had arisen from the compelling of chastity and the prohibiting of marriage, are the reasons assigned for indulging a liberty in this particular. The ideas of penance also were so much retained in other particulars, that an act of parliament passed, forbidding the use of flesh-meat during Lent and other times of abstinence. [*See note* 3 G, *at the end of this Vol.*]

The principal tenets and practices of the catholic religion were now abolished, and the Reformation, such as it is enjoyed at present, was almost entirely completed in England. But the doctrine of the real presence, though tacitly condemned by the new communion-service, and by the abolition of many ancient rites, still retained some hold on the minds of men; and it was the last doctrine of popery that was wholly abandoned by the people. The great attachment of the late king to that tenet might in part be the ground of this obstinacy; but the chief cause was really the extreme absurdity of the principle itself, and the profound veneration which of course it impressed on the imagination. The priests likewise were much inclined to favour an opinion which attributed to them so miraculous a power; and the people, who believed that they participated of the very body and blood of their Saviour, were loth to renounce so extraordinary, and as they imagined, so salutary a privilege. The general attachment to this dogma was so violent, that the Lutherans, notwithstanding their separation from Rome, had thought proper, under another name, still to retain it: and the catholic preachers in England, when restrained in all other particulars, could not forbear on every occasion inculcating that tenet. Bonner, for this offence among others, had been tried by the council, had been deprived of his see, and had been committed to custody. Gardiner also, who had recovered his liberty, appeared anew refractory to the authority which established the late innovations; and he seemed willing to countenance that opinion, much favoured by all the English catholics, that the king was indeed supreme head of the church, but not the council during a minority. Having declined to give full satisfaction on this head, he was sent to the Tower, and threatened with further effects of the council's displeasure.

These severities, being exercised on men possessed of office and authority, seemed in that age a necessary policy, in order to enforce a uniformity in public worship and discipline: but there were other instances of persecution, derived from no origin but the bigotry of theologians; a malady which seems almost incurable. Though the protestant divines had ventured to renounce opinions deemed certain during many ages, they regarded, in their turn, the new system as so certain that they would suffer no contradiction with regard to it: and they were ready to burn in the same flames, from which they themselves had so narrowly escaped, every one that had the assurance to differ from them. A commission by act of council was granted to the primate and some others, to examine and search after all anabaptists, heretics, or contemners of the book of common prayer. The commissioners were enjoined to reclaim them if possible; to impose penance on them; and to give them absolution: or, if these criminals were obstinate, to excommunicate and imprison them, and to deliver them over to the secular arm; and in the execution of this charge, they were not bound to observe the ordinary methods of trial; the forms of law were dispensed with; and if any statutes happened to interfere with the powers in the commission, they were overruled and abrogated by the council. Some tradesmen in London were brought before these commissioners, and were accused of maintaining, among other opinions, that a man regenerate could not sin, and that, though the outward man might offend, the inward was incapable of all guilt. They were prevailed on to abjure, and were dismissed. But there was a woman accused of heretical pravity, called Joan Bocher, or Joan of Kent, who was so pertinacious, that the commissioners could make no impression upon her. Her doctrine was, "That Christ was not truly incarnate of the Virgin, whose flesh, being the outward man, was sinfully begotten, and born in sin; and consequently, he could take none of it: but the Word, by the consent of the inward man of the Virgin, was made flesh." This opinion, it would seem, is not orthodox; and there was a necessity for delivering the woman to the flames for maintaining it. But the young king, though in such tender years, had more sense than all his counsellors and preceptors; and he long refused to sign the warrant for her execution. Cranmer was employed to persuade him to compliance; and he said that there was a great difference between errors in other points of divinity and those which were in direct contradiction to the Apostles' Creed: these latter were impieties against God, which the prince, being God's deputy, ought to repress; in like manner, as inferior magistrates were bound to punish offences against the king's person. Edward, overcome by importunity, at last submitted, though with tears in his eyes; and he told Cranmer, that if any wrong were done, the guilt should lie entirely on his head. The primate, after making a new effort to reclaim the woman from her errors, and finding her obstinate against all his arguments, at last committed her to the flames. Some time after, a Dutchman, called Van Paris, accused of the heresy which has received the name of Arianism, was condemned to the same punishment. He suffered with so much satisfaction that he hugged and caressed the faggots that were consuming him; a species of frenzy, of which there is more than one instance among the martyrs of that age.

These rigorous methods of proceeding soon brought the whole nation to a conformity, seeming or real with the new doctrine and the new liturgy. The lady Mary alone continued to adhere to the mass, and

refused to admit the established modes of worship. When pressed and menaced on this head, she applied to the emperor; who, using his interest with sir Philip Hobby, the English ambassador, procured her a temporary connivance from the council.

CHAPTER XXXV.

Discontents of the People — Insurrections — Conduct of the War with Scotland — with France — Factions in the Court — Conspiracy against Somerset — Somerset resigns the Protectorship — A Parliament — Peace with France and Scotland — both re-surrendered — Persecution of Catholics — Wyatt's Insurrection — Princess Elizabeth — Her Disgrace — Death of Edward — His Executors — A Parliament — A new Parliament — Succession changed — The King's Sickness and Death.

DISCONTENTS OF THE PEOPLE.

THERE is no abuse so great in civil society, as not to be attended with a variety of beneficial consequences; and in the beginnings of reformation, the loss of these advantages is always felt very sensibly, while the benefit resulting from the change is the slow effect of time, and is seldom perceived by the bulk of a nation. Scarce any institution can be imagined less favourable in the main to the interests of mankind than that of monks and friars; yet was it followed by many good effects, which having ceased by the suppression of monasteries, were much regretted by the people of England. The monks, always residing in their convents, in the centre of their estates, spent their money in the provinces, and among their tenants, afforded a ready market for commodities, and were a sure resource to the poor and indigent; and though their hospitality and charity gave but too much encouragement to idleness, and prevented the increase of public riches, yet did it provide to many a relief from the extreme pressures of want and necessity. It is also observable, that as the friars were limited by the rules of their institution to a certain mode of living, they had not equal motives for extortion with other men; and they were acknowledged to have been in England, as they still are in Roman-catholic countries, the best and most indulgent landlords. The abbots and priors were permitted to give leases at an undervalue, and to receive in return a large present from the tenant; in the same manner as is still practised by the bishops and colleges. But when the abbey-lands were distributed among the principal nobility and courtiers, they fell under a different management; the rents of farms were raised, while the tenants found not the same facility in disposing of the produce; the money was often spent in the capital; and the farmers, living at a distance, were exposed to oppression from their new masters, or to the still greater rapacity of the stewards.

These grievances of the common people were at that time heightened by other causes. The arts of manufacture were much more advanced in other European countries than in England; and even in England these arts had made greater progress than the knowledge of agriculture; a profession which, of all mechanical employments, requires the most reflection and experience. A great demand arose for wool both abroad and at home; pasturage was found more profitable than unskilful tillage. Whole estates were laid waste by enclosures: the tenants, regarded as a useless burden, were expelled their habitations: even the cottagers, deprived of the commons on which they formerly fed their cattle, were reduced to misery: and a decay of people, as well as a diminution of the former plenty, was remarked in the kingdom. This grievance was now of an old date; and Sir Thomas More, alluding to it, observes in his Utopia, that a sheep had become in England a more ravenous animal than a lion or wolf, and devoured whole villages, cities, and provinces.

The general increase also of gold and silver in Europe, after the discovery of the West-Indies, had a tendency to inflame these complaints. The growing demand in the more commercial countries, had heightened everywhere the price of commodities, which could easily be transported thither; but in England the labour of men, who could not so easily change their habitation, still remained nearly at the ancient rates; and the poor complained that they could no longer gain a subsistence by their industry. It was by an addition alone of toil and application they were enabled to procure a maintenance; and though this increase of industry was at last the effect of the present situation, and an effect beneficial to society, yet was it difficult for the people to shake off their former habits of indolence; and nothing but necessity could compel them to such an exertion of their faculties.

It must also be remarked, that the profusion of Henry VIII. had reduced him, notwithstanding his rapacity, to such difficulties, that he had been obliged to remedy a present necessity, by the pernicious expedient of debasing the coin; and the wars in which the protector had been involved had induced him to carry still further the same abuse. The usual consequences ensued: the good specie was hoarded or exported; base metal was coined at home, or imported from abroad in great abundance; the common people, who received their wages in it, could not purchase commodities at the usual rates; a universal diffidence and stagnation of commerce took place, and loud complaints were heard in every part of England.

The protector, who loved popularity, and pitied the condition of the people, encouraged these complaints by his endeavours to redress them. He appointed a commission for making inquiry concerning inclosures; and issued a proclamation, ordering all late inclosures to be laid open by a day appointed. The populace, meeting with such countenance from government, began to rise in several places, and to commit disorders, but were quieted by remonstrances and persuasion. In order to give them greater satisfaction, Somerset appointed new commissioners, whom he sent everywhere, with an unlimited power to hear and determine all causes about enclosures, highways, and cottages. As this commission was disagreeable to the gentry and nobility, they stigmatized it as arbitrary and illegal; and the common people, fearing it would be eluded, and being impatient for immediate redress, could no longer contain their fury, but sought for a remedy by force of arms.

INSURRECTIONS.

The rising began at once in several parts of England, as if an universal conspiracy had been formed by the commonalty. The rebels in Wiltshire were dispersed by sir William Herbert; those in the neighbouring counties, Oxford and Gloucester, by lord Gray of Wilton. Many of the rioters were killed in the field; others were executed by martial law. The commotions in Hampshire, Sussex, Kent, and other counties, were quieted by gentler expedients; but the disorders in Devonshire and Norfolk threatened more dangerous consequences.

The commonalty in Devonshire began with the usual complaints against inclosures and against oppressions from the gentry; but the parish-priests of Sampford-Courtenay had the address to give their discontent a direction towards religion; and the delicacy of the subject in the present emergency made the insurrection immediately appear formidable. In other counties the gentry had kept closely united with government; but here many of them took part with the populace; among others, Humphrey Arundel, governor of St. Michael's Mount. The rioters were brought into the form of a regular army, which amounted to the number of ten thousand. Lord Russel had been sent

against them at the head of a small force; but finding himself too weak to encounter them in the field, he kept at a distance, and began to negociate with them, in hopes of eluding their fury by delay, and of dispersing them by the difficulty of their subsisting in a body. Their demands were, that the mass should be restored, half of the abbey-lands resumed, the law of the six articles executed, holy water and holy bread respected, and all other particular grievances redressed. The council, to whom Russel transmitted these demands, sent a haughty answer; commanded the rebels to disperse, and promised them pardon upon their immediate submission. Enraged at this disappointment, they marched to Exeter; carrying before them crosses, banners, holy water, candlesticks, and other implements of ancient superstition, together with the host, which they covered with a canopy. The citizens of Exeter shut their gates; and the rebels, as they had no cannon, endeavoured to take the place, first by scalade, then by mining; but were repulsed in every attempt. Russel meanwhile lay at Honiton till re-enforced by sir William Herbert and Lord Gray, with some German horse, and some Italian arquebusiers under Battista Spinola. He then resolved to attempt the relief of Exeter, which was now reduced to extremities. He attacked the rebels, drove them from all their posts, did great execution upon them both in the action and pursuit, and took many prisoners. Arundel and the other leaders were sent to London, tried and executed. Many of the inferior sort were put to death by martial law: the vicar of St. Thomas, one of the principal incendiaries, was hanged on the top of his own steeple, arrayed in his popish weeds, with his beads at his girdle.

The insurrection in Norfolk rose to a still greater height, and was attended with greater acts of violence. The populace were at first excited, as in other places, by complaints against inclosures; but finding their numbers amount to twenty thousand, they grew insolent, and proceeded to more exorbitant pretensions. They required the suppression of the gentry, the placing of new counsellors about the king, and the re-establishment of the ancient rites. One Ket, a tanner, had assumed the government over them, and he exercised his authority with the utmost arrogance and outrage. Having taken possession of Moushold-hill, near Norwich, he erected his tribunal under an old oak, thence called the oak of reformation; and summoning the gentry to appear before him, he gave such decrees as might be expected from his character and situation. The marquis of Northampton was first ordered against him; but met with a repulse in an action where lord Sheffield was killed. The protector affected popularity, and cared not to appear in person against the rebels: he therefore sent the earl of Warwick at the head of six thousand men, levied for the wars against Scotland; and he thereby afforded his mortal enemy an opportunity of increasing his reputation and character. Warwick having tried some skirmishes with the rebels, at last made a general attack upon them, and put them to flight. Two thousand fell in the action and pursuit: Ket was hanged at Norwich castle; nine of his followers on the boughs of the oak of reformation; and the insurrection was entirely suppressed. Some rebels in Yorkshire, learning the fate of their companions, accepted the offers of pardon and threw down their arms. A general indemnity was soon after published by the protector.

CONDUCT OF THE WAR WITH SCOTLAND.

But though the insurrections were thus quickly subdued in England, and no traces of them seemed to remain, they were attended with bad consequences to the foreign interests of the nation. The forces of the earl of Warwick, which might have made a great impression on Scotland, were diverted from that enterprise; and the French general had leisure to reduce that country to some settlement and composure. He took the fortress of Broughty, and put the garrison to the sword. He straitened the English at Haddington; and though lord Dacres was enabled to throw relief into the place, and to re-enforce the garrison, it was found at last very chargeable, and even impracticable to keep possession of that fortress. The whole country in the neighbourhood was laid waste by the inroads both of the Scots and English, and could afford no supply to the garrison: the place lay above thirty miles from the borders; so that a regular army was necessary to escort any provisions thither: and as the plague had broken out among the troops, they perished daily, and were reduced to a state of great weakness. For these reasons, orders were given to dismantle Haddington, and to convey the artillery and garrison to Berwick; and the earl of Rutland, now created warden of the east marches, executed the orders.

CONDUCT OF THE WAR WITH FRANCE.

The king of France also took advantage of the distractions among the English, and made an attempt to recover Boulogne, and that territory, which Henry VIII. had conquered from France. On other pretences he assembled an army; and falling suddenly upon the Boulonnois, took the castles of Sellaque, Blackness, and Ambleteuse, though well supplied with garrisons, ammunition, and provisions. He endeavoured to surprise Boulenbourg, and was repulsed; but the garrison, not thinking the place tenable after the loss of the other fortresses, destroyed the works and retired to Boulogne. The rains which fell in great abundance during the autumn, and a pestilential distemper which broke out in the French camp, deprived Henry of all hopes of success against Boulogne itself; and he retired to Paris. He left the command of the army to Gaspar de Coligny, lord of Chatillon, so famous afterwards by the name of admiral Coligny; and he gave him orders to form the siege early in the spring. The active disposition of this general engaged him to make, during the winter, several attempts against the place; but they all proved unsuccessful.

Strozzi, who commanded the French fleet and galleys, endeavoured to make a descent on Jersey; but meeting there with an English fleet, he commenced an action which seems not to have been decisive, since the historians of the two nations differ in the account of the event.

As soon as the French war broke out, the protector, endeavoured to fortify himself with the alliance of the emperor; and he sent over secretary Paget to Brussels, where Charles then kept court, in order to assist sir Philip Hobby, the resident ambassador, in this negociation. But that prince had formed a design of extending his dominions by acting the part of champion for the catholic religion; and though extremely desirous of accepting the English alliance against France, his capital enemy, he thought it unsuitable to his other pretensions to enter into strict confederacy with a nation which had broken off all connexions with the church of Rome. He therefore declined the advances of friendship from England; and eluded the applications of the ambassadors. An exact account is preserved of this negociation in a letter of Hobby's; and it is remarkable that the emperor, in a conversation with the English ministers, asserted that the prerogatives of a king of England were more extensive than those of a king of France. Burnet, who preserves this letter, subjoins, as a parallel instance, that one objection which the Scots made to marrying their queen with Edward was, that all their privileges would be swallowed up by the great prerogative of the kings of England.

Somerset, despairing of assistance from the emperor, was inclined to conclude a peace with France and Scotland; and besides that he was not in a condition to

maintain such ruinous wars, he thought that there no longer remained any object of hostility. The Scots had sent away their queen, and could not, if ever so much inclined, complete the marriage contracted with Edward: and as Henry VIII. had stipulated to restore Boulogne in 1554, it seemed a matter of small moment to anticipate a few years the execution of the treaty. But when he proposed these reasons to the council, he met with strong opposition from his enemies, who, seeing him unable to support the war, were determined, for that very reason, to oppose all proposals for a pacification. The factions ran high in the court of England, and matters were drawing to an issue fatal to the authority of the protector.

FACTIONS IN THE COUNCIL.

After Somerset obtained the patent investing him with regal authority, he no longer paid any attention to the opinion of the other executors and counsellors; and being elated with his high dignity, as well as with his victory at Pinkey, he thought that every one ought in everything to yield to his sentiments. All those who were not entirely devoted to him were sure to be neglected; whoever opposed his will received marks of anger or contempt; and while he showed a resolution to govern everything, his capacity appeared not in any respect proportioned to his ambition. Warwick, more subtle and artful, covered more exorbitant views under fairer appearances; and having associated himself with Southampton, who had been readmitted into the council, he formed a strong party, who were determined to free themselves from the slavery imposed on them by the protector.

The malcontent counsellors found the disposition of the nation favourable to their designs. The nobility and gentry were in general displeased with the preference which Somerset seemed to have given to the people; and as they ascribed all the insults to which they had been lately exposed to his procrastination and to the countenance shown to the multitude, they apprehended a renewal of the same disorders from his present affectation of popularity. He had erected a court of requests in his own house for the relief of the people, and he interposed with the judges in their behalf; a measure which might be deemed illegal, if any exertion of prerogative at that time could with certainty deserve that appellation. And this attempt, which was a stretch of power, seemed the more impolitic, because it disgusted the nobles, the surest support of monarchical authority.

But though Somerset courted the people, the interest which he had formed with them was in no degree answerable to his expectations. The catholic party, who retained influence with the lower ranks, were his declared enemies; and took advantage of every opportunity to decry his conduct. The attainder and execution of his brother bore an odious aspect: the introduction of foreign troops into the kingdom was represented in invidious colours: the great estates which he had suddenly acquired at the expense of the church and of the crown rendered him obnoxious; and the palace which he was building in the Strand served, by its magnificence, and still more by other circumstances which attended it, to expose him to the censure of the public. The parish church of St. Mary, with three bishops' houses, was pulled down in order to furnish ground and materials for this structure: not content with that sacrilege, an attempt was made to demolish St. Margaret's, Westminster, and to employ the stones to the same purpose; but the parishioners rose in a tumult and chased away the protector's tradesmen. He then laid his hands on a chapel in St. Paul's churchyard, with a cloister and charnel-house belonging to it; and these edifices, together with a church of St. John of Jerusalem, were made use of to raise his palace. What rendered the matter more odious to the people was that the tombs and other monuments of the dead were defaced; and the bones being carried away were buried in unconsecrated ground.

CONSPIRACY AGAINST SOMERSET. *October* 6.

All these imprudences were remarked by Somerset's enemies, who resolved to take advantage of them. Lord St. John, president of the council, the earls of Warwick, Southampton, and Arundel, with five members more, met at Ely-house; and assuming to themselves the whole power of the council, began to act independently of the protector, whom they represented as the author of every public grievance and misfortune. They wrote letters to the chief nobility and gentry in England, informing them of the present measures, and requiring their assistance: they sent for the mayor and aldermen of London, and enjoined them to obey their orders, without regard to any contrary orders which they might receive from the duke of Somerset. They laid the same injunctions on the lieutenant of the Tower, who expressed his resolution to comply with them. Next day, Rich, lord-chancellor, the marquis of Northampton, the earl of Shrewsbury, sir Thomas Cheney, sir John Gage, sir Ralph Sadler, and chief-justice Montague, joined the malcontent counsellors; and everything bore a bad aspect for the protector's authority. Secretary Petre, whom he had sent to treat with the council, rather chose to remain with them; the common-council of the city being applied to, declared with one voice their approbation of the new measures, and their resolution of supporting them.

As soon as the protector heard of the defection of the counsellors, he removed the king from Hampton-court, where he then resided, to the castle of Windsor; and, arming his friends and servants, seemed resolute to defend himself against all his enemies. But finding that no man of rank, except Cranmer and Paget, adhered to him, that the people did not rise at his summons, that the city and Tower had declared against him, that even his best friends had deserted him, he lost all hopes of success, and began to apply to his enemies for pardon and forgiveness. No sooner was this despondency known, than lord Russel, sir John Baker, speaker of the house of commons, and three counsellors more, who had hitherto remained neuters, joined the party of Warwick, whom every one now regarded as master. The council informed the public, by proclamation, of their actions and intentions; they wrote to the princesses Mary and Elizabeth to the same purpose; and they made addresses to the king, in which, after the humblest protestations of duty and submission, they informed him, that they were the council appointed by his father for the government of the kingdom during his minority; that they had chosen the duke of Somerset protector, under the express condition that he should guide himself by their advice and direction; that he had usurped the whole authority, and had neglected, and even in everything opposed their counsel; that he had proceeded to that height of presumption as to levy forces against them, and place these forces about his majesty's person: they therefore begged that they might be admitted to his royal presence; that he would be pleased to restore them to his confidence, and that Somerset's servants might be dismissed. Their request was complied with; Somerset capitulated only for gentle treatment, which was promised him.

SOMERSET RESIGNS THE PROTECTORSHIP.

He was, however, sent to the Tower, with some of his friends and partisans, among whom was Cecil, afterwards so much distinguished. Articles of indictment were exhibited against him; of which the chief, at least the best founded, is his usurpation of the government, and his taking into his own hands the whole administration of affairs. The clause of his patent,

which invested him with absolute power unlimited by any law, was never objected to him; plainly because, according to the sentiments of those times, that power was in some degree involved in the very idea of regal authority.

The catholics were extremely elated with this revolution; and as they had ascribed all the late innovations to Somerset's authority, they hoped that his fall would prepare the way for the return of the ancient religion. But Warwick, who now bore chief sway in the council, was entirely indifferent with regard to all these points of controversy; and finding that the principles of the Reformation had sunk deeper into Edward's mind than to be easily eradicated, he was determined to comply with the young prince's inclinations, and not to hazard his new acquired power by any dangerous enterprise. He took care very early to express his intentions of supporting the Reformation; and he threw such discouragements on Southampton, who stood at the head of the Romanists, and whom he considered as a dangerous rival, that that high-spirited nobleman retired from the council, and soon after died from vexation and disappointment. The other counsellors, who had concurred in the revolution, received their reward by promotions and new honours: Russel was created earl of Bedford; the marquis of Northampton obtained the office of great chamberlain; and lord Wentworth, besides the office of chamberlain of the household, got two large manors, Stepney and Hackney, which were torn from the see of London. A council of regency was formed, not that which Henry's will had appointed for the government of the kingdom, and which, being founded on an act of parliament, was the only legal one; but composed chiefly of members who had formerly been appointed by Somerset, and who derived their seat from an authority which was now declared usurped and illegal. But such niceties were during that age little understood, and still less regarded, in England.

A PARLIAMENT. *November* 4.

A session of parliament was held; and as it was the usual maxim of that assembly to acquiesce in every administration which was established, the council dreaded no opposition from that quarter, and had more reason to look for a corroboration of their authority. On the 23rd of December Somerset had been prevailed on to confess on his knees, before the council, all the articles of charge against him; and he imputed these misdemeanors to his own rashness, folly, and indiscretion, not to any malignity of intention. He even subscribed this confession; and the paper was given in to parliament, who, after sending a committee to examine him, and hear him acknowledge it to be genuine, passed a vote, by which they deprived him of all his offices, and fined him two thousand pounds a year in land. Lord St. John was created treasurer in his place, and Warwick earl-marshal. The prosecution against him was carried no further. His fine was remitted by the king: he recovered his liberty: and Warwick, thinking that he was now sufficiently humbled, and that his authority was much lessened by his late tame and abject behaviour, readmitted him into the council, and even agreed to an alliance between their families, by the marriage of his own son, lord Dudley, with the lady Jane Seymour, daughter of Somerset.

During this session a severe law was passed against riots. It was enacted, that if any, to the number of twelve persons, should meet together for any matter of state, and being required by a lawful magistrate should not disperse, it should be treason; and if any broke hedges, or violently pulled up pales about inclosures, without lawful authority, it should be felony: any attempt to kill a privy-counsellor was subjected to the same penalty. The bishops had made an application, complaining that they were deprived of all their power by the encroachments of the civil courts, and the present suspension of the canon law; that they could summon no offender before them, punish no vice, or exert the discipline of the church; from which diminution of their authority, they pretended, immorality had everywhere received great encouragement and increase. The design of some was to revive the penitentiary rules of the primitive church; but others thought, that such an authority committed to the bishops would prove more oppressive than confession, penance, and all the clerical inventions of the Romish superstition. The parliament for the present contented themselves with empowering the king to appoint thirty-two commissioners to compile a body of canon laws, which were to be valid, though never ratified by parliament. Such implicit trust did they repose in the crown; without reflecting that all their liberties and properties might be affected by these canons. The king did not live to affix the royal sanction to the new canons. Sir John Sharington, whose crimes and malversations had appeared so egregious at the condemnation of lord Seymour, obtained from parliament a reversal of his attainder. This man sought favour with the more zealous reformers; and bishop Latimer affirmed, that though formerly he had been a most notorious knave, he was now so penitent that he had become a very honest man.

PEACE WITH FRANCE AND SCOTLAND. 1550.

When Warwick and the council of regency began to exercise their power, they found themselves involved in the same difficulties that had embarrassed the protector. The wars with France and Scotland could not be supported by an exhausted exchequer; seemed dangerous to a divided nation; and were now acknowledged not to have any object which even the greatest and most uninterrupted success could attain. The project of peace entertained by Somerset had served them as a pretence for clamour against his administration; yet, after sending sir Thomas Cheney to the emperor, and making again a fruitless effort to engage him in the protection of Boulogne, they found themselves obliged to listen to the advances which Henry made them, by the canal of Guidotti, a Florentine merchant. The earl of Bedford, sir John Mason, Paget and Petre, were sent over to Boulogne, with full powers to negociate. The French king absolutely refused to pay the two millions of crowns which his predecessor had acknowledged to be due to the crown of England as arrears of pensions; and said that he never would consent to render himself tributary to any prince.

BOULOGNE SURRENDERED. *March* 24.

But he offered a sum for the immediate restitution of Boulogne; and four hundred thousand crowns were at last agreed on, one half to be paid immediately, the other in August following. Six hostages were given for the performance of this article. Scotland was comprehended in the treaty: the English stipulated to restore Lauder and Douglas, and to demolish the fortresses of Roxburgh and Eyemouth. No sooner was peace concluded with France, than a project was entertained of a close alliance with that kingdom; and Henry willingly embraced a proposal so suitable both to his interests and his inclinations. An agreement some time after was formed for a marriage between Edward and Elizabeth, a daughter of France; and all the articles were, after a little negociation, fully settled: but this project never took effect.

The intention of marrying the king to a daughter of Henry, a violent persecutor of the protestants, was nowise acceptable to that party in England: but in all other respects the council was steady in promoting the Reformation, and in enforcing the laws against the

Romanists. Several prelates were still addicted to that communion, and though they made some compliances, in order to save their bishopries, they retarded, as much as they safely could, the execution of the new laws, and gave countenance to such incumbents as were negligent or refractory. A resolution was therefore taken to seek pretences for depriving those prelates; and the execution of this intention was the more easy, as they had all of them been obliged to take commissions, in which it was declared, that they held their sees during the king's pleasure only. It was thought proper to begin with Gardiner, in order to strike a terror into the rest. The method of proceeding against him was violent, and had scarcely any colour of law or justice. Injunctions had been given him to inculcate, in a sermon, the duty of obedience to a king, even during his minority; and because he had neglected this topic, he had been thrown into prison, and had been there detained during two years, without being accused of any crime except disobedience to this arbitrary command. The duke of Somerset, secretary Petre, and some others of the council, were now sent, in order to try his temper, and endeavoured to find some grounds for depriving him: he professed to them his intention of conforming to the government, of supporting the king's laws, and of officiating by the new liturgy. This was not the disposition which they expected or desired. A new deputation was therefore sent, who carried him several articles to subscribe. He was required to acknowledge his former misbehaviour, and to confess the justice of his confinement: he was likewise to own, that the king was supreme head of the church; that the power of making and dispensing with holidays was part of the prerogative; that the book of common-prayer was a godly and commendable form; that the king was a complete sovereign in his minority; that the law of the six articles was justly repealed; and that the king had full authority to correct and reform what was amiss in ecclesiastical discipline, government, or doctrine. The bishop was willing to set his hand to all the articles except the first; he maintained his conduct to have been inoffensive; and declared that he would not own himself guilty of faults which he had never committed.

The council, finding that he had gone such lengths, were determined to prevent his full compliance, by multiplying the difficulties upon him, and sending him new articles to subscribe. A list was selected of such points as they thought would be the hardest of digestion; and, not content with this rigour, they also insisted on his submission, and his acknowledgment of past errors. To make this subscription more mortifying, they demanded a promise, that he would recommend and publish all these articles from the pulpit: but Gardiner, who saw that they intended either to ruin or dishonour him, or perhaps both, determined not to gratify his enemies by any further compliance: he still maintained his innocence; desired a fair trial; and refused to subscribe more articles, till he should recover his liberty.....1551. For this pretended offence his bishopric was put under sequestration for three months; and as he then appeared no more compliant than before, a commission was appointed to try, or, more properly speaking, to condemn him. The commissioners were, the primate, the bishops of London, Ely, and Lincoln, secretary Petre, sir James Hales, and some other lawyers. Gardiner objected to the legality of the commission, which was not founded on any statute or precedent; and he appealed from the commissioners to the king. His appeal was not regarded: sentence was pronounced against him: he was deprived of his bishopric, and committed to close custody: his books and papers were seized; he was secluded from all company; and it was not allowed him either to send or receive any letters or messages.

Gardiner, as well as the other prelates, had agreed to hold his office during the king's pleasure: but the council, unwilling to make use of a concession which had been so illegally and arbitrarily extorted, chose rather to employ some forms of justice; a resolution which led them to commit still greater iniquities and severities. But the violence of the reformers did not stop here. Day, bishop of Chichester, Heath of Worcester, and Volsey of Exeter, were deprived of their bishopries, on pretence of disobedience. Even Kitchen of Llandaff, Capon of Salisbury, and Sampson of Coventry, though they had complied in everything, yet not being supposed cordial in their obedience, were obliged to seek protection, by sacrificing the most considerable revenues of their see to the rapacious courtiers.

These plunderers neglected not even smaller profits. An order was issued by council for purging the library at Westminster of all missals, legends, and other superstitious volumes, and delivering their garniture to sir Anthony Aucher. Many of these books were plated with gold and silver, and curiously embossed; and this finery was probably the superstition that condemned them. Great havoc was likewise made on the libraries at Oxford. Books and manuscripts were destroyed without distinction: the volumes of divinity suffered for their rich binding: those of literature were condemned as useless: those of geometry and astronomy were supposed to contain nothing but necromancy. The university had not power to oppose these barbarous violences: they were in danger of losing their own revenues; and expected every moment to be swallowed up by the earl of Warwick and his associates.

Though every one besides yielded to the authority of the council, the lady Mary could never be brought to compliance; and she still continued to adhere to the mass, and to reject the new liturgy. Her behaviour was during some time connived at; but at last her two chaplains, Mallet and Berkley, were thrown into prison; and remonstrances were made to the princess herself on account of her disobedience. The council wrote her a letter, by which they endeavoured to make her change her sentiments, and to persuade her that her religious faith was very ill grounded. They asked her what warrant there was in scripture for prayers in an unknown tongue, the use of images, or offering up the sacrament for the dead; and they desired her to peruse St. Austin, and the other ancient doctors, who would convince her of the errors of the Romish superstition, and prove that it was founded merely on false miracles and lying stories. The lady Mary remained obstinate against all this advice, and declared herself willing to endure death rather than relinquish her religion: she only feared, she said, that she was not worthy to suffer martyrdom in so holy a cause: and as for protestant books, she thanked God, that as she never had, so she hoped never to read any of them. Dreading further violence, she endeavoured to make an escape to her kinsman Charles; but her design was discovered and prevented. The emperor remonstrated in her behalf, and even threatened hostilities, if liberty of conscience were refused her: but though the council, sensible that the kingdom was in no condition to support with honour such a war, was desirous to comply, they found great difficulty to overcome the scruples of the young king. He had been educated in such a violent abhorrence of the mass and other popish rites, which he regarded as impious and idolatrous, that he should participate, he thought, in the sin, if he allowed its commission: and when at last the importunity of Cranmer, Ridley, and Poinet prevailed somewhat over his opposition, he burst into tears; lamenting his sister's obstinacy, and bewailing his own hard fate, that he must suffer her to continue in such an abominable mode of worship.

The great object, at this time, of antipathy among the protestant sects was popery, or more properly speaking, the papists. These they regarded as the common enemy, who threatened every moment to overwhelm the evangelical faith, and destroy its partisans

by fire and sword: they had not as yet had leisure to attend to the other minute differences among themselves, which afterwards became the object of such furious quarrels and animosities, and threw the whole kingdom into combustion. Several Lutheran divines who had reputation in those days, Bucer, Peter Martyr, and others, were induced to take shelter in England, from the persecutions which the emperor exercised in Germany; and they received protection and encouragement. John à Lasco, a polish nobleman, being expelled his country by the rigours of the catholics, settled during some time at Embden in East Friezland, where he became preacher to a congregation of the reformed. Foreseeing the persecutions which ensued, he removed to England, and brought his congregation along with him. The council, who regarded them as industrious, useful people, and desired to invite over others of the same character, not only gave them the church of Augustine friars for the exercise of their religion, but granted them a charter, by which they were erected into a corporation, consisting of a superintendent and four assisting ministers. This ecclesiastical establishment was quite independent of the church of England, and differed from it in some rites and ceremonies.

These differences among the protestants were matter of triumph to the catholics; who insisted, that the moment men departed from the authority of the church, they lost all criterion of truth and falsehood in matters of religion, and must be carried away by every wind of doctrine. The continual variations of every sect of protestants afforded them the same topic of reasoning. The book of common-prayer suffered in England a new revisal, and some rites and ceremonies which had given offence were omitted. The speculative doctrines, or the metaphysics of religion, were also reduced to forty-two articles. These were intended to obviate further divisions and variations; and the compiling of them had been postponed till the establishment of the liturgy, which was justly regarded as a more material object to the people. The eternity of hell torments is asserted in this confession of faith; and care is also taken to inculcate, not only that no heathen, how virtuous soever, can escape an endless state of the most exquisite misery, but also that every one who presumes to maintain that any pagan can possibly be saved, is himself exposed to the penalty of eternal perdition.

The theological zeal of the council, though seemingly fervent, went not so far as to make them neglect their own temporal concerns, which seems to have ever been uppermost in their thoughts: they even found leisure to attend to the public interest; nay, to the commerce of the nation, which was at that time very little the object of general study or attention. The trade of England had anciently been carried on altogether by foreigners, chiefly the inhabitants of the Hanse-towns, or Easterlings, as they were called: and in order to encourage these merchants to settle in England, they had been erected into a corporation by Henry III., had obtained a patent, were endowed with privileges, and were exempted from several heavy duties paid by other aliens. So ignorant were the English of commerce, that this company, usually denominated the merchants of the Stil-yard, engrossed, even down to the reign of Edward, almost the whole foreign trade of the kingdom; and as they naturally employed the shipping of their own country, the navigation of England was also in a very languishing condition. It was therefore thought proper by the council to seek pretences for annulling the privileges of this corporation, privileges which put them nearly on an equal footing with Englishmen in the duties which they paid; and as such patents were, during that age, granted by the absolute power of the king, men were the less surprised to find them revoked by the same authority. Several remonstrances were made against this innovation by Lubec, Hamburgh, and other Hanse-towns, but the council persevered in their resolution, and the good effects of it soon became visible to the nation. The English merchants, by their very situation as natives, had advantages above foreigners in the purchase of cloth, wool, and other commodities; though these advantages had not hitherto been sufficient to rouse their industry, or engage them to become rivals to this opulent company: but when aliens' duty was also imposed upon all foreigners indiscriminately, the English were tempted to enter into commerce; and a spirit of industry began to appear in the kingdom.

About the same time a treaty was made with Gustavus Ericson, king of Sweden, by which it was stipulated, that if he sent bullion into England, he might export English commodities without paying custom; that he should carry bullion to no other prince; that if he sent ozimus, steel, copper, &c. he should pay custom for English commodities as an Englishman; and that if he sent other merchandize, he should have free intercourse, paying custom as a stranger. The bullion sent over by Sweden, though it could not be in great quantity, set the mint to work: good specie was coined; and much of the base metal formerly issued was recalled: a circumstance which tended extremely to the encouragement of commerce.

WARWICK CREATED DUKE OF NORTHUMBERLAND.

But all these schemes for promoting industry were likely to prove abortive, by the fear of domestic convulsions, arising from the ambition of Warwick. That nobleman, not contented with the station which he had attained, carried further his pretensions, and had gained partisans, who were disposed to second him in every enterprise. The last earl of Northumberland died without issue; and as sir Thomas Piercy, his brother, had been attainted on account of the share which he had in the Yorkshire insurrection during the late reign, the title was at present extinct, and the estate was vested in the crown. Warwick now procured to himself a grant of those ample possessions, which lay chiefly in the North, the most warlike part of the kingdom; and he was dignified with the title of duke of Northumberland. His friend, Paulet, lord St. John, the treasurer, was created, first, earl of Wiltshire, then marquis of Winchester: sir William Herbert obtained the title of earl of Pembroke.

NORTHUMBERLAND'S AMBITION.

But the ambition of Northumberland made him regard all increase of possessions and titles, either to himself or his partisans, as steps only to further acquisitions. Finding that Somerset, though degraded from his dignity, and even lessened in the public opinion by his spiritless conduct, still enjoyed a considerable share of popularity, he determined to ruin the man whom he regarded as the chief obstacle to the attainment of his hopes. The alliance which had been contracted between the families had produced no cordial union, and only enabled Northumberland to compass with more certainty the destruction of his rival. He secretly gained many of the friends and servants of that unhappy nobleman: he sometimes terrified him by the appearance of danger; sometimes provoked him by ill usage. The unguarded Somerset often broke out into menacing expressions against Northumberland: at other times he formed rash projects, which he immediately abandoned: his treacherous confidants carried to his enemy every passionate word which dropped from him: they revealed the schemes which they themselves had first suggested: and Northumberland, thinking that the proper season was now come, began to act in an open manner against him.

On the 16th of October, in one night, the duke of Somerset, lord Grey, David and John Seymour, Hammond and Neudigate, two of the duke's servants, sir

Ralph Vane, and sir Thomas Palmer were arrested and committed to custody. Next day the duchess of Somerset, with her favourites, Crane and his wife, sir Miles Partridge, sir Michael Stanhope, Bannister, and others, were thrown into prison. Sir Thomas Palmer, who had all along acted as a spy upon Somerset, accused him of having formed a design to raise an insurrection in the north, to attack the gens d'armes on a muster-day, to secure the Tower, and to raise a rebellion in London; but, what was the only probable accusation, he asserted, that Somerset had once laid a project for murdering Northumberland, Northampton, and Pembroke, at a banquet which was to be given them by lord Paget. Crane and his wife confirmed Palmer's testimony with regard to this last design; and it appears that some rash scheme of that nature had really been mentioned; though no regular conspiracy had been formed, or means prepared for its execution. Hammond confessed that the duke had armed men to guard him one night in his house at Greenwich.

TRIAL OF SOMERSET.

Somerset was brought to his trial before the marquis of Winchester, created high-steward. Twenty-seven peers composed the jury, among whom were Northumberland, Pembroke, and Northampton, whom decency should have hindered from acting as judges in the trial of a man that appeared to be their capital enemy. Somerset was accused of high-treason on account of the projected insurrections, and of felony in laying a design to murder privy-counsellors.

We have a very imperfect account of all state trials during that age, which is a sensible defect in our history: but it appears that some more regularity was observed in the management of this prosecution than had usually been employed in like cases. On the 1st of December the witnesses were at least examined by the privy-council; and though they were neither produced in court, nor confronted with the prisoner, (circumstances required by the strict principles of equity,) their depositions were given in to the jury. The proof seems to have been lame with regard to the treasonable part of the charge; and Somerset's defence was so satisfactory, that the peers gave verdict in his favour: the intention alone of assaulting the privy-counsellors was supported by tolerable evidence; and the jury brought him in guilty of felony. The prisoner himself confessed that he had expressed his intention of murdering Northumberland and the other lords; but had not formed any resolution on that head: and when he received sentence, he asked pardon of those peers for the designs which he had hearkened to against them. The people by whom Somerset was beloved, hearing the first part of his sentence, by which he was acquitted from treason, expressed their joy by loud acclamations: but their satisfaction was suddenly damped, on finding that he was condemned to death for felony.

SOMERSET'S EXECUTION. *January* 22, 1552.

Care had been taken by Northumberland's emissaries, to prepossess the young king against his uncle; and lest he should relent, no access was given to any of Somerset's friends, and the prince was kept from reflection by a continued series of occupations and amusements. At last the prisoner was brought to the scaffold on Tower-hill, amidst great crowds of spectators, who bore him such sincere kindness that they entertained to the last moment the fond hopes of his pardon. Many of them rushed in to dip their handkerchiefs in his blood, which they long preserved as a precious relic; and some of them soon after, when Northumberland met with a like doom, upbraided him with this cruelty, and displayed to him these symbols of his crime. Somerset, indeed, though many actions of his life were exceptionable, seems in general to have merited a better fate; and the faults which he committed were owing to weakness, not to any bad intention. His virtues were better calculated for private than for public life; and by his want of penetration and firmness he was ill-fitted to extricate himself from those cabals and violences to which that age was so much addicted. Sir Thomas Arundel, sir Michael Stanhope, sir Miles Partridge, and sir Ralph Vane, all of them Somerset's friends, were brought to their trial, condemned, and executed: great injustice seems to have been used in their prosecution. Lord Paget, chancellor of the duchy, was on some pretence tried in the star-chamber, and condemned in a fine of six thousand pounds, with the loss of his office. To mortify him the more, he was degraded from the order of the garter; as unworthy, on account of his mean birth, to share that honour. Lord Rich, chancellor, was also compelled to resign his office, on the discovery of some marks of friendship which he had shown to Somerset.

A PARLIAMENT. *January* 23.

The day after the execution of Somerset, a session of parliament was held, in which further advances were made towards the establishment of the Reformation. The new liturgy was authorized; and penalties were enacted against all those who absented themselves from public worship. To use the mass had already been prohibited under severe penalties; so that the reformers, it appears, whatever scope they had given to their own private judgment, in disputing the tenets of the ancient religion, were resolved not to allow the same privileges to others; and the practice, nay, the very doctrine of toleration, was at that time equally unknown to all sects and parties. To dissent from the religion of the magistrate, was universally conceived to be as criminal as to question his title, or rebel against his authority.

A law was enacted against usury; that is, against taking any interest for money. This act was the remains of ancient superstition; but being found extremely iniquitous in itself, as well as prejudicial to commerce, it was afterwards repealed in the twelfth of Elizabeth. The common rate of interest notwithstanding the law, was at this time fourteen per cent.

A bill was introduced by the ministry into the house of lords, renewing those rigorous statutes of treason which had been abrogated in the beginning of this reign; and though the peers, by their high station, stood most exposed to these tempests of state, yet had they so little regard to public security, or even to their own true interest, that they passed the bill with only one dissenting voice. But the commons rejected it, and prepared a new bill, that passed into a law, by which it was enacted, "That whoever should call the king or any of his heirs, named in the statute of the thirty-fifth of the last reign, heretic, schismatic, tyrant, infidel, or usurper of the crown, should forfeit, for the first offence, their goods and chattels, and be imprisoned during pleasure; for the second, should incur a *præmunire*; for the third, should be attainted for treason. But if any should unadvisedly utter such a slander in writing, printing, painting, carving, or graving, he was for the first offence to be held a traitor." It may be worthy of notice, that the king and his next heir, the lady Mary, were professedly of different religions; and religions which threw on each other the imputation of heresy, schism, idolatry, profaneness, blasphemy, wickedness, and all the opprobrious epithets that religious zeal has invented. It was almost impossible, therefore, for the people, if they spoke at all on these subjects, not to fall into the crimes so severely punished by the statute; and the jealousy of the commons for liberty, though it led them to reject the bill of treasons sent to them by the lords, appears not to have been very active, vigilant, or clear-sighted.

The commons annexed to this bill a clause which

was of more importance than the bill itself, that no one should be convicted of any kind of treason unless the crime were proved by the oaths of two witnesses confronted with the prisoner. The lords for some time scrupled to pass this clause, though conformable to the most obvious principles of equity. But the members of that house trusted for protection to their present personal interest and power, and neglected the noblest and most permanent security, that of laws.

The house of peers passed a bill, whose object was making a provision for the poor; but the commons, not choosing that a money-bill should begin in the upper house, framed a new act to the same purpose. By this act the churchwardens were empowered to collect charitable contributions: and if any refused to give, or dissuaded others from that charity, the bishop of the diocese was empowered to proceed against them. Such large discretionary powers intrusted to the prelate, seem as proper an object of jealousy as the authority assumed by the peers.

There was another occasion in which the parliament reposed an unusual confidence in the bishops. They empowered them to proceed against such as neglected the Sundays and holidays. But these were unguarded concessions granted to the church: the general humour of the age rather led men to bereave the ecclesiastics of all power, and even to pillage them of their property: many clergymen about this time were obliged for a subsistence to turn carpenters or tailors, and some kept alehouses. The bishops themselves were generally reduced to poverty, and held both their revenues and spiritual office by a very precarious and uncertain tenure.

Tonstal, bishop of Durham, was one of the most eminent prelates of that age, still less for the dignity of his see, than for his own personal merit; his learning, moderation, humanity, and beneficence. He had opposed, by his vote and authority, all innovations in religion; but as soon as they were enacted, he had always submitted, and had conformed to every theological system which had been established. His known probity had made this compliance be ascribed, not to an interested or time-serving spirit, but to a sense of duty, which led him to think that all private opinion ought to be sacrificed to the greater concern of public peace and tranquillity. The general regard paid to his character had protected him from any severe treatment during the administration of Somerset; but when Northumberland gained the ascendant, he was thrown into prison; and as that rapacious nobleman had formed a design of seizing the revenues of the see of Durham, and of acquiring to himself a principality in the northern counties, he was resolved, in order to effect his purpose, to deprive Tonstal of his bishopric. A bill of attainder, therefore, on pretence of misprision of treason, was introduced into the house of peers against the prelate; and it passed with the opposition only of lord Stourton, a zealous catholic, and of Cranmer, who always bore a cordial and sincere friendship to the bishop of Durham. But when the bill was sent down to the commons, they required that witnesses should be examined, that Tonstal should be allowed to defend himself, and that he should be confronted with his accusers; and when these demands were refused, they rejected the bill.

This equity, so unusual in the parliament during that age, was ascribed by Northumberland and his partisans, not to any regard for liberty and justice, but to the prevalence of Somerset's faction in a house of commons, which, being chosen during the administration of that nobleman, had been almost entirely filled with his creatures. They were confirmed in this opinion, when they found that a bill, ratifying the attainder of Somerset and his accomplices, was also rejected by the commons, though it had passed the upper house. A resolution was therefore taken to dissolve the parliament on the 15th of April, which had sitten during this whole reign; and soon after to summon a new one.

A NEW PARLIAMENT.

Northumberland, in order to ensure to himself a house of commons entirely obsequious to his will, ventured on an expedient, which could not have been practised, or even imagined, in an age where there was any idea or comprehension of liberty. He engaged the king to write circular letters to all the sheriffs, in which he enjoined them to inform the freeholders, that they were required to choose men of knowledge and experience for their representatives. After this general exhortation, the king continued in these words: "And yet, nevertheless our pleasure is, that where our privy-council, or any of them, shall, on our behalf, recommend within their jurisdictions men of learning and wisdom; in such cases their directions shall be regarded and followed, as tending to the same end which we desire; that is, to have this assembly composed of the persons in our realm the best fitted to give advice and good counsel." * Several letters were sent from the king, recommending members to particular counties: sir Richard Cotton to Hampshire; sir William Fitzwilliams and sir Henry Nevil to Berkshire; sir William Drury and sir Henry Benningfield to Suffolk, &c. But though some counties only received this species of *congé d'elire* from the king, the recommendations from the privy-council and the counsellors, we may fairly presume, would extend to the greater part, if not to the whole of the kingdom.

It is remarkable that this attempt was made during the reign of a minor king, when the royal authority is usually weakest; that it was patiently submitted to; and that it gave so little umbrage as scarcely to be taken notice of by any historian. The painful and laborious collector above cited, who never omits the most trival matter, is the only person that has thought this memorable letter worthy of being transmitted to posterity.

1553. The parliament answered Northumberland's expectations. As Tonstal had in the interval been deprived of his bishopric in an arbitrary manner, by the sentence of lay commissioners appointed to try him, the see of Durham was by act of parliament divided into two bishoprics, which had certain portions of the revenue assigned them. The regalities of the see, which included the jurisdiction of a count palatine, were given by the king to Northumberland; nor is it to be doubted but that nobleman had also purposed to make rich plunder of the revenue, as was then usual with the courtiers whenever a bishopric became vacant.

The commons gave the ministry another mark of attachment, which was at that time the most sincere of any, the most cordial, and the most difficult to be obtained: they granted a supply of two subsidies and two fifteenths. To render this present the more acceptable, they voted a preamble, containing a long accusation of Somerset, "for involving the king in wars, wasting his treasure, engaging him in much debt, embasing the coin, and giving occasion for a most terrible rebellion."

The debts of the crown were at this time considerable. The king had received from France four hundred thousand crowns on delivering Boulogne; he had reaped profit from the sale of some chantry lands; the churches had been spoiled of all their plate and rich ornaments, which by a decree of council, without any pretence of law or equity, had been converted to the king's use: yet such had been the rapacity of the courtiers, that the crown owed about three hundred thousand pounds; and great dilapidations were at the same time made of the royal demesnes. The young prince showed, among other virtues, a disposition to frugality, which, had he lived, would soon have retrieved these losses. but as his health was declining very fast, the present emptiness of the exchequer was

* Strype's Ecclesiastical Memorials, vol. ii. p. 394.

a sensible obstacle to the execution of those projects which the ambition of Northumberland had founded on the prospect of Edward's approaching end.

SUCCESSION CHANGED.

That nobleman represented to the prince, whom youth and an infirm state of health made susceptible of any impression, that his two sisters, Mary and Elizabeth, had both of them been declared illegitimate by act of parliament: and though Henry by his will had restored them to a place in the succession, the nation would never submit to see the throne of England filled by a bastard; that they were the king's sisters by the half-blood only; and even if they were legitimate, could not enjoy the crown as his heirs and successors: that the queen of Scots stood excluded by the late king's will; and being an alien, had lost by law all right of inheriting; not to mention, that as she was betrothed to the dauphin, she would by her succession render England, as she had already done Scotland, a province to France: that the certain consequence of his sister Mary's succession, or that of the queen of Scots, was the abolition of the protestant religion, and the repeal of the laws enacted in favour of the Reformation, and the re-establishment of the usurpation and idolatry of the church of Rome: that, fortunately for England, the same order of succession which justice required, was also the most conformable to public interest; and there was not on any side any just ground for doubt or deliberation: that when these three princesses were excluded by such solid reasons, the succession devolved on the marchioness of Dorset, elder daughter of the French queen and the duke of Suffolk: that the next heir of the marchioness was the lady Jane Gray, a lady of the most amiable character, accomplished by the best education, both in literature and religion; and every way worthy of a crown; and that even if her title by blood were doubtful, which there was no just reason to pretend, the king was possessed of the same power which his father enjoyed, and might leave her the crown by letters-patent. These reasonings made impression on the young prince; and, above all, his zealous attachment to the protestant religion made him apprehend the consequences, if so bigoted a catholic as his sister Mary should succeed to the throne. And though he bore a tender affection to the lady Elizabeth, who was liable to no such objection, means were found to persuade him that he could not exclude the one sister on account of illegitimacy, without giving also an exclusion to the other.

Northumberland, finding that his arguments were likely to operate on the king, began to prepare the other parts of his scheme. Two sons of the duke of Suffolk by a second venter having died this season of the sweating-sickness, that title was extinct; and Northumberland engaged the king to bestow it on the Marquis of Dorset. By means of this favour, and of others which he conferred upon him, he persuaded the new duke of Suffolk and the duchess to give their daughter, the lady Jane, in marriage to his fourth son, the lord Guilford Dudley. In order to fortify himself by further alliances, he negociated a marriage between the lady Catherine Grey, second daughter of Suffolk, and lord Herbert, eldest son of the earl of Pembroke. He also married his own daughter to lord Hastings, eldest son of the earl of Huntingdon. These marriages were solemnized with great pomp and festivity; and the people, who hated Northumberland, could not forbear expressing their indignation at seeing such public demonstrations of joy during the languishing state of the young prince's health.

THE KING'S SICKNESS.

Edward had been seized in the foregoing year, first with the measles, then with the small-pox; but having perfectly recovered from both these distempers, the nation entertained hopes that they would only serve to confirm his health; and he had afterwards made a progress through some parts of the kingdom. It was suspected that he had there overheated himself in exercise: he was seized with a cough, which proved obstinate, and gave way neither to regimen nor medicines: several fatal symptoms of a consumption appeared; and though it was hoped, that as the season advanced his youth and temperance might get the better of the malady, men saw with great concern his bloom and vigour insensibly decay. The general attachment to the young prince, joined to the hatred borne the Dudleys, made it be remarked, that Edward had every moment declined in health from the time that lord Robert Dudley had been put about him in quality of gentleman of the bedchamber.

The languishing state of Edward's health made Northumberland the more intent on the execution of his project. He removed all except his own emissaries from about the king: he himself attended him with the greatest assiduity: he pretended the most anxious concern for his health and welfare: and by all these artifices he prevailed on the young prince to give his final consent to the settlement projected. Sir Edward Montague, chief-justice of the common-pleas, sir John Baker and sir Thomas Bromley, two judges, with the attorney and solicitor-general, were summoned to the council; where, after the minutes of the intended deed were read to them, the king required them to draw them up in the form of letters-patent. They hesitated to obey; and desired time to consider of it. The more they reflected the greater danger they found in compliance. The settlement of the crown by Henry VIII. had been made in consequence of an act of parliament; and by another act, passed in the beginning of this reign, it was declared treason in any of the heirs, their aiders or abettors, to attempt on the right of another, or change the order of succession. The judges pleaded these reasons before the council: they urged, that such a patent as was intended would be entirely invalid; that it would subject, not only the judges who drew it, but every counsellor who signed it, to the pains of treason; and that the only proper expedient, both for giving sanction to the new settlement, and freeing its partisans from danger, was to summon a parliament, and to obtain the consent of that assembly. The king said, that he intended afterwards to follow that method, and would call a parliament, in which he purposed to have his settlement ratified; but in the mean time he required the judges, on their allegiance, to draw the patent in the form required. The council told the judges that their refusal would subject all of them to the pains of treason. Northumberland gave to Montague the appellation of traitor; and said that he would in his shirt fight any man in so just a cause as that of lady Jane's succession. The judges were reduced to great difficulties between the dangers from the law, and those which arose from the violence of present power and authority.

The arguments were canvassed in several different meetings between the council and the judges; and no solution could be found of the difficulties. At last Montague proposed an expedient, which satisfied both his brethren and the counsellors. He desired that a special commission should be passed by the king and counsel, requiring the judges to draw a patent for the new settlement of the crown, and that a pardon should immediately after be granted them for any offence which they might have incurred by their compliance. When the patent was drawn, and brought to the bishop of Ely, chancellor, in order to have the great seal affixed to it, this prelate required that all the judges should previously sign it. Gosnald at first refused; and it was with much difficulty that he was prevailed on, by the violent menaces of Northumberland, to comply; but the constancy of sir James Hale, who, though a zealous protestant, preferred justice on this occasion to the prejudices of his party, could not be

shaken by any expedient. The chancellor next required, for his greater security, that all the privy-counsellors should set their hands to the patent: the intrigues of Northumberland, or the fears of his violence, were so prevalent, that the counsellors complied with this demand. Cranmer alone hesitated during some time, but at last yielded to the earnest and pathetic entreaties of the king. Cecil, at that time secretary of state, pretended afterwards that he only signed as witness to the king's subscription. And thus, by the king's letters-patent, the two princesses, Mary and Elizabeth, were set aside; and the crown was settled on the heirs of the duchess of Suffolk: for the duchess herself was content to give place to her daughters.

THE KING'S DEATH. *July 6.*

After the settlement was made, with so many inauspicious circumstances, Edward visibly declined every day; and small hopes were entertained of his recovery. To make matters worse, his physicians were dismissed by Northumberland's advice, and by an order of council; and he was put into the hands of an ignorant woman, who undertook in a little time to restore him to his former state of health. After the use of her medicines, all the bad symptoms increased to the most violent degree: he felt a difficulty of speech and breathing; his pulse failed, his legs swelled, his colour became livid; and many other symptoms appeared of his approaching end. He expired at Greenwich, in the sixteenth year of his age, and the seventh of his reign.

All the English historians dwell with pleasure on the excellent qualities of this young prince; whom the flattering promises of hope, joined to many real virtues, had made an object of tender affection to the public. He possessed mildness of disposition, application to study and business, a capacity to learn and judge, and an attachment to equity and justice. He seems only to have contracted, from his education, and from the genius of the age in which he lived, too much of a narrow prepossession in matters of religion, which made him incline somewhat to bigotry and persecution: but as the bigotry of protestants, less governed by priests, lies under more restraints than that of catholics, the effects of this malignant quality were the less to be apprehended if a longer life had been granted to young Edward.

CHAPTER XXXVI.

MARY.

Lady Jane Gray proclaimed Queen — Deserted by the People — The Queen proclaimed and acknowledged — Northumberland executed — Catholic Religion restored — A Parliament — Deliberations with regard to the Queen's Marriage — Queen's Marriage with Philip — Wyat's Insurrection — suppressed — Execution of Lady Jane Gray — A Parliament — Philip's Arrival in England

1553. THE title of the princess Mary, after the demise of her brother, was not exposed to any considerable difficulty; and the objections started by the lady Jane's partisans were new and unheard of by the nation. Though all the protestants, and even many of the catholics, believed the marriage of Henry VIII. with Catherine of Arragon to be unlawful and invalid; yet, as it had been contracted by the parties without any criminal intention, had been avowed by their parents, recognised by the nation, and seemingly founded on those principles of law and religion which then prevailed, few imagined that their issue ought on that account to be regarded as illegitimate. A declaration to that purpose had indeed been extorted from parliament by the usual violence and caprice of Henry; but as that monarch had afterwards been induced to restore his daughter to the right of succession, her title was now become as legal and parliamentary as it was ever esteemed just and natural. The public had long been familiarized to these sentiments: during all the reign of Edward, the princess was regarded as his lawful successor; and though the protestants dreaded the effects of her prejudices, the extreme hatred universally entertained against the Dudleys, who men foresaw would, under the name of Jane, be the real sovereigns, was more than sufficient to counterbalance, even with that party, the attachment to religion. This last attempt to violate the order of succession had displayed Northumberland's ambition and injustice in a full light; and when the people reflected on the long train of fraud, iniquity, and cruelty by which that project had been conducted; that the lives of the two Seymours, as well as the title of the princesses, had been sacrificed to it; they were moved by indignation to exert themselves in opposition to such criminal enterprises. The general veneration also paid to the memory of Henry VIII. prompted the nation to defend the rights of his posterity; and the miseries of the ancient civil wars were not so entirely forgotten, that men were willing, by a departure from the lawful heir, to incur the danger of like bloodshed and confusion.

Northumberland, sensible of the opposition which he must expect, had carefully concealed the destination made by the king; and in order to bring the two princesses into his power, he had had the precaution to engage the council, before Edward's death, to write to them in that prince's name, desiring their attendance, on pretence that his infirm state of health required the assistance of their counsel, and the consolation of their company. Edward expired before their arrival; but Northumberland, in order to make the princesses fall into the snare, kept the king's death still secret; and the lady Mary had already reached Hoddesden, within half a day's journey of the court. Happily, the earl of Arundel sent her private intelligence both of her brother's death and of the conspiracy formed against her: she immediately made haste to retire; and she arrived, by quick journeys, first at Kenninghall in Norfolk, then at Framlingham in Suffolk; where she purposed to embark and escape to Flanders, in case she should find it impossible to defend her right of succession. She wrote letters to the nobility and most considerable gentry in every county in England; commanding them to assist her in the defence of her crown and person. And she dispatched a message to the council, by which she notified to them that her brother's death was no longer a secret to her, promised them pardon for past offences, and required them immediately to give orders for proclaiming her in London.

LADY JANE GRAY PROCLAIMED QUEEN.

Northumberland found that further dissimulation was fruitless: he went to Sion house, accompanied by the duke of Suffolk, the earl of Pembroke, and others of the nobility; and he approached the lady Jane, who resided there, with all the respect usually paid to the sovereign. Jane was in a great measure ignorant of these transactions; and it was with equal grief and surprise that she received intelligence of them. She was a lady of an amiable person, an engaging disposition, accomplished parts; and being of an equal age with the late king, she had received all her education with him, and seemed even to possess greater facility in acquiring every part of manly and polite literature. She had attained a familiar knowledge of the Roman and Greek languages, besides modern tongues; had passed most of her time in an application to learning; and expressed a great indifference for other occupations and amusements usual with her sex and station. Roger Ascham, tutor to the lady Elizabeth, having one day paid her a visit, found her employed in reading Plato, while the rest of the family were engaged in a party of

hunting in the park; and on his admiring the singularity of her choice, she told him that she received more pleasure from that author than the others could reap from all their sport and gaiety. Her heart, full of this passion for literature and the elegant arts, and of tenderness towards her husband, who was deserving of her affections, had never opened itself to the flattering allurements of ambition; and the intelligence of her elevation to the throne was nowise agreeable to her. She even refused to accept of the present; pleaded the preferable title of the two princesses; expressed her dread of the consequences attending an enterprise so dangerous, not to say so criminal; and desired to remain in the private station in which she was born. Overcome at last by the entreaties rather than the reasons of her father and father-in-law, and above all of her husband, she submitted to their will, and was prevailed on to relinquish her own judgment. It was then usual for the kings of England, after their accession, to pass the first days in the Tower; and Northumberland immediately conveyed thither the new sovereign. All the counsellors were obliged to attend her to that fortress; and by this means became in reality prisoners in the hands of Northumberland; whose will they were necessitated to obey. Orders were given by the council to proclaim Jane throughout the kingdom; but these orders were executed only in London and the neighbourhood. No applause ensued: the people heard the proclamation with silence and concern: some even expressed their scorn and contempt; and one Pot, a vintner's apprentice, was severely punished for this offence. The protestant teachers themselves, who were employed to convince the people of Jane's title, found their eloquence fruitless; and Ridley, bishop of London, who preached a sermon to that purpose, wrought no effect upon his audience.

The people of Suffolk, meanwhile, paid their attendance on Mary. As they were much attached to the reformed communion, they could not forbear, amidst their tenders of duty, expressing apprehensions for their religion; but when she assured them that she never meant to change the laws of Edward, they enlisted themselves in her cause with zeal and affection. The nobility and gentry daily flocked to her, and brought her re-enforcement. The earls of Bath and Sussex, the eldest sons of lord Wharton and lord Mordaunt, sir William Drury, sir Henry Benningfield, sir Henry Jernegan, persons whose interest lay in the neighbourhood, appeared at the head of their tenants and retainers. Sir Edward Hastings, brother to the earl of Huntingdon, having received a commission from the council to make levies for the lady Jane in Buckinghamshire, carried over his troops, which amounted to four thousand men, and joined Mary. Even a fleet which had been sent by Northumberland to lie off the coast of Suffolk, being forced into Yarmouth by a storm, was engaged to declare for that princess.

Northumberland, hitherto blinded by ambition, saw at last the danger gather round him, and knew not to what hand to turn himself. He had levied forces which were assembled at London; but dreading the cabals of the courtiers and counsellors, whose compliance he knew had been entirely the result of fear or artifice, he was resolved to keep near the person of the lady Jane, and send Suffolk to command the army. But the counsellors who wished to remove him, working on the filial tenderness of Jane, magnified to her the danger to which her father would be exposed; and represented that Northumberland, who had gained reputation by formerly suppressing a rebellion in those parts, was more proper to command in that enterprise. The duke himself, who knew the slender capacity of Suffolk, began to think that none but himself was able to encounter the present danger; and he agreed to take on him the command of the troops. The counsellors attended on him at his departure with the highest protestations of attachment, and none more than Arundel, his mortal enemy. As he went along, he remarked the disaffection of the people, which foreboded a fatal issue to his ambitious hopes. "Many," said he to lord Gray, "come out to look at us; but I find not one who cries, *God speed you!*"

LADY JANE DESERTED BY THE PEOPLE.

The duke had no sooner reached St. Edmund's-bury, than he found his army, which did not exceed six thousand men, too weak to encounter the queen's, which amounted to double the number. He wrote to the council, desiring them to send him a re-enforcement; and the counsellors immediately laid hold of the opportunity to free themselves from confinement. They left the Tower, as if they meant to execute Northumberland's commands; but being assembled in Baynard's castle, a house belonging to Pembroke, they deliberated concerning the method of shaking off his usurped tyranny. Arundel began the conference, by representing the injustice and cruelty of Northumberland, the exorbitancy of his ambition, the criminal enterprise which he had projected, and the guilt in which he had involved the whole council; and he affirmed, that the only method of making atonement for their past offences was, by a speedy return to the duty which they owed to their lawful sovereign. This motion was seconded by Pembroke, who, clapping his hand to his sword, swore he was ready to fight any man that expressed himself of a contrary sentiment. The mayor and aldermen of London were immediately sent for, who discovered great alacrity in obeying the orders they received to proclaim Mary. The people expressed their approbation by shouts of applause. Even Suffolk, who commanded in the Tower, finding resistance fruitless, opened the gates, and declared for the queen. The lady Jane, after the vain pageantry of wearing a crown during ten days, returned to a private life with more satisfaction than she felt when the royalty was tendered to her: and the messengers who were sent to Northumberland with orders to lay down his arms, found that he had despaired of success, was deserted by all his followers, and had already proclaimed the queen, with exterior marks of joy and satisfaction.

THE QUEEN PROCLAIMED AND ACKNOWLEDGED.

The people everywhere, on the queen's approach to London, gave sensible expressions of their loyalty and attachment. And the lady Elizabeth met her at the head of a thousand horse, which that princess had levied in order to support their joint title against the usurper.

The queen gave orders for taking into custody the duke of Northumberland, who fell on his knees to the earl of Arundel that arrested him, and abjectly begged his life. At the same time were committed the earl of Warwick, his eldest son, lord Ambrose and lord Henry Dudley, two of his younger sons, sir Andrew Dudley, his brother, the marquis of Northampton, the earl of Huntingdon, sir Thomas Palmer, and sir John Gates. The queen afterwards confined the duke of Suffolk, lady Jane Gray, and lord Guilford Dudley. But Mary was desirous, in the beginning of her reign, to acquire popularity by the appearance of clemency; and because the counsellors pleaded constraint as an excuse for their treason, she extended her pardon to most of them. Suffolk himself recovered his liberty; and he owed this indulgence in a great measure to the contempt entertained of his capacity. But the guilt of Northumberland was too great, as well as his ambition and courage too dangerous, to permit him to entertain any reasonable hopes of life. When brought to his trial, he only desired permission to ask two question of the peers appointed to sit on his jury; whether a man could be guilty of treason that obeyed orders given him by the council under the great seal? and whether those who were involved in the same guilt with himself could sit

as his judges? Being told that the great seal of an usurper was no authority, and that persons not lying under any sentence of attainder were still innocent in the eye of the law, and might be admitted on any jury, he acquiesced, and pleaded guilty.

NORTHUMBERLAND EXECUTED. *August* 22.

At his execution, he made profession of the catholic religion, and told the people that they never would enjoy tranquillity till they returned to the faith of their ancestors: whether that such were his real sentiments, which he had formerly disguised from interest and ambition, or that he hoped by this declaration to render the queen more favourable to his family. Sir Thomas Palmer and sir John Gates suffered with him; and this was all the blood spilled on account of so dangerous and criminal an enterprise against the rights of the sovereign. Sentence was pronounced against the lady Jane and lord Guilford; but without any present intention of putting it in execution. The youth and innocence of the persons, neither of whom had reached their seventeenth year, pleaded sufficiently in their favour.

When Mary first arrived in the Tower, the duke of Norfolk, who had been detained prisoner during all the last reign; Courtney, son of the marquis of Exeter, who, without being charged with any crime, had been subjected to the same punishment ever since his father's attainder; Gardiner, Tonstal, and Bonner, who had been confined for their adhering to the catholic cause, appeared before her and implored her clemency and protection. They were all of them restored to their liberty, and immediately admitted to her confidence and favour. Norfolk's attainder, notwithstanding that it had passed in parliament, was represented as null and invalid; because, among other informalities, no special matter had been alleged against him, except wearing a coat of arms, which he and his ancestors, without giving any offence, had always made use of, in the face of the court and of the whole nation. Courtney soon after received the title of earl of Devonshire; and though educated in such close confinement, that he was altogether unacquainted with the world, he soon acquired all the accomplishments of a courtier and a gentleman, and made a considerable figure during the few years which he lived after he recovered his liberty. Besides performing all those popular acts, which, though they only affected individuals, were very acceptable to the nation, the queen endeavoured to ingratiate herself with the public, by granting a general pardon, though with some exceptions, and by remitting the subsidy voted to her brother by the last parliament. The joy arising from the succession of the lawful heir, and from the gracious demeanour of the sovereign, hindered not the people from being agitated with great anxiety concerning the state of religion; and as the bulk of the nation inclined to the protestant communion, the apprehensions entertained concerning the principles and prejudices of the new queen were pretty general. The legitimacy of Mary's birth had appeared to be somewhat connected with the papal authority; and that princess, being educated with her mother, had imbibed the strongest attachment to the catholic communion, and the highest aversion to those new tenets, whence she believed all the misfortunes of her family had originally sprung. The discouragements which she lay under from her father, though at last they brought her to comply with his will, tended still more to increase her disgust to the reformers; and the vexations which the protector and the council gave her during Edward's reign, had no other effect than to confirm her further in her prejudices. Naturally of a sour and obstinate temper, and irritated by contradiction and misfortunes, she possessed all the qualities fitted to compose a bigot; and her extreme ignorance rendered her utterly incapable of doubt in her own belief, or of indulgence to the opinions of others. The nation therefore had great reason to dread not only the abolition, but the persecution of the established religion from the zeal of Mary, and it was not long ere she discovered her intentions.

CATHOLIC RELIGION RESTORED.

Gardiner, Bonner, Tonstal, Day, Heath, and Vesey, were reinstated in their sees, either by a direct act of power, or, what is nearly the same, by the sentence of commissioners appointed to review their trial and condemnation. Though the bishopric of Durham had been dissolved by authority of parliament, the queen erected it anew by letters-patent, and replaced Tonstal in his regalities as well as his revenue. On pretence of discouraging controversy, she silenced, by an act of prerogative, all the preachers throughout England, except such as should obtain a particular licence; and it was easy to foresee that none but the catholics would be favoured with this privilege. Holgate, archbishop of York, Coverdale, bishop of Exeter, Ridley of London, and Hooper of Gloucester, were thrown into prison; whither old Latimer also was sent soon after. The zealous bishops and priests were encouraged in their forwardness to revive the mass, though contrary to the present laws. Judge Hales, who had discovered such constancy in defending the queen's title, lost all his merit by an opposition to those illegal practices; and being committed to custody, was treated with such severity, that he fell into frenzy, and killed himself. The men of Suffolk were brow-beaten; because they presumed to plead the promise which the queen, when they inlisted themselves in her service, had given them, of maintaining the reformed religion: one in particular was set in the pillory, because he had been too peremptory in recalling to her memory the engagements which she had taken on that occasion, and though the queen still promised in a public declaration before the council, to tolerate those who differed from her, men foresaw this engagement, like the former, would prove but a feeble security when set in opposition to religious prejudices.

The merits of Cranmer towards the queen during the reign of Henry had been considerable; and he had successfully employed his good offices in mitigating the severe prejudices which that monarch had entertained against her. But the active part which he had borne in promoting her mother's divorce, as well as in conducting the Reformation, had made him the object of her hatred; and though Gardiner had been equally forward in soliciting and defending the divorce, he had afterwards made sufficient atonement by his sufferings in defence of the catholic cause. The primate, therefore, had reason to expect little favour during the present reign; but it was by his own indiscreet zeal that he brought on himself the first violence and persecution. A report being spread that Cranmer, in order to pay court to the queen, had promised to officiate in the Latin service, the archbishop, to wipe off this aspersion, published a manifesto in his own defence. Among other expressions, he there said, that as the devil was a liar from the beginning, and the father of lies, he had at this time stirred up his servants to persecute Christ and his true religion: that this infernal spirit now endeavoured to restore the Latin satisfactory masses, a thing of his own invention and device; and in order to effect his purpose, had falsely made use of Cranmer's name and authority: and that the mass is not only without foundation, either in the scriptures or in the practice of the primitive church, but likewise discovers a plain contradiction to antiquity and the inspired writings, and is besides replete with many horrid blasphemies. On the publication of this inflammatory paper, Cranmer was thrown into prison, and was tried for the part which he had acted in concurring with the lady Jane, and opposing the queen's accession. Sentence of high-treason was pronounced against him; and though his guilt was shared with the whole privy-council, and was even less than that of the greater part of them, this

sentence, however severe, must be allowed entirely legal. The execution of it, however, did not follow; and Cranmer was reserved for a more cruel punishment.

Peter Martyr, seeing a persecution gathering against the reformers, desired leave to withdraw; and while some zealous catholics moved for his commitment, Gardiner both pleaded that he had come over by an invitation from the government, and generously furnished him with supplies for his journey: but as bigoted zeal still increased, his wife's body, which had been interred at Oxford, was afterwards dug up by public orders, and buried in a dunghill. The bones of Bucer and Fagius, two foreign reformers, were about the same time committed to the flames at Cambridge. John à Lasco was first silenced, then ordered to depart the kingdom with his congregation. The greater part of the foreign protestants followed him; and the nation thereby lost many useful hands for arts and manufactures. Several English protestants also took shelter in foreign parts; and everything bore a dismal aspect for the Reformation.

A PARLIAMENT, *October* 5.

During this revolution of the court, no protection was expected by protestants from the parliament, which was summoned to assemble. A zealous reformer pretends,* that great violence and iniquity were used in the elections; but besides that the authority of this writer is inconsiderable, that practice, as the necessities of government seldom required it, had not hitherto been often employed in England. There still remained such numbers devoted by opinion or affection to many principles of the ancient religion, that the authority of the crown was able to give such candidates the preference in most elections; and all those who hesitated to comply with the court religion, rather declined taking a seat, which while it rendered them obnoxious to the queen, could afterwards afford them no protection against the violence of prerogative. It soon appeared, therefore, that a majority of the commons would be obsequious to Mary's designs; and as the peers were mostly attached to the court, from interest or expectations, little opposition was expected from that quarter.

In opening the parliament, the court showed the contempt of the laws, by celebrating before the two houses a mass of the Holy Ghost in the Latin tongue, attended with all the ancient rites and ceremonies, though abolished by act of parliament. Taylor, bishop of Lincoln, having refused to kneel at this service, was severely handled, and was violently thrust out of the house. The queen, however, still retained the title of supreme head of the church of England; and it was generally pretended, that the intention of the court was only to restore religion to the same condition in which it had been left by Henry; but that the other abuses of popery, which were the most grievous to the nation, would never be revived.

The first bill passed by the parliament was of a popular nature, and abolished every species of treason not contained in the statute of Edward III., and every species of felony that did not subsist before the first of Henry VIII.† The parliament next declared the queen to be legitimate, ratified the marriage of Henry with Catherine of Arragon, annulled the divorce pronounced by Cranmer, whom they greatly blamed on that account. No mention, however, is made of the pope's authority, as any ground of the marriage. All the statutes of King Edward with regard to religion were repealed by one vote. The attainder of the duke of Norfolk was reversed, and this act of justice was more reasonable than the declaring of that attainder invalid without further authority. Many clauses of the riot act passed in the late reign were revived. a step which eluded in a great measure the popular statute enacted at the first meeting of parliament.

Notwithstanding the compliance of the two houses with the queen's inclinations, they had still a reserve in certain articles; and her choice of a husband in particular was of such importance to national interest, that they were determined not to submit tamely in that respect to her will and pleasure. There were three marriages, concerning which it was supposed that Mary had deliberated after her accession. The first person proposed to her was Courtney, earl of Devonshire, who, being an Englishman nearly allied to the crown, could not fail of being acceptable to the nation; and as he was of an engaging person and address, he had visibly gained on the queen's affections, and hints were dropped him of her favourable dispositions towards him. But that nobleman neglected these overtures; and seemed rather to attach himself to the lady Elizabeth, whose youth and agreeable conversation he preferred to all the power and grandeur of her sister, This choice occasioned a great coldness in Mary towards Devonshire; and made her break out in a declared animosity against Elizabeth. The ancient quarrel between their mothers had sunk deep into the malignant heart of the queen; and after the declaration made by parliament in favour of Catherine's marriage, she wanted not a pretence for representing the birth of her sister as illegitimate. The attachment of Elizabeth to the reformed religion offended Mary's bigotry; and as the young princess had made some difficulty in disguising her sentiments, violent menaces had been employed to bring her to compliance. But when the queen found that Elizabeth had obstructed her views in a point which perhaps touched her still more nearly, her resentment, excited by pride, no longer knew any bounds; and the princess was visibly exposed to the greatest danger.

Cardinal Pole, who had never taken priest's orders, was another party proposed to the queen; and there appeared many reasons to induce her to make choice of this prelate. The high character of Pole for virtue and humanity; the great regard paid him by the catholic church, of which he had nearly reached the highest dignity on the death of Paul III.; the queen's affection for the countess of Salisbury, his mother, who had once been her governess; the violent animosity to which he had been exposed on account of his attachment to the Romish communion; all these considerations had a powerful influence on Mary. But the cardinal was now in the decline of life; and having contracted habits of study and retirement, he was represented to her as unqualified for the bustle of a court and the hurry of business. The queen, therefore, dropped all thoughts of that alliance: but as she entertained a great regard for Pole's wisdom and virtue, she still intended to reap the benefit of his counsel in the administration of her government. She secretly entered into a negociation with Commendone, an agent of cardinal Dandino, legate at Brussels; she sent assurances to the pope, then Julius III., of her earnest desire to reconcile herself and her kingdoms to the holy see; and she desired that Pole might be appointed legate for the performance of that pious office.

These two marriages being rejected, the queen cast her eye towards the emperor's family, from which her mother was descended, and which during her own distresses had always afforded her countenance and protection. Charles V., who a few years before was almost absolute master of Germany, had exercised his power in such an arbitrary manner, that he gave extreme disgust to the nation, who apprehended the total extinction of their liberties from the encroachments of that monarch. Religion had served him as a pretence for his usurpations; and from the same principle he met with that opposition which overthrew his grandeur and dashed all his ambitious hopes. Maurice, elector of Saxony, enraged that the landgrave of Hesse, who, by his advice and on his assurances, had put himself into

* Beale. But Fox, who lived at the time, and is very minute in his narratives says nothing of the matter. See Vol. iii. p. 16.

† Mariæ, sess. 1. c. 1. By this repeal, the law, it was in general popular, the clause of 5 & 6 Edw. VI. c. 11, was left, which required the confronting of two witnesses, in order to prove any treason.

the emperor's hands, should be unjustly detained a prisoner, formed a secret conspiracy among the protestant princes; and covering his intentions with the most artful disguises, he suddenly marched his forces against Charles, and narrowly missed becoming master of his person. The protestants flew to arms in every quarter; and their insurrection, aided by an invasion from France, reduced the emperor to such difficulties that he was obliged to submit to terms of peace, which insured the independency of Germany. To retrieve his honour he made an attack on France; and laying siege to Metz with an army of a hundred thousand men, he conducted the enterprise in person, and seemed determined at all hazards to succeed in an undertaking which had fixed the attention of Europe. But the duke of Guise, who defended Metz, with a garrison composed of the bravest nobility of France, exerted such vigilance, conduct, and valour, that the siege was protracted to the depth of winter; and the emperor found it dangerous to persevere any longer. He retired with the remains of his army into the Low Countries, much dejected with that reverse of fortune which in his declining years had so fatally overtaken him.

No sooner did Charles hear of the death of Edward and the accession of his kinswoman Mary to the crown of England, than he formed the scheme of acquiring that kingdom to his family; and he hoped by this incident to balance all the losses which he had sustained in Germany. His son Philip was a widower; and though he was only twenty-seven years of age, eleven years younger than the queen, this objection it was thought would be overlooked, and there was no reason to despair of her still having a numerous issue. The emperor, therefore, immediately sent over an agent to signify his intentions to Mary, who, pleased with the support of so powerful an alliance, and glad to unite herself more closely with her mother's family, to which she was ever strongly attached, readily embraced the proposal. Norfolk, Arundel, and Paget gave their advice for the match: and Gardiner, who was become prime-minister, and who had been promoted to the office of chancellor, finding how Mary's inclinations lay, seconded the project of the Spanish alliance. At the same time he represented both to her and the emperor, the necessity of stopping all further innovations in religion, till the completion of the marriage. He observed that the parliament amidst all their compliances had discovered evident symptoms of jealousy, and seemed at present determined to grant no further concessions in favour of the catholic religion: that though they might make a sacrifice to their sovereign of some speculative principles which they did not well comprehend, or of some rites which seemed not of any great moment, they had imbibed such strong prejudices against the pretended usurpations and exactions of the court of Rome, that they would with great difficulty be again brought to submit to its authority: that the danger of resuming the abbey-lands would alarm the nobility and gentry, and induce them to encourage the prepossessions which were but too general among the people, against the doctrine and worship of the catholic church: that much pains had been taken to prejudice the nation against the Spanish alliance; and if that point were urged at the same time with further changes in religion, it would hazard a general revolt and insurrection: that the marriage being once completed, would give authority to the queen's measures, and enable her afterwards to forward the pious work in which she was engaged: and that it was even necessary previously to reconcile the people to the marriage, by rendering the conditions extremely favourable to the English, and such as would seem to ensure to them their independency, and the entire possession of their ancient laws and privileges.

The emperor, well acquainted with the prudence and experience of Gardiner, assented to all these reasons; and he endeavoured to temper the zeal of Mary, by representing the necessity of proceeding gradually in the great work of concerting the nation. Hearing that cardinal Pole, more sincere in his religious opinions, and less guided by the maxims of human policy, after having sent contrary advice to the queen, had set out on his journey to England, where he was to exercise his legantine commission, he thought proper to stop him at Dillinghen, a town on the Danube; and he afterwards obtained Mary's consent for this detention. The negociation for the marriage meanwhile proceeded apace; and Mary's intentions of espousing Philip became generally known to the nation. The commons, who hoped that they had gained the queen by the concessions which they had already made, were alarmed to hear that she was resolved to contract a foreign alliance; and they sent a committee to remonstrate in strong terms against that dangerous measure. To prevent further applications of the same kind, she thought proper to dissolve the parliament. (6th December.)

A convocation had been summoned at the same time with the parliament; and the majority here also appeared to be of the court religion. An offer was very frankly made by the Romanists, to dispute concerning the points controverted between the two communions; and as transubstantiation was the article which of all others they deemed the clearest, and founded on the most irresistible arguments, they chose to try their strength by defending it. The protestants pushed the dispute as far as the clamour and noise of their antagonists would permit; and they fondly imagined that they had obtained some advantage when, in the course of the debate, they obliged the catholics to avow that, according to their doctrine, Christ had in his last supper held himself in his hand, and had swallowed and eaten himself. This triumph, however, was confined only to their own party: the Romanists maintained, that *their* champions had clearly the better of the day, that their adversaries were blind and obstinate heretics; that nothing but the most extreme depravity of heart could induce men to contest such self-evident principles; and that the severest punishments were due to their perverse wickedness. So pleased were they with their superiority in this favourite point, that they soon after renewed the dispute at Oxford; and to show that they feared no force of learning or abilities, where reason was so evidently on their side, they sent thither Cranmer, Latimer, and Ridley, under a guard, to try whether these renowned controversialists could find any appearance of argument to defend their baffled principles. The issue of the debate was very different from what it appeared to be a few years before, in a famous conference held at the same place during the reign of Edward.

1554. After the parliament and convocation were dismissed, the new laws with regard to religion, though they had been anticipated in most places by the zeal of the catholics, countenanced by government, were still more openly put in execution: the mass was everywhere re-established; and marriage was declared to be incompatible with any spiritual office. It has been asserted by some writers, that three-fourths of the clergy were at this time deprived of their livings; though other historians, more accurate, have estimated the number of sufferers to be far short of this proportion. A visitation was appointed, in order to restore more perfectly the mass and the ancient rites. Among other articles, the commissioners were enjoined to forbid the oath of supremacy to be taken by the clergy on their receiving any benefice. It is to be observed, that this oath had been established by the laws of Henry VIII., which were still in force.

QUEEN'S MARRIAGE WITH PHILIP.

This violent and sudden change of religion inspired the protestants with great discontent; and even affected indifferent spectators with concern, by the hardships to which so many individuals were on that account exposed. But the Spanish match was a point of more

general concern, and diffused universal apprehensions for the liberty and independence of the nation. To obviate all clamour, the articles of marriage were drawn as favourable as possible for the interest and security, and even grandeur of England. It was agreed that though Philip should have the title of king, the administration should be entirely in the queen; that no foreigner should be capable of enjoying any office in the kingdom; that no innovation should be made in the English laws, customs, and privileges; that Philip should not carry the queen abroad without her consent, nor any of her children without the consent of the nobility; that sixty thousand pounds a year should be settled as her jointure; that the male issue of this marriage should inherit, together with England, both Burgundy and the Low Countries; and that if Don Carlos, Philip's son by his former marriage, should die and his line be extinct, the queen's issue, whether male or female, should inherit Spain, Sicily, Milan, and all the other dominions of Philip. Such was the treaty of marriage signed by count Egmont, and three other ambassadors sent over to England (15th January) by the emperor.

These articles, when published, gave no satisfaction to the nation: it was universally said that the emperor, in order to get possession of England, would verbally agree to any terms; and the greater advantage there appeared in the conditions which he granted, the more certainly might it be concluded that he had no serious intention of observing them: that the usual fraud and ambition of that monarch might assure the nation of such a conduct; and his son Philip, while he inherited these vices from his father, added to them tyranny, sullenness, pride, and barbarity, more dangerous vices of his own: that England would become a province, and a province to a kingdom which usually exercised the most violent authority over all her dependent dominions: that the Netherlands, Milan, Sicily, Naples, groaned under the burden of Spanish tyranny, and throughout all the new conquests in America there had been displayed scenes of unrelenting cruelty, hitherto unknown in the history of mankind: that the inquisition was a tribunal invented by that tyrannical nation; and would infallibly, with all their other laws and institutions, be introduced into England; and that the divided sentiments of the people with regard to religion would subject multitudes to this iniquitous tribunal, and would reduce the whole nation to the most abject servitude.

These complaints being diffused everywhere, prepared the people for a rebellion; and had any foreign power given them encouragement, or any great man appeared to head them, the consequences might have proved fatal to the queen's authority. But the king of France, though engaged in hostilities with the emperor, refused to concur in any proposal for an insurrection, lest he should afford Mary a pretence for declaring war against him. And the more prudent part of the nobility thought that as the evils of the Spanish alliance were only dreaded at a distance, matters were not yet fully prepared for a general revolt. Some persons, however, more turbulent than the rest, believed that it would be safer to prevent than to redress grievances; and they formed a conspiracy to rise in arms, and declare against the queen's marriage with Philip.

WYAT'S INSURRECTION.

Sir Thomas Wyat purposed to raise Kent, sir Peter Carew, Devonshire; and they engaged the duke of Suffolk, by the hopes of recovering the crown for the lady Jane, to attempt raising the midland counties. Carew's impatience or apprehensions engaged him to break the concert, and to rise in arms before the day appointed: he was soon suppressed by the earl of Bedford, and constrained to fly into France. On this intelligence, Suffolk, dreading an arrest, suddenly left the town, with his brothers lord Thomas and lord Leonard Gray; and endeavoured to raise the people in the counties of Warwick and Leicester, where his interest lay; but he was so closely pursued by the earl of Huntingdon, at the head of three hundred horse, that he was obliged to disperse his followers, and being discovered in his concealment, he was carried prisoner to London. Wyat was at first more successful in his attempt; and having published a declaration at Maidstone, in Kent, against the queen's evil counsellors, and against the Spanish match, without any mention of religion, the people began to flock to his standard. The duke of Norfolk, with sir Henry Jernegan, was sent against him, at the head of the guards and some other troops, re-enforced with five hundred Londoners, commanded by Bret: and he came within sight of the rebels at Rochester, where they had fixed their headquarters. Sir George Harper here pretended to desert from them; but having secretly gained Bret, these two malcontents so wrought on the Londoners, that the whole body deserted to Wyat, and declared that they would not contribute to enslave their native country. Norfolk, dreading the contagion of the example, immediately retreated with his troops, and took shelter in the city.

After this proof of the dispositions of the people, especially of the Londoners, who were mostly protestants, Wyat was encouraged to proceed: he led his forces to Southwark, where he required of the queen that she should put the Tower into his hands, should deliver four counsellors as hostages, and in order to ensure the liberty of the nation, should immediately marry an Englishman. Finding that the bridge was secured against him, and that the city was overawed, he marched up to Kingston, where he passed the river with four thousand men; and returning towards London, hoped to encourage his partisans, who had engaged to declare for him. He had imprudently wasted so much time at Southwark, and in his march from Kingston, that the critical season, on which all popular commotions depend, was entirely lost: though he entered Westminster without resistance, his followers, finding that no person of note joined him, insensibly fell off, and he was at last seized near Temple-bar by sir Maurice Berkeley.

INSURRECTIONS SUPPRESSED. *February 6.*

Four hundred persons are said to have suffered for this rebellion: four hundred more were conducted before the queen with ropes about their necks; and falling on their knees received a pardon and were dismissed. Wyat was condemned and executed: as it had been reported that, on his examination he had accused the lady Elizabeth and the earl of Devonshire as accomplices, he took care on the scaffold, before the whole people, fully to acquit them of having any share in his rebellion.

The lady Elizabeth had been, during some time, treated with great harshness by her sister; and many studied instances of discouragement and disrespect had been practised against her. She was ordered to take place at court after the countess of Lenox and the duchess of Suffolk, as if she were not legitimate: her friends were discountenanced on every occasion: and while her virtues, which were now become eminent, drew to her the attendance of all the young nobility, and rendered her the favourite of the nation, the malevolence of the queen still discovered itself every day by fresh symptoms, and obliged the princess to retire into the country. Mary seized the opportunity of this rebellion; and hoping to involve her sister in some appearance of guilt, sent for her under a strong guard, committed her to the Tower, and ordered her to be strictly examined by the council. But the public declaration made by Wyat rendered it impracticable to employ against her any false evidence which might have offered; and the princess made so good a defence that the queen found herself under the necessity



of releasing her. In order to send her out of the kingdom, a marriage was offered her with the duke of Savoy; and when she declined the proposal, she was committed to custody under a strong guard at Woodstoke. The earl of Devonshire, though equally innocent, was confined in Fotheringay castle.

But this rebellion proved still more fatal to the lady Jane Gray, as well as to her husband: the duke of Suffolk's guilt was imputed to her; and though the rebels and malcontents seemed chiefly to rest their hopes on the lady Elizabeth and the earl of Devonshire, the queen, incapable of generosity or clemency, determined to remove every person from whom the least danger could be apprehended. Warning was given the lady Jane to prepare for death; a doom which she had long expected, and which the innocence of her life, as well as the misfortunes to which she had been exposed, rendered nowise unwelcome to her. The queen's zeal, under colour of tender mercy to the prisoner's soul, induced her to send divines, who harassed her with perpetual disputation; and even a reprieve for three days was granted her, in hopes that she would be persuaded during that time to pay, by a timely conversion, some regard to her eternal welfare. The lady Jane had presence of mind, in those melancholy circumstances, not only to defend her religion by all the topics then in use, but also to write a letter to her sister in the Greek language; in which, besides sending her a copy of the scriptures in that tongue, she exhorted her to maintain, in every fortune, a like steady perseverance. On the day of her execution, (12th February,) her husband, lord Guilford, desired permission to see her; but she refused her consent, and informed him by a message, that the tenderness of their parting would overcome the fortitude of both, and would too much unbend their minds from that constancy which their approaching end required of them: their separation, she said, would be only for a moment; and they would soon rejoin each other in a scene where their affections would be for ever united, and where death, disappointment, and misfortunes, could no longer have access to them, or disturb their eternal felicity.

EXECUTION OF LADY JANE GRAY.

It had been intended to execute the lady Jane and lord Guilford together on the same scaffold at Tower-hill; but the council, dreading the compassion of the people for their youth, beauty, innocence, and noble birth, changed their orders, and gave directions that he should be beheaded within the verge of the Tower. She saw her husband led to execution; and having given him from the window some token of her remembrance, she waited with tranquillity till her own appointed hour should bring her to a like fate. She even saw his headless body carried back in a cart; and found herself more confirmed by the reports which she heard of the constancy of his end, than shaken by so tender and melancholy a spectacle. Sir John Gage, constable of the Tower, when he led her to execution, desired her to bestow on him some small present, which he might keep as a perpetual memorial of her: she gave him her table-book, on which she had just written three sentences on seeing her husband's dead body; one in Greek, another in Latin, a third in English. The purport of them was, that human justice was against his body, but divine mercy would be favourable to his soul; that if her fault deserved punishment, her youth at least, and her imprudence were worthy of excuse; and that God and posterity, she trusted, would show her favour. On the scaffold she made a speech to the bystanders; in which the mildness of her disposition led her to take the blame wholly on herself, without uttering one complaint against the severity with which she had been treated. She said that her offence was not the having laid her hand upon the crown, but the not rejecting it with sufficient constancy: that she had less erred through ambition than through reverence to her parents, whom she had been taught to respect and obey: that she willingly received death as the only satisfaction which she could now make to the injured state; and though her infringement of the laws had been constrained, she would show by her voluntary submission to their sentence, that she was desirous to atone for that disobedience into which too much filial piety had betrayed her: that she had justly deserved this punishment for being made the instrument, though the unwilling instrument, of the ambition of others: and that the story of her life, she hoped, might at least be useful, by proving that innocence excuses not great misdeeds, if they tend anywise to the destruction of the commonwealth. After uttering these words, she caused herself to be disrobed by her women; and with a steady, serene countenance submitted herself to the executioner.

The duke of Suffolk was tried, condemned, and executed soon after; and would have met with more compassion, had not his temerity been the cause of his daughter's untimely end. Lord Thomas Gray lost his life for the same crime. Sir Nicholas Throgmorton was tried in Guildhall; but there appeared no satisfactory evidence against him, he was able, by making an admirable defence, to obtain a verdict of the jury in his favour. The queen was so enraged at the disappointment, that, instead of releasing him as the law required, she re-committed him to the Tower, and kept him in close confinement during some time. But her resentment stopped not here: the jury, being summoned before the council, were all sent to prison, and afterwards fined, some of them a thousand pounds, others two thousand a-piece. This violence proved fatal to several; among others, to sir John Throgmorton, brother to sir Nicholas, who was condemned on no better evidence than had formerly been rejected. The queen filled the Tower and all the prisons with nobility and gentry, whom their interest with the nation, rather than any appearance of guilt, had made the objects of her suspicion. And finding that she was universally hated, she determined to disable the people from resistance, by ordering general musters, and directing the commissioners to seize their arms, and lay them up in forts and castles.

A PARLIAMENT. *April* 5.

Though the government laboured under so general an odium, the queen's authority had received such an increase from the suppression of Wyat's rebellion, that the ministry hoped to find a compliant disposition in the new parliament, which was summoned to assemble. The emperor also, in order to facilitate the same end, had borrowed no less a sum than four hundred thousand crowns, which he had sent over to England to be distributed in bribes and pensions among the members, a pernicious practice, of which there had not hitherto been any instance in England. And not to give the public any alarm with regard to the church-lands, the queen, notwithstanding her bigotry, resumed her title of supreme head of the church, which she had dropped three months before. Gardiner, the chancellor, opened the session by a speech, in which he asserted the queen's hereditary title to the crown; maintained her right of choosing a husband for herself; observed how proper a use she had made of that right, by giving the preference to an old ally, descended from the house of Burgundy; and remarked the failure of Henry VIII.'s posterity, of whom there now remained none but the queen and the lady Elizabeth. He added, that in order to obviate the inconveniences which might arise from different pretenders, it was necessary to invest the queen, by law, with a power of disposing of the crown, and of appointing her successor—a power, he said, which was not to be thought unprecedented in England, since it had formerly been conferred on Henry VIII

The parliament was much disposed to gratify the queen in all her desires; but when the liberty, independency, and very being of the nation were in such visible danger, they could not by any means be brought to compliance. They knew both the inveterate hatred which she bore to the lady Elizabeth, and her devoted attachment to the house of Austria: they were acquainted with her extreme bigotry, which would lead her to postpone all considerations of justice or national interest to the establishment of the catholic religion: they remarked that Gardiner had carefully avoided in his speech, the giving to Elizabeth the appellation of the queen's sister; and they thence concluded that a design was formed of excluding her as illegitimate: they expected that Mary, if invested with such a power as she required, would make a will in her husband's favour, and thereby render England for ever a province to the Spanish monarchy: and they were the more alarmed with these projects, as they heard that Philip's descent from the house of Lancaster was carefully insisted on, and that he was publicly represented as the true and only heir by right of inheritance.

The parliament, therefore, aware of their danger, were determined to keep at a distance from the precipice which lay before them. They could not avoid ratifying the articles of marriage, which were drawn very favourable for England; but they declined the passing of any such law as the chancellor pointed out to them: they would not so much as declare it treason to imagine or attempt the death of the queen's husband, while she was alive; and a bill introduced for that purpose was laid aside after the first reading. The more effectually to cut off Philip's hopes of possessing any authority in England, they passed a law in which they declared, "That her majesty, as their only queen, should solely, and as a sole queen, enjoy the crown and sovereignty of her realms, with all the preeminences, dignities, and rights thereto belonging, in as large and ample a manner after her marriage as before, without any title or claim accruing to the prince of Spain, either as tenant by courtesy of the realm, or by any other means."

A law passed in this parliament for re-erecting the bishopric of Durham, which had been dissolved by the last parliament of Edward. The queen had already, by an exertion of her power, put Tonstal in possession of that see: but though it was usual at that time for the crown to assume authority which might seem entirely legislative, it was always deemed more safe and satisfactory to procure the sanction of parliament. Bills were introduced for suppressing heterodox opinions contained in books, and for reviving the law of the six articles, together with those against the Lollards, and against heresy and erroneous preaching: but none of these laws could pass the two houses: a proof that the parliament had reserves even in their concessions with regard to religion, about which they seem to have been less scrupulous. The queen, therefore, finding that they would not serve all her purposes, finished the session (5th May) by dissolving them.

Mary's thoughts were now entirely employed about receiving Don Philip, whose arrival she hourly expected. This princess, who had lived so many years in a very reserved and private manner, without any prospect or hopes of a husband, was so smitten with affection for her young consort, whom she had never seen, that she waited with the utmost impatience for the completion of the marriage; and every obstacle was to her a source of anxiety and discontent. She complained of Philip's delays as affected; and she could not conceal her vexation, that though she brought him a kingdom as her dowry, he treated her with such neglect, that he had never yet favoured her with a single letter. Her fondness was but the more increased by this supercilious treatment; and when she found that her subjects had entertained the greatest aversion for the event to which she directed her fondest wishes, she made the whole English nation the object of her resentment. A squadron, under the command of lord Effingham, had been fitted out to convoy Philip from Spain, where he then resided; but the admiral informing her that the discontents ran very high among the seamen, and that it was not safe for Philip to entrust himself in their hands, she gave orders to dismiss them. She then dreaded lest the French fleet, being masters of the sea, might intercept her husband; and every rumour of danger, every blast of wind, threw her into panics and convulsions. Her health, and even her understanding, were visibly hurt by this extreme impatience; and she was struck with a new apprehension lest her person, impaired by time, and blasted by sickness, should prove disagreeable to her future consort. Her glass discovered to her how haggard she was become; and when she remarked the decay of her beauty, she knew not whether she ought more to desire or apprehend the arrival of Philip.

PHILIP'S ARRIVAL IN ENGLAND. *July* 19.

At last came the moment so impatiently expected; and news was brought the queen of Philip's arrival at Southampton.* A few days after they were married in Westminster, and having made a pompous entry into London, where Philip displayed his wealth with great ostentation: she carried him to Windsor, the palace in which they afterwards resided. The prince's behaviour was ill-calculated to remove the prejudices which the English nation had entertained against him. He was distant and reserved in his address; took no notice of the salutes even of the most considerable noblemen; and so intrenched himself in form and ceremony, that he was in a manner inaccessible: but this circumstance rendered him the more acceptable to the queen, who desired to have no company but her husband's, and who was impatient when she met with any interruption to her fondness. The shortest absence gave her vexation; and when he showed civilities to any other woman, she could not conceal her jealousy and resentment.

Mary soon found that Philip's ruling passion was ambition; and that the only method of gratifying him, and securing his affections, was to render him master of England. The interest and liberty of her people were considerations of small moment, in comparison of her obtaining this favourite point. She summoned a new parliament, in hopes of finding them entirely compliant; and that she might acquire the greater authority over them, she imitated the precedent of the former reign, and wrote circular letters, directing a proper choice of members. The zeal of the catholics, the influence of Spanish gold, the powers of prerogative, the discouragement of the gentry, particularly of the protestants; all these causes, seconding the intrigues of Gardiner, had procured her a house of commons (12th November) which was in a great measure to her satisfaction; and it was thought, from the disposition of the nation, that she might now safely omit, on her assembling the parliament, the title of "*supreme head of the church*," though inseparably annexed by law to the crown of England. Cardinal Pole had arrived in Flanders, invested with legantine powers from the pope: in order to prepare the way for his arrival in England, the parliament passed an act reversing his attainder, and restoring his blood; and the queen, dispensing with the old statute of provisors, granted him permission to act as legate. The cardinal came over; and after being introduced to the king and queen, he invited the parliament to reconcile themselves and the kingdom to the apostolic see, from which they had been so long and so unhappily divided. This message was taken in good part; and both houses voted an address to Philip and Mary, acknowledging that they had been guilty of a most horrible defection from the true

* We are told by sir William Monson, that the admiral of England fired at the Spanish navy, when Philip was on board, because they had not lowered their topsails, as a mark of duty due to the English navy in the narrow seas: a very spirited behaviour, and very unlike those times.

church; professing a sincere repentance of their past transgressions; declaring their resolution to repeal all laws enacted in prejudice of the church of Rome; and praying their majesties, that since they were happily uninfected with that criminal schism, they would intercede with the holy father for the absolution and forgiveness of their penitent subjects. The request was easily granted. The legate, in the name of his holiness, gave the parliament and kingdom absolution, freed them from all censures, and received them again into the bosom of the church. The pope, then Julius III., being informed of these transactions, said, that it was an unexampled instance of his felicity to receive thanks from the English for allowing them to do what he ought to give them thanks for performing.

Notwithstanding the extreme zeal of those times for and against popery, the object always uppermost with the nobility and gentry was their money and estates: they were not brought to make these concessions in favour of Rome, till they had received repeated assurances, from the pope as well as the queen, that the plunder which they had made on the ecclesiastics should never be inquired into; and that the abbey and church-lands should remain with the present possessors. But not trusting altogether to these promises, the parliament took care in the law itself, by which they repealed the former statutes enacted against the pope's authority, to insert a clause, in which, besides bestowing validity on all marriages celebrated during the schism, and fixing the right of incumbents to their benefices, they gave security to the possessors of church-lands, and freed them from all danger of ecclesiastical censures. The convocation also, in order to remove apprehensions on that head, were induced to present a petition to the same purpose; and the legate, in his master's name, ratified all these transactions. It now appeared that, notwithstanding the efforts of the queen and king, the power of the papacy was effectually suppressed in England, and invincible barriers fixed against its re-establishment. For though the jurisdiction of the ecclesiastics was for the present restored, their property, on which their power much depended, was irretrievably lost, and no hopes remained of recovering it. Even these arbitrary, powerful, and bigoted princes, while the transactions were yet recent, could not regain to the church her possessions so lately ravished from her; and no expedients were left to the clergy for enriching themselves, but those which they had at first practised, and which had required many ages of ignorance, barbarism, and superstition, to produce their effect on mankind. [*See note* 3 H, *at the end of this Vol.*]

The parliament having secured their own possessions, were more indifferent with regard to religion, or even to the lives of their fellow-citizens: they revived the old sanguinary laws against heretics, which had been rejected in the former parliament: they also enacted several statutes against seditious words and rumours; and they made it treason to imagine or attempt the death of Philip during his marriage with the queen. Each parliament hitherto had been induced to go a step further than their predecessors; but none of them had entirely lost all regard to national interests. Their hatred against the Spaniards, as well as their suspicion of Philip's pretensions, still prevailed; and though the queen attempted to get her husband declared presumptive heir of the crown, and to have the administration put into his hands, she failed in all her endeavours, and could not so much as procure the parliament's consent to his coronation. All attempts likewise to obtain subsidies from the commons, in order to support the emperor in his war against France, proved fruitless; the usual animosity and jealousy of the English against that kingdom seemed to have given place for the present to like passions against Spain. Philip, sensible of the prepossessions entertained against him, endeavoured to acquire popularity by procuring the release of several prisoners of distinction; lord Henry Dudley, sir George Harper, sir Nicholas Thogmorton, sir Edmond Warner, sir William St. Lo, sir Nicholas Arnold, Harrington, Tremaine, who had been confined from the suspicions or resentment of the court. But nothing was more agreeable to the nation than his protecting the lady Elizabeth from the spite and malice of the queen, and restoring her to liberty. This measure was not the effect of any generosity in Philip, a sentiment of which he was wholly destitute; but of a refined policy, which made him foresee, that if that princess were put to death, the next lawful heir was the queen of Scots, whose succession would for ever annex England to the crown of France. The earl of Devonshire also reaped some benefit from Philip's affectation of popularity, and recovered his liberty: but that nobleman, finding himself exposed to suspicion, begged permission to travel; and he soon after died at Padua, from poison, as is pretended, given him by the Imperialists. He was the eleventh and last earl of Devonshire of that noble family, one of the most illustrious in Europe.

The queen's extreme desire of having issue, had made her fondly give credit to any appearance of pregnancy; and when the legate was introduced to her, she fancied that she felt the embryo stir in her womb. Her flatterers compared this motion of the infant to that of John the Baptist, who leaped in his mother's belly at the salutation of the Virgin. Dispatches were immediately sent to inform foreign courts of this event: orders were issued to give public thanks: great rejoicings were made: the family of the young prince was already settled; for the catholics held themselves assured that the child was to be a male: and Bonner, bishop of London, made public prayers be said, that heaven would please to render him beautiful, vigorous, and witty. But the nation still remained somewhat incredulous; and men were persuaded that the queen laboured under infirmities which rendered her incapable of having children. Her infant proved only the commencement of a dropsy, which the disordered state of her health brought upon her. The belief, however, of her pregnancy was upheld with all possible care; and was one artifice by which Philip endeavoured to support his authority in the kingdom.... 1555. The parliament passed a law, which, in case of the queen's demise, appointed him protector during the minority; and the king and queen, finding they could obtain no further concessions, came unexpectedly to Westminster (16th January) and dissolved them.

There happened an incident this session, which must not be passed over in silence. Several members of the lower house, dissatisfied with the measures of the parliament, but finding themselves unable to prevent them, made a secession in order to show their disapprobation, and refused any longer to attend the house. For this instance of contumacy they were indicted in the king's bench after the dissolution of parliament: six of them submitted to the mercy of the court, and paid their fines, the rest traversed; and the queen died before the affair was brought to an issue. Judging of the matter by the subsequent claims of the house of commons, and, indeed, by the true principles of free government, this attempt of the queen's ministers must be regarded as a breach of privilege; but it gave little umbrage at the time, and was never called in question by any house of commons which afterwards sat during this reign. The count of Noailles, the French ambassador, says, that the queen threw several members into prison for their freedom of speech.

CHAPTER XXXVII.

Reasons for and against Toleration — Persecutions — A Parliament — The Queen's Extremities — The Emperor resigns his Crown — Execution of Cranmer — War with France — Battle of St. Quintin's — Calais taken by the French — Affairs of Scotland — Marriage of the Dauphin and the Queen of Scots — A Parliament — Death of the Queen.

THE success which Gardiner, from his cautious and prudent conduct, had met with in governing the parliament, and engaging them to concur both in the Spanish match, and in the re-establishment of the ancient religion, two points to which it was believed they bore an extreme aversion, had so raised his character for wisdom and policy, that his opinion was received as an oracle in the council; and his authority, as it was always great in his own party, no longer suffered any opposition or control. Cardinal Pole himself, though more beloved on account of his virtue and candour, and though superior in birth and station, had not equal weight in public deliberations; and while his learning, piety, and humanity were extremely respected, he was represented more as a good man than a great minister. A very important question was frequently debated before the queen and council by these two ecclesiastics; whether the laws lately revived against heretics should be put in execution, or should only be employed to restrain by terror the bold attempts of these zealots? Pole was very sincere in his religious principles; and though his moderation had made him be suspected at Rome of a tendency towards Lutheranism he was seriously persuaded of the catholic doctrines, and thought that no consideration of human policy ought ever to come in competition with such important interests. Gardiner, on the contrary, had always made his religion subservient to his schemes of safety or advancement; and by his unlimited complaisance to Henry, he had shown that had he not been pushed to extremity under the late minority, he was sufficiently disposed to make a sacrifice of his principles to the established theology. This was the well-known character of these two great counsellors; yet such is the prevalence of temper above system, that the benevolent disposition of Pole led him to advise a toleration of the heretical tenets which he highly blamed; while the severe manners of Gardiner inclined him to support by persecution that religion which at the bottom he regarded with great indifference. This circumstance of public conduct was of the highest importance; and from being the object of deliberation in the council, it soon became the subject of discourse throughout the nation. We shall relate, in a few words, the topics by which each side supported, or might have supported their scheme, of policy; and shall display the opposite reasons, which have been employed with regard to an argument that ever has been and ever will be so much canvassed.

REASONS FOR AND AGAINST TOLERATION.

The practice of persecution, said the defenders of Pole's opinion, is the scandal of all religion; and the theological animosity so fierce and violent, far from being an argument of men's conviction in their opposite sects, is a certain proof that they have never reached any serious persuasion with regard to these remote and sublime subjects. Even those who are the most impatient of contradiction in other controversies, are mild and moderate in comparison of polemical divines; and wherever a man's knowledge and experience give him a perfect assurance in his own opinion, he regards with contempt, rather than anger, the opposition and mistakes of others. But while men zealously maintain what they neither clearly comprehend nor entirely believe, they are shaken in their imagined faith by the opposite persuasion, or even doubts of other men; and vent on their antagonists that impatience which is the natural result of so disagreeable a state of the understanding. They then easily embrace any pretence for representing opponents as impious and profane; and if they can also find a colour for connecting this violence with the interests of civil government, they can no longer be restrained from giving uncontrolled scope to vengeance and resentment. But surely never enterprise was more unfortunate than that of founding persecution upon policy, or endeavouring, for the sake of peace, to settle an entire uniformity of opinion in questions which of all others are least subjected to the criterion of human reason. The universal and uncontradicted prevalence of one opinion in religious subjects can be owing at first to the stupid ignorance alone and barbarism of the people, who never indulge themselves in any speculation or inquiry; and there is no expedient for maintaining that uniformity, so fondly sought after, but by banishing for ever all curiosity and all improvement in science and cultivation. It may not, indeed, appear difficult to check, by a steady severity, the first beginnings of controversy; but besides that this policy exposes for ever the people to all the abject terrors of superstition, and the magistrate to the endless encroachments of ecclesiastics, it also renders men so delicate that they can never endure to hear of opposition; and they will some time pay dearly for that false tranquillity in which they have been so long indulged. As healthful bodies are ruined by too nice a regimen, and are thereby rendered incapable of bearing the unavoidable incidents of human life; a people who never were allowed to imagine that their principles could be contested, fly out into the most outrageous violence when any event (and such events are common) produces a faction among their clergy, and gives rise to any difference in tenet or opinion. But whatever may be said in favour of suppressing, by persecution, the first beginnings of heresy, no solid argument can be alleged for extending severity towards multitudes, or endeavouring, by capital punishments, to extirpate an opinion which has diffused itself among men of every rank and station. Besides the extreme barbarity of such an attempt, it commonly proves ineffectual to the purpose intended: and serves only to make men more obstinate in their persuasion, and to increase the number of their proselytes. The melancholy with which the fear of death, torture, and persecution inspires the sectaries, is the proper disposition for fostering religious zeal: the prospect of eternal rewards, when brought near, overpowers the dread of temporal punishments; the glory of martyrdom stimulates all the more furious zealots, especially the leaders and preachers: where a violent animosity is excited by oppression, men naturally pass from hating the persons of their tyrants, to a more violent abhorrence of their doctrines: and the spectators, moved with pity towards the supposed martyrs, are easily seduced to embrace those principles which can inspire men with a constancy that appears almost supernatural. Open the door to toleration, mutual hatred relaxes among the sectaries; their attachment to their particular modes of religion decays; the common occupations and pleasures of life succeed to the acrimony of disputation; and the same man who in other circumstances would have braved flames and tortures, is induced to change his sect from the smallest prospect of favour and advancement, or even from the frivolous hope of becoming more fashionable in his principles. If any exception can be admitted to this maxim of toleration, it will only be where a theology altogether new, nowise connected with the ancient religion of the state, is imported from foreign countries, and may easily at one blow be eradicated without leaving the seeds of future innovation. But as this exception would imply some apology for the ancient pagan persecutions, or for the extirpation of Christianity in China and Japan; it ought surely, on account of this detested consequence, to be rather buried in eternal silence and oblivion.

Though these arguments appear entirely satisfactory, yet such is the subtilty of human wit, that Gardiner and the other enemies to toleration were not reduced to silence; and they still found topics on which to maintain the controversy. The doctrine, said they, of liberty of conscience, is founded on the most flagrant impiety, and supposes such an indifference among all religions, such an obscurity in theological doctrines, as to render the church and magistrate incapable of distinguishing

with certainty the dictates of Heaven from the mere fictions of human imagination. If the Divinity reveals principles to mankind, he will surely give a criterion by which they may be ascertained; and a prince, who knowingly allows these principles to be perverted or adulterated, is infinitely more criminal than if he gave permission for the vending of poison under the shape of food to all his subjects. Persecution may, indeed, seem better calculated to make hypocrites than converts; but experience teaches us, that the habits of hypocrisy often turn into reality; and the children, at least, ignorant of the dissimulation of their parents, may happily be educated in more orthodox tenets. It is absurd, in opposition to considerations of such unspeakable importance, to plead the temporal and frivolous interests of civil society; and if matters be thoroughly examined, even that topic will not appear so universally certain in favour of toleration as by some it is represented. Where sects arise, whose fundamental principle on all sides is to execrate, and abhor, and damn, and extirpate each other, what choice has the magistrate left but to take part, and by rendering one sect entirely prevalent, restore, at least for a time, the public tranquillity? The political body being here sickly, must not be treated as if it were in a state of sound health; and an effectual neutrality in the prince, or even a cool preference, may serve only to encourage the hopes of all the sects, and keep alive their animosity. The protestants, far from tolerating the religion of their ancestors, regarded it as an impious and detestable idolatry; and during the late minority, when they were entirely masters, they enacted very severe though not capital punishments against all exercise of the catholic worship, and even against such as barely abstained from their profane rites and sacraments. Nor are instances wanting of their endeavours to secure an imagined orthodoxy by the most rigorous executions: Calvin has burned Servetus at Geneva: Cranmer brought Arians and Anabaptists to the stake: and if persecution of any kind be admitted, the most bloody and violent will surely be allowed the most justifiable, as the most effectual. Imprisonments, fines, confiscations, whippings, serve only to irritate the sects, without disabling them from resistance: but the stake, the wheel, and the gibbet, must soon terminate in the extirpation or banishment of all the heretics inclined to give disturbance, and in the entire silence and submission of the rest.

The arguments of Gardiner, being more agreeable to the cruel bigotry of Mary and Philip, were better received; and though Pole pleaded, as is affirmed,* the advice of the emperor, who recommended it to his daughter-in-law not to exercise violence against the protestants, and desired her to consider his own example, who, after endeavouring through his whole life to extirpate heresy, had in the end reaped nothing but confusion and disappointment, the scheme of toleration was entirely rejected. It was determined to let loose the laws in their full vigour against the reformed religion; and England was soon filled with scenes of horror, which have ever since rendered the catholic religion the object of general detestation, and which prove, that no human depravity can equal revenge and cruelty covered with the mantle of religion.

VIOLENT PERSECUTIONS IN ENGLAND.

The persecutors began with Rogers, prebendary of St. Paul's, a man eminent in his party for virtue as well as for learning. Gardiner's plan was first to attack men of that character whom he hoped terror would bend to submission, and whose example, either of punishment or recantation, would naturally have influence on the multitude: but he found a perseverance and courage in Rogers, which it may seem strange to find in human nature, and of which all ages and all sects do nevertheless furnish many examples. Rogers beside the care of his own preservation, lay under other powerful temptations to compliance: he had a wife whom he tenderly loved, and ten children; yet such was his serenity after his condemnation, that the jailors, it is said, waked him from a sound sleep when the hour of his execution approached. He had desired to see his wife before he died; but Gardiner told him, that he was a priest, and could not possibly have a wife; thus joining insult to cruelty. Rogers was burnt in Smithfield.

Hooper, bishop of Gloucester, had been tried at the same time with Rogers; but was sent to his own diocese to be executed. This circumstance was contrived to strike the greater terror into his flock; but it was a source of consolation to Hooper, who rejoiced in giving testimony by his death to that doctrine which he had formerly preached among them. When he was tied to the stake, a stool was set before him, and the queen's pardon laid upon it, which it was still in his power to merit by a recantation: but he ordered it to be removed; and cheerfully prepared himself for that dreadful punishment to which he was sentenced. He suffered it in its full severity: the wind, which was violent, blew the flame of the reeds from his body: the faggots were green, and did not kindle easily: all his lower parts were consumed before his vitals were attacked: one of his hands dropped off: with the other he continued to beat his breast: he was heard to pray, and to exhort the people; till his tongue, swoln with the violence of his agony, could no longer permit him utterance. He was three quarters of an hour in torture, which he bore with inflexible constancy.

Sanders was burned at Coventry: a pardon was also offered him; but he rejected it, and embraced the stake, saying, "Welcome the cross of Christ! welcome everlasting life!" Taylor, parson of Hadley, was punished by fire in that place, surrounded by his ancient friends and parishioners. When tied to the stake, he rehearsed a psalm in English: one of his guards struck him in the mouth, and bade him speak Latin: another, in a rage, gave him a blow on the head with his halbert, which happily put an end to his torments.

There was one Philpot, archdeacon of Winchester, inflamed with such zeal for orthodoxy, that having been engaged in dispute with an Arian, he spit in his adversary's face to show the great detestation which he had entertained against that heresy. He afterwards wrote a treatise to justify this unmannerly expression of zeal; he said, that he was led to it in order to relieve the sorrow conceived from such horrid blasphemy, and to signify how unworthy such a miscreant was of being admitted into the society of any Christian. Philpot was a protestant; and falling now into the hands of people as zealous as himself, but more powerful, he was condemned to the flames, and suffered at Smithfield. It seems to be almost a general rule, that in all religions, except the true, no man will suffer martyrdom who would not also inflict it willingly on all that differ from him. The same zeal for speculative opinions is the cause of both.

The crime for which almost all the protestants were condemned was, their refusal to acknowledge the real presence, Gardiner, who had vainly expected that a few examples would strike a terror into the reformers, finding the work daily multiply upon him, devolved the invidious office on others, chiefly on Bonner, a man of profligate manners, and of a brutal character, who seemed to rejoice in the torments of the unhappy sufferers. He sometimes whipped the prisoners with his own hands, till he was tired with the violence of the exercise: he tore out the beard of a weaver who refused to relinquish his religion; and that he might give him a specimen of burning, he held his hand to the candle till the sinews and veins shrunk and burst.

It is needless to be particular in enumerating all the cruelties practised in England during the course of three years that these persecutions lasted: the savage barbarity on the one hand, and the patient constancy

* Burnet, vol. ii. Records, p. 47. It is not likely, however, that Charles gave any such advice: for he himself was at this very time [illegible] great violence in persecuting the reformed in Flanders, Brabant, [illegible].

on the other, are so similar in all those martyrdoms that the narrative, little agreeable in itself, would never be relieved by any variety. Human nature appears not, on any occasion, so detestable, and at the same time so absurd, as in these religious persecutions, which sink men below infernal spirits in wickedness, and below the beasts in folly. A few instances only may be worth preserving, in order, if possible, to warn zealous bigots for ever to avoid such odious and such fruitless barbarity.

Ferrar, bishop of St. David's, was burned in his own diocese; and his appeal to cardinal Pole was not attended to. Ridley, bishop of London, and Latimer, formerly bishop of Worcester, two prelates celebrated for learning and virtue, perished together in the same flames at Oxford, and supported each other's constancy by their mutual exhortations. Latimer, when tied to the stake, called to his companion, "Be of good cheer, brother; we shall this day kindle such a torch in England, as, I trust in God, shall never be extinguished." The executioners had been so merciful (for that clemency may more naturally be ascribed to them than to the religious zealots) as to tie bags of gunpowder about these prelates, in order to put a speedy period to their tortures: the explosion immediately killed Latimer, who was in extreme old age; Ridley continued alive during some time in the midst of the flames.

One Hunter, a young man of nineteen, an apprentice, having been seduced by a priest into a dispute, had unwarily denied the real presence. Sensible of his danger, he immediately absconded; but Bonner laying hold of his father, threatened him with the greatest severities if he did not produce the young man to stand his trial. Hunter, hearing of the vexations to which his father was exposed, voluntarily surrendered himself to Bonner, and was condemned to the flames by that barbarous prelate.

Thomes Haukes, when conducted to the stake, agreed with his friends, that if he found the torture tolerable, he would make them a signal to that purpose in the midst of the flames. His zeal for the cause in which he suffered so supported him that he stretched out his arms, the signal agreed on; and in that posture he expired. This example, with many others of like constancy, encouraged multitudes not only to suffer, but even to court and aspire to martyrdom.

The tender sex itself, as they have commonly greater propensity to religion, produced many examples of the most inflexible courage in supporting the profession of it against all the fury of the persecutors. One execution in particular was attended with circumstances, which, even at that time, excited astonishment by reason of their unusual barbarity. A woman in Guernsey, being near the time of her labour when brought to the stake, was thrown into such agitation by the torture that her belly burst, and she was delivered in the midst of the flames. One of the guards immediately snatched the infant from the fire, and attempted to save it: but a magistrate, who stood by, ordered it to be thrown back, being determined, he said, that nothing should survive which sprang from so obstinate and heretical a parent.

The persons condemned to these punishments were not convicted of teaching, or dogmatising, contrary to the established religion: they were seized merely on suspicion; and articles being offered them to subscribe, they were immediately upon their refusal condemned to the flames. These instances of barbarity, so unusual in the nation, excited horror; the constancy of the martyrs was the object of admiration; and as men have a principle of equity engraven in their minds, which even false religion is not able totally to obliterate, they were shocked to see persons of probity, of honour, of pious dispositions, exposed to punishments more severe than were inflicted on the greatest ruffians for crimes subversive of civil society. To exterminate the whole protestant party was known to be impossible; and nothing could appear more iniquitous, than to subject to torture the most conscientious and courageous among them, and allow the cowards and hypocrites to escape. Each martyrdom, therefore, was equivalent to a hundred sermons against popery; and men either avoided such horrid spectacles, or returned from them full of a violent, though secret, indignation against the persecutors. Repeated orders were sent from the council to quicken the diligence of the magistrates in searching out heretics; and in some places the gentry were constrained to countenance by their presence those barbarous executions. These acts of violence tended only to render the Spanish government daily more odious; and Philip, sensible of the hatred which he incurred, endeavoured to remove the reproach from himself by a very gross artifice: he ordered his confessor to deliver in his presence a sermon in favour of toleration; a doctrine somewhat extraordinary in the mouth of a Spanish friar. But the court finding that Bonner, however shameless and savage, would not bear alone the whole infamy, soon threw off the mask; and the unrelenting temper of the queen, as well as of the king, appeared without control. A bold step was even taken towards introducing the inquisition into England. As the bishops' courts, though extremely arbitrary, and not confined by any ordinary forms of law, appeared not to be invested with sufficient power, a commission was appointed, by authority of the queen's prerogative, more effectually to extirpate heresy. Twenty-one persons were named; but any three were armed with the powers of the whole. The commission runs in these terms: "That since many false rumours were published among the subjects, and many heretical opinions were also spread among them, the commissioners were to inquire into those, either by presentments, by witnesses, or any other political way they could devise, and to search after all heresies; the bringers in, the sellers, the readers of all heretical books: they were to examine and punish all misbehaviours or negligencies in any church or chapel; and to try all priests that did not preach the sacrament of the altar; all persons that did not hear mass, or come to their parish church to service, that would not go in procession, or did not take holy bread or holy water: and if they found any that did obstinately persist in such heresies, they were to put them into the hands of their ordinaries, to be punished according to the spiritual laws: giving the commissioners full power to proceed as their discretions and consciences should direct them, and to use all such means as they would invent for the searching of the premises; empowering them also to call before them such witnesses as they pleased, and to force them to make oath of such things as might discover what they sought after." Some civil powers were also given the commissioners to punish vagabonds and quarrelsome persons.

To bring the methods of proceeding in England still nearer to the practice of the inquisition, letters were written to lord North, and others, enjoining them, "To put to the torture such obstinate persons as would not confess, and there to order them at their discretion." Secret spies also and informers were employed, according to the practice of that iniquitous tribunal. Instructions were given to the justices of peace, "That they should call secretly before them one or two honest persons within their limits, or more at their discretion, and command them by oath, or otherwise, that they shall secretly learn and search out such persons as shall evil-behave themselves in church, or idly, or shall despise openly by words, the king's or queen's proceedings, or go about to make any commotion, or tell any seditious tales or news. And also that the same persons so to be appointed shall declare to the same justices of peace the ill behaviour of lewd, disordered persons, whether it shall be for using unlawful games, and such other light behaviour of such suspected persons: and that the same information shall be given secretly

to the justices; and the same justices shall call such accused persons before them, and examine them, without declaring by whom they were accused. And that the same justices shall, upon their examination, punish the offenders according as their offences shall appear, upon the accusement and examination, by their discretion, either by open punishment or by good abearing." In some respects this tyrannical edict even exceeded the oppression of the inquisition; by introducing into every part of government the same iniquities which that tribunal practices for the extirpation of heresy only, and which are in some measure necessary wherever that end is earnestly pursued.

But the court had devised a more expeditious and summary method of supporting orthodoxy than even the inquisition itself. They issued a proclamation against books of heresy, treason, and sedition; and declared, "That whosoever had any of these books, and did not presently burn them, without reading them, or showing them to any other person, should be esteemed rebels; and without any further delay be executed by martial law." From the state of the English government during that period, it is not so much the illegality of these proceedings, as their violence and their pernicious tendency, which ought to be the object of our censure.

We have thrown together almost all the proceedings against heretics, though carried on during a course of three years, that we may be obliged, as little as possible, to return to such shocking violences and barbarities. It is computed, that in that time two hundred and seventy-seven persons were brought to the stake; besides those who were punished by imprisonment, fines, and confiscations. Among those who suffered by fire were five bishops, twenty-one clergymen, eight lay gentlemen, eighty-four tradesmen, one hundred husbandmen, servants, and labourers, fifty-five women, and four children. This persevering cruelty appears astonishing; yet is it much inferior to what has been practised in other countries. A great author computes, that in the Netherlands alone, from the time that the edict of Charles V. promulgated against the reformers, there had been fifty thousand persons hanged, beheaded, buried alive, or burnt, on account of religion; and that in France the number had also been considerable. Yet in both countries, as the same author subjoins, the progress of the new opinions, instead of being checked, was rather forwarded by these persecutions.

The burning of heretics was a very natural method of reconciling the kingdom to the Romish communion, and little solicitation was requisite to engage the pope to receive the strayed flock, from which he reaped such considerable profit: yet was there a solemn embassy sent to Rome, consisting of sir Anthony Brown, created viscount Montacute, the bishop of Ely, and sir Edward Carne; in order to carry the submissions of England, and beg to be re-admitted into the bosom of the catholic church. Paul IV., after a short interval, now filled the papal chair; the most haughty pontiff that during several ages had been elevated to that dignity. He was offended that Mary still retained among her titles that of queen of Ireland; and he affirmed, that it belonged to him alone, as he saw cause, either to erect new kingdoms, or abolish the old: but, to avoid all dispute with the new converts, he thought proper to erect Ireland into a kingdom, and he then admitted the title, as if it had been assumed from his concession. This was a usual artifice of the popes, to give allowance to what they could not prevent, and afterwards pretend that princes, while they exercised their own powers, were only acting by authority from the papacy. And though Paul had at first intended to oblige Mary formally to recede from this title before he would bestow it upon her, he found it prudent to proceed in a less haughty manner.

Another point in discussion between the pope and the English ambassadors was not so easily terminated. Paul insisted, that the property and possessions of the church should be restored to the uttermost farthing: that whatever belonged to God could never by any law be converted to profane uses, and every person who detained such possessions was in a state of eternal damnation: that he would willingly, in consideration of the humble submissions of the English, make them a present of these ecclesiastical revenues; but such a concession exceeded his power, and the people might be certain so great a profanation of holy things would be a perpetual anathema upon them, and would blast all their future felicity: that if they would truly show their filial piety, they must restore all the privileges and emoluments of the Romish church, and Peter's pence amongst the rest; nor could they expect that this apostle would open to them the gates of paradise, while they detained from him his patrimony on earth. These earnest remonstrances being transmitted to England, though they had little influence on the nation, operated powerfully on the queen; who was determined, in order to ease her conscience, to restore all the church lands which were still in the possession of the crown: and, the more to display her zeal, she erected anew some convents and monasteries, notwithstanding the low condition of the exchequer. When this measure was debated in council, some members objected, that if such a considerable part of the revenue were dismembered, the dignity of the crown would fall to decay; but the queen replied, that she preferred the salvation of her soul to ten such kingdoms as England. These imprudent measures would not probably have taken place so easily, had it not been for the death of Gardiner, which happened about this time: the great seal was given to Heathe, archbishop of York, that an ecclesiastic might still be possessed of that high office, and be better enabled by his authority to forward the persecutions against the reformed.

A PARLIAMENT, *October* 21.

These persecutions were now become extremely odious to the nation; and the effects of the public discontent appeared in the new parliament summoned to meet at Westminster. A bill was passed, restoring to the church the tenths and first-fruits, and all the impropriations which remained in the hands of the crown; but though this matter directly concerned none but the queen herself, great opposition was made to the bill in the house of commons. An application being made for a subsidy during two years, and for two fifteenths, the latter was refused by the commons; and many members said, that while the crown was thus despoiling itself of its revenue, it was in vain to bestow riches upon it. The parliament rejected a bill for obliging the exiles to return under certain penalties, and another for incapacitating such as were remiss in the persecution of heresy from being justices of peace. On the 9th of December, the queen finding the intractable humour of the commons, thought proper to dissolve the parliament.

The spirit of opposition which began to prevail in parliament was the more likely to be vexatious to Mary, as she was otherwise in very bad humour on account of her husband's absence, who, tired of her importunate love and jealousy, and finding his authority extremely limited in England, had laid hold of the first opportunity to leave her, and had gone over last summer to the emperor in Flanders. The indifference and neglect of Philip, added to the disappointment in her imagined pregnancy, threw her into deep melancholy; and she gave vent to her spleen, by daily enforcing the persecutions against the protestants, and even by expressions of rage against all her subjects; by whom she knew herself to be hated, and whose opposition, in refusing an entire compliance with Philip, was the cause, she believed, why he had alienated his affections from her, and afforded her so little of his company. The less return her love met with, the

more it increased and she passed most of her time in solitude, where she gave vent to her passion, either in tears, or in writing fond epistles to Philip, who seldom returned her any answer, and scarcely deigned to pretend any sentiment of love or even of gratitude towards her.

THE QUEEN'S EXTORTIONS.

The chief part of government to which she attended was the exacting of money from her people, in order to satisfy his demands; and as the parliament had granted her but a scanty supply, she had recourse to expedients very violent and irregular. She levied a loan of sixty thousand pounds upon a thousand persons, of whose compliance, either on account of their riches or their affections to her, she held herself best assured; but that sum not sufficing, she exacted a general loan on every one who possessed twenty pounds a year. This imposition lay heavy on the gentry, who were obliged many of them to retrench their expenses, and dismiss their servants, in order to enable them to comply with her demands: and as these servants, accustomed to idleness, and having no means of subsistence, commonly betook themselves to theft and robbery, the queen published a proclamation, by which she obliged their former masters to take them back to their service. She levied sixty thousand marks on seven thousand yeomen, who had not contributed to the former loan, and she exacted thirty-six thousand pounds more from the merchants. In order to engage some Londoners to comply more willingly with her multiplied extortions, she passed an edict, prohibiting for four months the exporting of any English cloth or kersey to the Netherlands; an expedient which procured a good market for such as had already sent any quantity of cloth thither. Her rapaciousness engaged her to give endless disturbance and interruption to commerce. The English company settled in Antwerp having refused her a loan of forty thousand pounds, she dissembled her resentment till she found that they had bought and shipped great quantities of cloth for Antwerp fair, which was approaching: she then laid an embargo on the ships, and obliged the merchants to grant her a loan of the forty thousand pounds at first demanded, to engage for the payment of twenty thousand pounds more at a limited time, and to submit to an arbitrary imposition of twenty shillings on each piece. Some time after she was informed that the Italian merchants had shipped above forty thousand pieces of cloth for the Levant, for which they were to pay her a crown a piece, the usual imposition: she struck a bargain with the merchant-adventurers in London; prohibited the foreigners from making any exportation; and received from the English merchants, in consideration of this iniquity, the sum of fifty thousand pounds, and an imposition of four crowns on each piece of cloth which they should export. She attempted to borrow great sums abroad; but her credit was so low, that though she offered fourteen per cent. to the city of Antwerp for a loan of thirty thousand pounds, she could not obtain it till she compelled the city of London to be surety for her. All these violent expedients were employed while she herself was in profound peace with all the world, and had visibly no occasion for money but to supply the demands of a husband who gave attention only to his own convenience, and showed himself entirely indifferent about her interests.

THE EMPEROR RESIGNS HIS CROWN.

Philip was now become master of all the wealth of the new world, and of the richest and most extensive dominions in Europe, by the voluntary resignation of the emperor Charles V., who, though still in the vigour of his age, had taken a disgust to the world, and was determined to seek, in the tranquillity of retreat, for that happiness which he had in vain pursued amidst the tumults of war, and the restless projects of ambition. On the 25th of October he summoned the states of the Low Countries; and, seating himself on the throne for the last time, explained to his subjects the reasons of his resignation, absolved them from all oaths of allegiance, and, devolving his authority on Philip, told him, that his paternal tenderness made him weep, when he reflected on the burden which he imposed upon him. He inculcated on him the great and only duty of a prince, the study of his people's happiness; and represented how much preferable it was to govern by affection rather than by fear the nations subjected to his dominion. The cool reflections of age now discovered to him the emptiness of his former pursuits; and he found that the vain schemes of extending his empire had been the source of endless opposition and disappointment, and kept himself, his neighbours, and his subjects, in perpetual inquietude, and had frustrated the sole end of government, the felicity of the nations committed to his care; an object which meets with less opposition, and which, if steadily pursued, can alone convey a lasting and solid satisfaction.

1556. A few months after he resigned to Philip his other dominions; and, embarking on board a fleet, sailed to Spain, and took his journey to St. Just, a monastery in Estremadura, which, being situated in a happy climate, and amidst the greatest beauties of nature, he had chosen for the place of his retreat. When he arrived at Burgos he found, by the thinness of his court, and the negligent attendance of the Spanish grandees, that he was no longer emperor; and though this observation might convince him still more of the vanity of the world, and make him more heartily despise what he had renounced, he sighed to find that all former adulation and obeisance had been paid to his fortune, not to his person. With better reason was he struck with the ingratitude of his son Philip, who obliged him to wait a long time for the payment of the small pension which he had reserved; and this disappointment in his domestic enjoyments gave him a sensible concern. He pursued, however, his resolution with inflexible constancy; and, shutting himself up in his retreat, he exerted such self-command, that he restrained even his curiosity from any inquiry concerning the transactions of the world, which he had entirely abandoned. The fencing against the pains and infirmities under which he laboured occupied a great part of his time; and during the intervals he employed his leisure either in examining the controversies of theology, with which his age had been so much agitated, and which he had hitherto considered only in a political light, or in imitating the works of renowned artists, particularly in mechanics, of which he had always been a great admirer and encourager. He is said to have here discovered a propensity to the new doctrines; and to have frequently dropped hints of this unexpected alteration in his sentiments. Having amused himself with the construction of clocks and watches, he thence remarked how impracticable the object was in which he had so much employed himself during his grandeur; and how impossible that he, who never could frame two machines that would go exactly alike, could ever be able to make all mankind concur in the same belief and opinion. He survived his retreat two years.

The emperor Charles had very early in the beginning of his reign found the difficulty of governing such distant dominions; and he had made his brother Ferdinand be elected king of the Romans; with a view to his inheriting the imperial dignity as well as his German dominions. But having afterwards enlarged his schemes, and formed plans of aggrandizing his family, he regretted that he must dismember such considerable states; and he endeavoured to engage Ferdinand, by the most tempting offers, and most

earnest solicitations, to yield up his pretensions in favour of Philip. Finding his attempts fruitless, he had resigned the imperial crown with his other dignities; and Ferdinand, according to common form, applied to the pope for his coronation. The arrogant pontiff refused the demand; and pretended, that though on the death of an emperor he was obliged to crown the prince elected, yet, in the case of a resignation, the right devolved to the holy see, and it belonged to the pope alone to appoint an emperor. The conduct of Paul was in everything conformable to these lofty pretensions. He thundered always in the ears of all ambassadors, that he stood in no need of the assistance of any prince; that he was above all potentates of the earth; that he would not accustom monarchs to pretend to a familiarity or equality with him; that it belonged to him to alter and regulate kingdoms; that he was successor of those who had deposed kings and emperors; and that, rather than submit to anything below his dignity, he would set fire to the four corners of the world. He went so far as, at table, in the presence of many persons, and even openly, in a public consistory, to say, that he would not admit any kings for his companions; they were all his subjects, and he would hold them under these feet: so saying, he stamped on the ground with his old and infirm limbs; for he was now past fourscore years of age.

The world could not forbear making a comparison between Charles V., a prince who, though educated amidst wars and intrigues of state, had prevented the decline of age, and had descended from the throne, in order to set apart an interval for thought and reflection, and a priest who, in the extremity of old age, exulted in his dominion, and, from restless ambition and revenge, was throwing all nations into combustion. Paul had entertained the most inveterate animosity against the house of Austria; and though a truce of five years had been concluded between France and Spain, he excited Henry, by his solicitations, to break it, and promised to assist him in recovering Naples, and the dominions to which he laid claim in Italy; a project which had ever proved hurtful to the predecessors of that monarch. He himself engaged in hostilities with the duke of Alva, viceroy of Naples; and Guise being sent with forces to support him, the renewal of war between the two crowns seemed almost inevitable. Philip, though less warlike than his father, was no less ambitious; and he trusted, that by the intrigues of the cabinet, where he believed his caution and secrecy and prudence gave him the superiority, he should be able to subdue all his enemies, and extend his authority and dominion. For this reason, as well as from the desire of settling his new empire, he wished to maintain peace with France; but when he found, that without sacrificing his honour it was impossible for him to overlook the hostile attempts of Henry, he prepared for war with great industry. In order to give himself the more advantage, he was desirous of embarking England in the quarrel; and though the queen was of herself extremely averse to that measure, he hoped that the devoted fondness which, notwithstanding repeated instances of his indifference, she still bore to him, would effectually second his applications. Had the matter indeed depended solely on her, she was incapable of resisting her husband's commands; but she had little weight with her council, still less with her people; and her government, which was every day becoming more odious, seemed unable to maintain itself even during the most profound tranquillity, much more if a war were kindled with France, and, what seemed an inevitable consequence, with Scotland, supported by that powerful kingdom.

EXECUTION OF CRANMER.

An act of barbarity was this year exercised in England, which, added to many other instances of the same kind, tended to render the government extremely unpopular. Cranmer had long been detained prisoner; but the queen now determined to bring him to punishment; and in order the more fully to satiate her vengeance, she resolved to punish him for heresy, rather than for treason. He was cited by the pope to stand his trial at Rome; and though he was known to be kept in close custody at Oxford, he was, upon his not appearing, condemned as contumacious. Bonner, bishop of London, and Thirleby, of Ely, were sent to degrade him; and the former executed the melancholy ceremony with all the joy and exultation which suited his savage nature. The implacable spirit of the queen, not satisfied with the eternal damnation of Cranmer, which she believed inevitable, and with the execution of that dreadful sentence to which he was condemned, prompted her also to seek the ruin of his honour, and the infamy of his name. Persons were employed to attack him, not in the way of disputation, against which he was sufficiently armed; but by flattery, insinuation, and address; by representing the dignities to which his character still entitled him, if he would merit them by a recantation; by giving hopes of long enjoying those powerful friends whom his beneficent disposition had attached to him during the course of his prosperity. Overcome by the fond love of life, terrified by the prospect of those tortures which awaited him, he allowed, in an unguarded hour, the sentiments of nature to prevail over his resolution, and he agreed to subscribe the doctrines of the papal supremacy, and of the real presence. The court, equally perfidious and cruel, were determined that this recantation should avail him nothing; and they sent him orders that he should be required to acknowledge his errors in church before the whole people, and that he should thence be immediately carried to execution. Cranmer, whether that he had received a secret intimation of their design, or had repented of his weakness, surprised the audience by a contrary declaration. He said, that he was well apprized of the obedience which he owed to his sovereign and the laws; but this duty extended no further than to submit patiently to their commands, and to bear, without resistance, whatever hardships they should impose upon him: that a superior duty, the duty which he owed to his Maker, obliged him to speak truth on all occasions, and not to relinquish, by a base denial, the holy doctrine which the Supreme Being had revealed to mankind: that there was one miscarriage in his life, of which, above all others, he severely repented; the insincere declaration of faith to which he had the weakness to consent, and which the fear of death alone had extorted from him: that he took this opportunity of atoning for his error, by a sincere and open recantation; and was willing to seal, with his blood, that doctrine which he firmly believed to be communicated from Heaven: and that, as his hand had erred, by betraying his heart, it should first be punished, by a severe but just doom, and should first pay the forfeit of its offences. He was thence led to the stake, amidst the insults of the catholics; and having now summoned up all the force of his mind, he bore their scorn, as well as the torture of his punishment with singular fortitude. He stretched out his hand, and, without betraying, either by his countenance or motions, the least sign of weakness, or even of feeling, he held it in the flames till it was entirely consumed. His thoughts seemed wholly occupied with reflections on his former fault, and he called aloud several times, "*This hand has offended.*" Satisfied with that atonement, he then discovered a serenity in his countenance; and when the fire attacked his body, he seemed to be quite insensible of his outward sufferings, and, by the force of hope and resolution, to have collected his mind altogether within itself, and to repel the fury of the flames. It is pretended, that after his body was consumed, his heart was found entire and untouched amidst the ashes; an event which, as it was the em-

them of his constancy, was fondly believed by the zealous protestants. He was undoubtedly a man of merit; possessed of learning and capacity, and adorned with candour, sincerity, and beneficence, and all those virtues which were fitted to render him useful and amiable in society. His moral qualities procured him universal respect; and the courage of his martyrdom, though he fell short of the rigid inflexibility observed in many, made him the hero of the protestant party.

After Cranmer's death cardinal Pole, who had now taken priest's orders, was installed in the see of Canterbury; and was thus, by this office, as well as by his commission of legate, placed at the head of the church of England. But though he was averse to all sanguinary methods of converting heretics, and deemed the reformation of the clergy the more effectual, as the more laudable expedient for that purpose, he found his authority too weak to oppose the barbarous and bigoted disposition of the queen and of her counsellors. He himself, he knew, had been suspected of Lutheranism; and as Paul, the reigning pope, was a furious persecutor, and his personal enemy, he was prompted, by the modesty of his disposition, to reserve his credit for other occasions, in which he had a greater probability of success.

The great object of the queen was to engage the nation in the war which was kindled between France and Spain; and cardinal Pole, with many other counsellors, openly and zealously opposed this measure. Besides insisting on the marriage articles, which provided against such an attempt, they represented the violence of the domestic factions in England, and the disordered state of the finances; and they foreboded, that the tendency of all these measures was to reduce the kingdom to a total dependence on Spanish counsels. Philip had come to London, in order to support his partisans; and he told the queen, that if he were not gratified in so reasonable a request, he never more would set foot in England. This declaration extremely heightened her zeal for promoting his interests, and overcoming the inflexibility of her council. After employing other menaces of a more violent nature, she threatened to dismiss all of them, and to appoint counsellors more obsequious; yet could she not procure a vote for declaring war with France. At length one Stafford and some other conspirators were detected in a design of surprising Scarborough; and a confession being extorted from them, that they had been encouraged by Henry in the attempt, the queen's importunity prevailed, and it was determined to make this act of hostility, with others of a like secret and doubtful nature, the ground of the quarrel. War was accordingly declared against France; and preparations were everywhere made for attacking that kingdom.

The revenue of England at that time little exceeded three hundred thousand pounds. Any considerable supplies could scarcely be expected from parliament, considering the present disposition of the nation; and as the war would sensibly diminish that branch arising from the customs, the finances, it was foreseen, would fall short even of the ordinary charges of government, and must still more prove unequal to the expenses of war. But though the queen owed great arrears to all her servants, besides the loans extorted from her subjects, these considerations had no effect with her; and, in order to support her warlike preparations, she continued to levy money in the same arbitrary and violent manner which she had formerly practised. She obliged the city of London to supply her with sixty thousand pounds on her husband's entry; she levied before the legal time the second year's subsidy voted by parliament; she issued anew many privy-seals, by which she procured loans from her people; and having equipped a fleet, which she could not victual by reason of the dearness of provisions, she seized all the corn she could find in Suffolk and Norfolk, without paying any price to the owners. By all these expedients, assisted by the power of pressing, she levied an army of ten thousand men, which she sent over to the Low Countries, under the command of the earl of Pembroke. Meanwhile, in order to prevent any disturbance at home, many of the most considerable gentry were thrown into the Tower; and lest they should be known, the Spanish practice was followed: they either were carried thither in the night-time, or were hoodwinked and muffled by the guards who conducted them.

BATTLE OF ST. QUINTIN.

The king of Spain had assembled an army which, after the junction of the English, amounted to above sixty thousand men, conducted by Philibert, duke of Savoy, one of the greatest captains of the age. The constable, Montmorency, who commanded the French army, had not half the number to oppose to him. The duke of Savoy, after menacing Mariembourgh and Rocroy, suddenly sat down before St. Quintin; and as the place was weak and ill provided with a garrison, he expected in a few days to become master of it. But admiral Coligny, governor of the province, thinking his honour interested to save so important a fortress, threw himself into St. Quintin, with some troops of French and Scottish gensdarmery; and by his exhortations and example animated the soldiers to a vigorous defence. He dispatched a messenger to his uncle Montmorency, desiring a supply of men; and the constable approached the place with his whole army, (10th August,) in order to facilitate the entry of these succours. But the duke of Savoy, falling on the re-enforcement, did such execution upon them, that not above five hundred got into the place. He next made an attack on the French army, and put them to total rout, killing four thousand men, and dispersing the remainder. In this unfortunate action many of the chief nobility of France were either slain or taken prisoners: among the latter was the old constable himself, who, fighting valiantly, and resolute to die rather than survive his defeat, was surrounded by the enemy, and thus fell alive into their hands. The whole kingdom of France was thrown into consternation: Paris was attempted to be fortified in a hurry: and had the Spaniards presently marched thither, it could not have failed to fall into their hands. But Philip was of a cautious temper; and he determined first to take St. Quintin, in order to secure a communication with his own dominions. A very little time, it was expected, would finish this enterprise; but the bravery of Coligny still prolonged the siege seventeen days, which proved the safety of France. Some troops were levied and assembled. Couriers were sent to recal the duke of Guise and his army from Italy: and the French, having recovered from their first panic, put themselves in a posture of defence. Philip, after taking Ham and Catelet, found the season so far advanced that he could attempt no other enterprise: he broke up his camp and retired to winter-quarters.

CALAIS TAKEN BY THE FRENCH.

But the vigilant activity of Guise, not satisfied with securing the frontiers, prompted him, in the depth of winter, to plan an enterprise, which France during her greatest successes had always regarded as impracticable, and had never thought of undertaking. Calais was in that age deemed an impregnable fortress; and as it was known to be the favourite of the English nation, by whom it could easily be succoured, the recovery of that place by France was considered as totally desperate. But Coligny had remarked, that as the town of Calais was surrounded with marshes, which during the winter were impassable, except over a dyke guarded by two castles, St. Agatha and Newnam bridge, the English were of late accustomed, on account of the

lowness of their finances, to dismiss a great part of the garrison at the end of autumn, and to recal them in the spring, at which time alone they judged their attendance necessary. On this circumstance he had founded the design of making a sudden attack on Calais; he had caused the place to be secretly viewed by some engineers; and a plan of the whole enterprise being found among his papers, it served, though he himself was made prisoner on the taking of St. Quintin, to suggest the project of that undertaking, and to direct the measures of the duke of Guise.

1558. Several bodies of troops defiled towards the frontiers on various pretences; and the whole being suddenly assembled, formed an army, with which Guise made an unexpected march towards Calais. At the same time a great number of French ships, being ordered into the Channel, under colour of cruising on the English, composed a fleet which made an attack by sea on the fortifications. The French assaulted St. Agatha with three thousand harquebusiers; and the garrison, though they made a vigorous defence, were soon obliged to abandon the place, and retreat to Newnam bridge. The siege of this latter place was immediately undertaken, and at the same time the fleet battered the risbank, which guarded the entrance of the harbour; and both these castles seemed exposed to imminent danger. The governor, lord Wentworth, was a brave officer; but finding that the greater part of his weak garrison was inclosed in the castle of Newnam bridge and the risbank, he ordered them to capitulate, and to join him in Calais, which without their assistance he was utterly unable to defend. The garrison of Newnam bridge was so happy as to effect this purpose; but that of the risbank could not obtain such favourable conditions, and were obliged to surrender at discretion.

The duke of Guise, now holding Calais blockaded by sea and land, thought himself secure of succeeding in his enterprise, but in order to prevent all accident, he delayed not a moment the attack of the place. He planted his batteries against the castle, where he made a large breach; and having ordered Andelot, Coligny's brother, to drain the fosse, he commanded an assault, which succeeded; and the French made a lodgment in the castle. On the night following, Wentworth attempted to recover his post; but having lost two hundred men in a furious attack which he made upon it, he found his garrison so weak, that he was obliged to capitulate. Ham and Guisnes fell soon after; and thus the duke of Guise in eight days, during the depth of winter, made himself master of this strong fortress, that had cost Edward III. a siege of eleven months, at the head of a numerous army, which had that very year been victorious in the battle of Cressy. The English had held it above two hundred years; and as it gave them an easy entrance into France, it was regarded as the most important possession belonging to the crown. The joy of the French was extreme, as well as the glory acquired by Guise, who at the time when all Europe imagined France to be sunk by the unfortunate battle of St. Quintin, had, in opposition to the English and their allies the Spaniards, acquired possession of a place which no former king of France, even during the distractions of the civil wars between the houses of York and Lancaster, had ever ventured to attempt. The English, on the other hand, bereaved of this valuable fortress, murmured loudly against the improvidence of the queen and her council; who, after engaging in a fruitless war, for the sake of foreign interests, had thus exposed the nation to so severe a disgrace. A treasury exhausted by expenses, and burdened with debts; a people divided and dejected; a sovereign negligent of her people's welfare; were circumstances which, notwithstanding the fair offers and promises of Philip, gave them small hopes of recovering Calais. And as the Scots, instigated by French councils, began to move on the borders, they were now necessitated rather to look to their defence at home, than to think of foreign conquests.

AFFAIRS OF SCOTLAND.

After the peace which, in consequence of King Edward's treaty with Henry, took place between Scotland and England, the queen-dowager, on pretence of visiting her daughter and her relations, made a journey to France, and she carried along with her the earls of Huntley, Sutherland, Marischal, and many of the principal nobility. Her secret design was, to take measures for engaging the earl of Arran to resign to her the government of the kingdom; and as her brothers, the duke of Guise, the cardinal of Lorraine, and the duke of Aumale, had uncontrolled influence in the court of France, she easily persuaded Henry, and by his authority the Scottish nobles, to enter into her measures Having also gained Carnegy of Kinnaird, Panter, bishop of Ross, and Gavin Hamilton, commendator of Kilwinning, three creatures of the governor's, she persuaded him, by their means, to consent to this resignation; and when everything was thus prepared for her purpose, she took a journey to Scotland, and passed through England in her way thither. Edward received her with great respect and civility; though he could not forbear attempting to renew the old treaty for his marriage with her daughter: a marriage, he said, so happily calculated for the tranquillity, interest, and security of both kingdoms, and the only means of ensuring a durable peace between them. For his part, he added, he never could entertain a cordial amity for any other husband whom she could choose; nor was it easy for him to forgive a man who, at the same time that he disappointed so natural an alliance, had bereaved him of a bride to whom his affections, from its earliest infancy, had been entirely engaged. The queen-dowager eluded these applications, by telling him, that if any measures had been taken disagreeable to him, they were entirely owing to the imprudence of the duke of Somerset, who, instead of employing courtesy, caresses, and gentle offices, the proper means of gaining a young princess, had had recourse to arms and violence, and had constrained the Scottish nobility to send their sovereign into France, in order to interest that kingdom in protecting their liberty and independence.

When the queen-dowager arrived in Scotland, she found the governor very unwilling to fulfil his engagements; and it was not till after many delays that he could be persuaded to resign his authority. But finding that the majority of the young princess was approaching, and that the queen-dowager had gained the affection of all the principal nobility, he thought it more prudent to submit; and having stipulated that he should be declared next heir to the crown, and should be freed from giving any account of his past administration, he placed her in possession of the power; and she thenceforth assumed the name of regent. It was a usual saying of this princess, that provided she could render her friends happy, and could ensure to herself a good reputation, she was entirely indifferent what befel her; and though this sentiment is greatly censured by the zealous reformers, as being founded wholly on secular motives, it discovers a mind well calculated for the government of kingdoms. D'Oisel, a Frenchman, celebrated for capacity, had attended her as ambassador from Henry, but in reality to assist her with his councils in so delicate an undertaking as the administration of Scotland; and this man had formed a scheme for laying a general tax on the kingdom, in order to support a standing military force, which might at once repel the inroads of foreign enemies, and check the turbulence of the Scottish nobles. But though some of the courtiers were gained over to this project, it gave a great and general discontent to the nation; and the queen-regent, after ingenuously confessing that it would prove pernicious to the kingdom, had the prudence to desist from it, and to trust entirely for her security to the good-will and affections of her subjects.

This laudable purpose seemed to be the chief object of her administration; yet was she sometimes drawn

from it by her connexions with France, and by the influence which her brothers had acquired over her. When Mary commenced hostilities against that kingdom, Henry required the queen-regent to take part in the quarrel; and she summoned a convention of states at Newbottle, and requested them to concur in a declaration of war against England. The Scottish nobles, who were become as jealous of French, as the English were of Spanish influence, refused their assent; and the queen was obliged to have recourse to stratagem, in order to effect her purpose. She ordered D'Oisel to begin some fortifications at Eyemouth, a place which had been dismantled by the last treaty with Edward; and when the garrison of Berwick, as she foresaw, made an inroad to prevent the undertaking, she effectually employed this pretence to inflame the Scottish nation, and to engage them in hostilities against England. The enterprises, however, of the Scots proceeded no further than some inroads on the borders: when D'Oisel, of himself, conducted artillery and troops to besiege the castle of Werke, he was recalled, and sharply rebuked by the council.

MARRIAGE OF THE DAUPHIN AND THE QUEEN OF SCOTS.

In order to connect Scotland more closely with France, and to increase the influence of the latter kingdom, it was thought proper by Henry to celebrate the marriage between the young queen and the dauphin; and a deputation was sent by the Scottish parliament to assist at the ceremony, and to settle the terms of the contract.

The close alliance between France and Scotland threatened very nearly the repose and security of Mary: and it was foreseen, that though the factions and disorders which might naturally be expected in the Scottish government, during the absence of the sovereign, would make its power less formidable, that kingdom would at least afford to the French a means of invading England.

A PARLIAMENT. *January* 20.

The queen, therefore, found it necessary to summon a parliament, and to demand of them some supplies to her exhausted exchequer. As such an emergency usually gives great advantage to the people, and as the parliaments, during this reign, had shown, that where the liberty and independency of the kingdom was menaced with imminent danger, they were not entirely overawed by the court, we shall naturally expect, that the late arbitrary methods of extorting money should at least be censured, and, perhaps, some remedy for the future provided against them. The commons, however, without making any reflections on the past, voted, besides a fifteenth, a subsidy of four shillings in the pound on land, and two shillings and eightpence on goods. The clergy granted eight shillings in the pound, payable, as was also the subsidy of the laity, in four years by equal portions.

The parliament also passed an act, confirming all the sales and grants of crown lands, which either were already made by the queen, or should be made during the seven ensuing years. It was easy to foresee, that in Mary's present disposition and situation, this power would be followed by a great alienation of the royal demesnes; and nothing could be more contrary to the principles of good government, than to establish a prince with very extensive authority, yet permit him to be reduced to beggary. This act met with opposition in the house of commons. One Copley expressed his fears lest the queen, under colour of the power there granted, might alter the succession, and alienate the crown from the lawful heir: but his words were thought *irreverent* to her majesty: he was committed to the custody of the serjeant-at arms; and though he expressed sorrow for this offence, he was not released till the queen was applied to for his pardon.

The English nation, during this whole reign, were under great apprehensions with regard not only to the succession, but the life of the lady Elizabeth. The violent hatred which the queen bore to her broke out on every occasion; and it required all the authority of Philip, as well as her own great prudence, to prevent the fatal effects of it. The princess retired into the country; and knowing that she was surrounded with spies, she passed her time wholly in reading and study, intermeddled in no business, and saw very little company. While she remained in this situation, which for the present was melancholy, but which prepared her mind for those great actions by which her life was afterwards so much distinguished, proposals of marriage were made to her by the Swedish ambassador in his master's name. As her first question was, whether the queen had been informed of these proposals? the ambassador told her, that his master thought, as he was a gentleman, it was his duty first to make his addresses to herself; and having obtained her consent, he would next, as a king, apply to her sister. But the princess would allow him to proceed no further; and the queen, after thanking her for this instance of duty, desired to know how she stood affected to the Swedish proposals. Elizabeth, though exposed to many present dangers and mortifications, had the magnanimity to reserve herself for better fortune; and she covered her refusal with professions of a passionate attachment to a single life, which, she said, she infinitely preferred before any other. The princess showed like prudence in concealing her sentiments of religion, in complying with the present modes of worship, and in eluding all questions with regard to that delicate subject.*

The money granted by parliament enabled the queen to fit out a fleet of a hundred and forty sail, which being joined by thirty Flemish ships, and carrying six thousand land forces on board, was sent to make an attempt on the coast of Britanny. The fleet was commanded by lord Clinton; the land forces by the earls of Huntingdon and Rutland. But the equipment of the fleet and army was so dilatory, that the French got intelligence of the design, and were prepared to receive them. The English found Brest so well guarded as to render an attempt on that place impracticable; but landing at Conquet, they plundered and burnt the town, with some adjacent villages, and were proceeding to commit great disorders, when Kersimon, a Breton gentleman, at the head of some militia, fell upon them, put them to rout, and drove them to their ships with considerable loss. But a small squadron of ten English ships had an opportunity of amply revenging this disgrace upon the French. The mareschal de Thermes, governor of Calais, had made an irruption into Flanders, with an army of fourteen thousand men; and having forced a passage over the river Aa, had taken Dunkirk, and Berg St. Winoc, and had advanced as far as Newport, but count Egmont coming suddenly upon him with superior forces, he was obliged to retreat; and being overtaken by the Spaniards near Gravelines, and finding a battle inevitable, he chose very skilfully his ground for the engagement. He fortified his left wing with all the precautions possible; and posted his right along the river Aa, which he reasonably thought gave him full security from that quarter. But the English ships, which were accidentally on the coast, being drawn by the noise of the

* The common net at that time, says sir Richard Baker for catching of protestants, was the real presence; and this net was used to catch the lady Elizabeth, for being asked once more, what she thought of the words of Christ "This is my body," whether she thought it to be the true body of Christ that was in the sacrament? it is said that, after so no pressing, she thus answered, —

"Christ was the word that spake it,
He took the bread and brake it;
And what the word did make it,
That I believe and take it."

Which though it may seem but a slight expression, yet hath it more solidness than at first sight appears, at least, it served her turn at that time to escape the net which by a direct answer she could not have done. —Baker's Chronicle, p. 350.



firing, sailed up the river, and flanking the French, did such execution by their artillery, that they put them to flight; and the Spaniards gained a complete victory.

Meanwhile the principal army of France, under the duke of Guise, and that of Spain, under the duke of Savoy, approached each other on the frontiers of Picardy; and as the two kings had come into their respective camps, attended by the flower of their nobility, men expected that some great and important event would follow from the emulation of these warlike nations. But Philip, though actuated by the ambition, possessed not the enterprising genius of a conqueror; and he was willing, notwithstanding the superiority of his numbers, and the two great victories which he had gained at St. Quintin and Gravelines, to put a period to the war by treaty. Negociations were entered into for that purpose; and as the terms offered by the two monarchs were somewhat wide of each other, the armies were put into winter-quarters till the princes could come to better agreement. Among other conditions, Henry demanded the restitution of Navarre to its lawful owner; Philip, that of Calais and its territory to England: but in the midst of these negociations, news arrived of the death of Mary; and Philip, no longer connected with England, began to relax in his firmness on that capital article. This was the only circumstance that could have made the death of that princess be regretted by the nation.

DEATH OF THE QUEEN. *November* 17.

Mary had long been in a declining state of health; and having mistaken her dropsy for a pregnancy, she had made use of an improper regimen, and her malady daily augmented. Every reflection now tormented her. The consciousness of being hated by her subjects, the prospect of Elizabeth's succession, apprehensions of the danger to which the catholic religion stood exposed, dejection for the loss of Calais, concern for the ill state of her affairs, and, above all, anxiety for the absence of her husband, who she knew intended soon to depart for Spain, and to settle there during the remainder of his life: all these melancholy reflections preyed upon her mind, and threw her into a lingering fever, of which she died, after a short and unfortunate reign of five years, four months, and eleven days.

It is not necessary to employ many words in drawing the character of this princess. She possessed few qualities either estimable or amiable; and her person was as little engaging as her behaviour and address. Obstinacy, bigotry, violence, cruelty, malignity, revenge, tyranny; every circumstance of her character, took a tincture from her bad temper and narrow understanding. And amidst that complication of vices which entered into her composition, we shall scarcely find any virtue but sincerity; a quality which she seems to have maintained throughout her whole life; except in the beginning of her reign, when the necessity of her affairs obliged her to make some promises to the protestants, which she certainly never intended to perform. But in these cases a weak, bigoted woman, under the government of priests, easily finds casuistry sufficient to justify to herself the violation of a promise. She appears also, as well as her father, to have been susceptible of some attachments of friendship; and that without the caprice and inconstancy which were so remarkable in the conduct of that monarch. To which we may add, that in many circumstances of her life she gave indications of resolution and vigour of mind; a quality which seems to have been inherent in her family.

Cardinal Pole had long been sickly, from an intermitting fever; and he died the same day with the queen, about sixteen hours after her. The benign character of this prelate, the modesty and humanity of his deportment, made him be universally beloved; insomuch that in a nation where the most furious persecution was carried on, and where the most violent religious factions prevailed, entire justice, even by the most of the reformers, has been done to his merit. The haughty pontiff Paul IV. had entertained some prejudices against him: and when England declared war against Henry, the ally of that pope, he seized the opportunity of revenge; and revoking Pole's legatine commission, appointed in his room cardinal Peyto, an observantine friar and confessor to the queen. But Mary would never permit the new legate to act upon the commission; and Paul was afterwards obliged to restore cardinal Pole to his authority.

There occur few general remarks, besides what have already been made in the course of our narration, with regard to the general state of the kingdom during this reign. The naval power of England was then so inconsiderable, that, fourteen thousand pounds being ordered to be applied to the fleet, both for repairing and victualling it, it was computed that ten thousand pounds a year would afterwards answer all necessary charges. The arbitrary proceedings of the queen above-mentioned, joined to many monopolies granted by this princess, as well as by her father, checked the growth of commerce; and so much the more, as all other princes in Europe either were not permitted, or did not find it necessary to proceed in so tyrannical a manner. Acts of parliament, both in the last reign and in the beginning of the present, had laid the same impositions on the merchants of the still-yard as on other aliens: yet the queen, immediately after her marriage, complied with the solicitations of the emperor, and by her prerogative suspended those laws. Nobody in that age pretended to question this exercise of prerogative. The historians are entirely silent with regard to it; and it is only by the collection of public papers that it is handed down to us.

An absurd law had been made in the preceding reign, by which every one was prohibited from making cloth unless he had served an apprenticeship of seven years. The law was repealed in the first year of the queen; and this plain reason given, that it had occasioned the decay of the woollen manufactory, and had ruined several towns. It is strange that Edward's law should have been revived during the reign of Elizabeth; and still more strange that it should still subsist.

A passage to Archangel had been discovered by the English during the last reign; and a beneficial trade with Muscovy had been established. A solemn embassy was sent by the czar to queen Mary. The ambassadors were shipwrecked on the coast of Scotland; but being hospitably entertained there, they proceeded on the journey, and were received at London with great pomp and solemnity. This seems to have been the first intercourse which that empire had with any of the western potentates of Europe.

A law was passed in this reign, by which the number of horses, arms, and furniture was fixed, which each person, according to the extent of his property, should be provided with for the defence of the kingdom. A man of a thousand pounds a year, for instance, was obliged to maintain at his own charge six horses fit for demilances, of which three at least were to be furnished with sufficient harness, steel saddles, and weapons proper for the demilances; and ten horses fit for light-horsemen, with furniture and weapons proper for them: he was obliged to have forty corslets furnished; fifty almain revets, or instead of them, forty coats of plate, corslets or brigandines furnished; forty pikes, thirty long bows, thirty sheafs of arrows, thirty steel caps or skulls, twenty black bills or halberts, twenty harquebuts, and twenty morions or sallets. We may remark that a man of a thousand marks of stock was rated equal to one of two hundred pounds a year: a proof that few or none at that time lived on their stock in money, and that great profits were made by the merchants in the course of trade. There is no class above a thousand pounds a year

We may form a notion of the little progress made in arts and refinement about this time from one circumstance: a man of no less rank than the comptroller of Edward the Sixth's household paid only thirty shillings a year of our present money for his house in Channel-row: yet labour and provisions, and consequently houses, were only about a third of the present price. Erasmus ascribes the frequent plagues in England to the nastiness and dirt and slovenly habits among the people. "The floors," says he, "are commonly of clay, strewed with rushes, under which lies unmolested an ancient collection of beer, grease, fragments, bones, spittle, excrements of dogs and cats, and everything that is nasty."

Hollingshed, who lived in queen Elizabeth's reign, gives a very curious account of the plain, or rather rude way of living of the preceding generation. There scarcely was a chimney to the house, even in considerable towns: the fire was kindled by the wall, and the smoke sought its way out at the roof, or door, or windows: the houses were nothing but watling plastered over with clay: the people slept on straw pallets, and had a good round log under their head for a pillow; and almost all the furniture and utensils were of wood. [*See note* 3 I, *at the end of this Vol.*]

In this reign we find the first general law with regard to highways, which were appointed to be repaired by parish duty all over England.

CHAPTER XXXVIII.

ELIZABETH.

Queen's Popularity.—Re-establishment of the Protestant Religion.—A Parliament.—Peace with France.—Disgust between the Queen and Mary Queen of Scots.—Affairs of Scotland.—Reformation in Scotland.—Civil Wars in Scotland.—Interposal of the Queen in the Affairs of Scotland.—Settlement of Scotland.—French Affairs.—Arrival of Mary in Scotland.—Bigotry of the Scotch Reformers.—Wise Government of Elizabeth.

QUEEN'S POPULARITY. 1558.

IN a nation so divided as the English, it could scarcely be expected that the death of one sovereign, and the accession of another, who was generally believed to have embraced opposite principles to those which prevailed, could be the object of universal satisfaction: yet so much were men displeased with the present conduct of affairs, and such apprehensions were entertained of futurity, that the people, overlooking their theological disputes, expressed a general and unfeigned joy that the sceptre had passed into the hand of Elizabeth. That princess had discovered great prudence in her conduct during the reign of her sister; and as men were sensible of the imminent danger to which she was every moment exposed, compassion towards her situation, and concern for her safety, had rendered her, to an uncommon degree, the favourite of the nation. A parliament had been assembled a few days before Mary's death; and when Heathe, archbishop of York, then chancellor, notified to them that event, scarcely an interval of regret appeared; and the two houses immediately resounded with the joyful acclamations of "God save queen Elizabeth; long and happily may she reign!" The people, less actuated by faction, and less influenced by private views, expressed a joy still more general and hearty on her proclamation; and the auspicious commencement of this reign pragnosticated that felicity and glory which, during its whole course, so uniformly attended it.

Elizabeth was at Hatfield when she heard of her sister's death; and, after a few days, she went thence to London, through crowds of people, who strove with each other in giving her the strongest testimony of their affection. On her entrance into the Tower, she could not forbear reflecting on the great difference between her present fortune, and that which a few years before had attended her, when she was conducted to that place as a prisoner, and lay there exposed to all the bigoted malignity of her enemies. She fell on her knees, and expressed her thanks to Heaven for the deliverance which the Almighty had granted her from her bloody persecutors; a deliverance, she said, no less miraculous than that which Daniel had received from the den of lions. This act of pious gratitude seems to have been the last circumstance in which she remembered any past hardships and injuries. With a prudence and magnanimity truly laudable, she buried all offences in oblivion, and received with affability even those who had acted with the greatest malevolence against her. Sir Harry Bennifield himself, to whose custody she had been committed, and who had treated her with severity, never felt, during the whole course of her reign, any effects of her resentment. Yet was not the gracious reception which she gave prostitute and undistinguishing. When the bishops came in a body to make their obeisance to her, she expressed to all of them sentiments of regard, except to Bonner, from whom she turned aside, as from a man polluted with blood, who was a just object of horror to every heart susceptible of humanity.

After employing a few days in ordering her domestic affairs, Elizabeth notified to foreign courts her sister's death, and her own accession. She sent lord Cobham to the Low Countries, where Philip then resided; and she took care to express to that monarch her gratitude for the protection which he had afforded her, and her desire of persevering in that friendship which had so happily commenced between them. Philip, who had long foreseen this event, and who still hoped, by means of Elizabeth, to obtain that dominion over England of which he had failed in espousing Mary, immediately dispatched orders to the duke of Feria, his ambassador at London, to make proposals of marriage to the queen; and he offered to procure from Rome a dispensation for that purpose. But Elizabeth soon came to the resolution of declining the proposal. She saw that the nation had entertained an extreme aversion to the Spanish alliance during her sister's reign; and that one great cause of the popularity which she herself enjoyed, was the prospect of being freed, by her means, from the danger of foreign subjection. She was sensible that her affinity with Philip was exactly similar to that of her father with Catherine of Arragon; and that her marrying that monarch was, in effect, declaring herself illegitimate, and incapable of succeeding to the throne. And, though the power of the Spanish monarchy might still be sufficient, in opposition to all pretenders, to support her title, her masculine spirit disdained such precarious dominion, which, as it would depend solely on the power of another, must be exercised according to his inclinations. But, while these views prevented her from entertaining any thoughts of a marriage with Philip, she gave him an obliging, though evasive, answer; and he still retained such hopes of success, that he sent a messenger to Rome, with orders to solicit the dispensation.

The queen too, on her sister's death, had written to sir Edward Carne, the English ambassador at Rome, to notify her accession to the pope; but the precipitate nature of Paul broke through all the cautious measures concerted by this young princess. He told Carne, that England was a fief of the holy see; and it was great temerity in Elizabeth to have assumed, without his participation, the title and authority of queen: that being illegitimate, she could not possibly inherit that kingdom; nor could he annul the sentence pronounced by Clement VII. and Paul III. with regard to Henry's marriage: that were he to proceed with rigour, he should punish this criminal invasion of his rights by rejecting all her applications; but, being willing to treat her with paternal indulgence, he would still keep the door of grace open to her: and that, if she would renounce all pretensions to the crown, and submit

entirely to his will, she should experience the utmost lenity compatible with the dignity of the apostolic see. When this answer was reported to Elizabeth, she was astonished at the character of that aged pontiff; and, having recalled her ambassador, she continued with more determined resolution to pursue those measures which already she had secretly embraced.

RE-ESTABLISHMENT OF THE PROTESTANT RELIGION.

The queen, not to alarm the partisans of the catholic religion, had retained eleven of her sister's counsellors; but in order to balance their authority, she added eight more, who were known to be inclined to the protestant communion: the marquis of Northampton, the earl of Bedford, sir Thomas Parry, sir Edward Rogers, sir Ambrose Cave, sir Francis Knolles, sir Nicholas Bacon, whom she created lord-keeper, and sir William Cecil, secretary of state. With these counsellors, particularly Cecil, she frequently deliberated concerning the expediency of restoring the protestant religion, and the means of executing that great enterprise. Cecil told her, that the greater part of the nation had, ever since her father's reign, inclined to the Reformation; and, though her sister had constrained them to profess the ancient faith, the cruelties exercised by her ministers had still more alienated their affections from it: that happily the interests of the sovereign here concurred with the inclinations of the people; nor was her title to the crown compatible with the authority of the Roman pontiff: that a sentence, so solemnly pronounced by two popes against her mother's marriage, could not possibly be recalled, without inflicting a mortal wound on the credit of the see of Rome; and even, if she were allowed to retain the crown, it would only be on an uncertain and dependent footing: that this circumstance alone counterbalanced all dangers whatsoever; and these dangers themselves, if narrowly examined, would be found very little formidable: that the curses and execrations of the Romish church, when not seconded by military force, were, in the present age, more an object of ridicule than of terror, and had now as little influence in this world as in the next: that though the bigotry or ambition of Henry or Philip might incline them to execute a sentence of excommunication against her, their interests were so incompatible, that they never could concur in any plan of operations; and the enmity of the one would always ensure to her the friendship of the other: that if they encouraged the discontents of her catholic subjects, their dominions also abounded with protestants, and it would be easy to retaliate upon them: that even such of the English as seemed at present zealously attached to the catholic faith, would, most of them, embrace the religion of their new sovereign; and the nation had of late been so much accustomed to these revolutions, that men had lost all idea of truth and falsehood in such subjects: that the authority of Henry VIII., so highly raised by many concurring circumstances, first inured the people to this submissive deference; and it was the less difficult for succeeding princes to continue the nation in a track to which it had so long been accustomed: and that it would be easy for her, by bestowing on protestants all preferment in civil offices and the militia, the church, and the universities, both to ensure her own authority, and to render her religion entirely predominant.

The education of Elizabeth, as well as her interest, led her to favour the Reformation; and she remained not long in suspense with regard to the party which she should embrace. But, though determined in her own mind, she resolved to proceed by gradual and secure steps, and not to imitate the example of Mary, in encouraging the bigots of her party to make immediately a violent invasion on the established religion. She thought it requisite, however, to discover such symptoms of her intentions, as might give encouragement to the protestants, so much depressed by the late violent persecutions. She immediately recalled all the exiles, and gave liberty to the prisoners who were confined on account of religion. We are told of a pleasantry of one Rainsford on this occasion, who said to the queen, that he had a petition to present her in behalf of other prisoners, called Matthew, Mark, Luke, and John: she readily replied, that it behoved her first to consult the prisoners themselves, and to learn of them whether they desired that liberty which he demanded for them.

Elizabeth also proceeded to exert, in favour of the reformers, some acts of power which were authorized by the extent of royal prerogative during that age. Finding that the protestant teachers, irritated by persecution, broke out in a furious attack on the ancient superstition, and that the Romanists replied with no less zeal and acrimony, she published a proclamation, by which she inhibited all preaching without a special licence; and though she dispensed with these orders in favour of some preachers of her own sect, she took care that they should be the most calm and moderate of the party. She also suspended the laws so far as to order a great part of the service, the litany, the Lord's prayer, the creed, and the gospels, to be read in English. And, having first published injunctions that all the churches should conform themselves to the practice of her own chapel, she forbade the host to be any more elevated in her presence; an innovation which, however frivolous it may appear, implied the most material consequences.

These declarations of her intentions, concurring with preceding suspicions, made the bishops foresee, with certainty, a revolution in religion. They therefore refused to officiate at her coronation; and it was with some difficulty that the bishop of Carlisle was at last prevailed on to perform the ceremony. When she was conducted through London, amidst the joyful acclamations of her subjects, a boy, who personated Truth, was let down from one of the triumphal arches, and presented to her a copy of the Bible. She received the book with the most gracious deportment, placed it next her bosom, and declared, that, amidst all the costly testimonies which the city had that day given her of their attachment, this present was by far the most precious and most acceptable. Such were the innocent artifices by which Elizabeth insinuated herself into the affections of her subjects. Open in her address, gracious and affable in all public appearances, she rejoiced in the concourse of her subjects, entered into all their pleasures and amusements, and, without departing from her dignity, which she knew well how to preserve, she acquired a popularity beyond what any of her predecessors or successors ever could attain. Her own sex exulted to see a woman hold the reins of empire with such prudence and fortitude: and while a young princess of twenty-five years, (for that was her age at her accession,) who possessed all the graces and insinuation, though not all the beauty of her sex, courted the affections of individuals by her civilities, of the public by her services, her authority, though corroborated by the strictest bands of law and religion, appeared to be derived entirely from the choice and inclination of the people.

A PARLIAMENT.

A sovereign of this disposition was not likely to offend her subjects by any useless or violent exertions of power; and Elizabeth, though she threw out such hints as encouraged the protestants, delayed the entire change of religion till the meeting of the parliament, which was summoned to assemble. The elections had gone entirely against the catholics, who seem not indeed to have made any great struggle for the superiority;* and the houses met, in a disposition of gratifying

* Notwithstanding the bias of the nation towards the protestant sect. It appears that some violence, at least according to our present idea, was used in

the queen in every particular which she could desire of them. They began the session with an unanimous declaration, "that queen Elizabeth was, and ought to be, as well by the word of God, as the common and statute laws of the realm, the lawful, undoubted, and true heir to the crown, lawfully descended from the blood-royal, according to the order of succession settled in the 35th of Henry VIII." This act of recognition was probably dictated by the queen herself and her ministers; and she showed her magnanimity, as well as moderation, in the terms which she employed on that occasion. She followed not Mary's practice in declaring the validity of her mother's marriage, or in expressly repealing the act formerly made against her own legitimacy: she knew that this attempt must be attended with reflections on her father's memory, and on the birth of her deceased sister; and as all the world was sensible, that Henry's divorce from Anne Boleyn was merely the effect of his usual violence and caprice, she scorned to found her title on any act of an assembly which had too much prostituted its authority by its former variable, servile, and iniquitous decisions. Satisfied therefore in the general opinion entertained with regard to this fact, which appeared the more undoubted, the less anxiety she discovered in fortifying it by votes and inquiries; she took possession of the throne, both as her birthright, and as ensured to her by former acts of parliament; and she never appeared anxious to distinguish these titles.

The first bill brought into parliament, with a view of trying their disposition on the head of religion, was that for suppressing the monasteries lately erected, and for restoring the tenths and first-fruits to the queen. This point being gained with much difficulty, a bill was next introduced, annexing the supremacy to the crown; and though the queen was there denominated *governess*, not *head*, of the church, it conveyed the same extensive power, which, under the latter title, had been exercised by her father and brother. All the bishops who were present in the upper house strenuously opposed this law; and as they possessed more learning than the temporal peers, they triumphed in the debate; but the majority of voices in that house, as well as among the commons, was against them. By this act, the crown, without the concurrence either of the parliament or even of the convocation, was vested with the whole spiritual power; might repress all heresies, might establish or repeal all canons, might alter every point of discipline, and might ordain or abolish any religious rite or ceremony. In determining heresy, the sovereign was only limited (if that could be called a limitation) to such doctrines as had been adjudged heresy by the authority of the scripture, by the first four general councils, or by any general council which followed the scripture as their rule, or to such other doctrines as should hereafter be denominated heresy by the parliament and convocation. In order to exercise this authority, the queen, by a clause of the act, was empowered to name commissioners, either laymen or clergymen, as she should think proper; and on this clause was afterwards founded the court of ecclesiastical commission; which assumed large discretionary, not to say arbitrary, powers, totally incompatible with any exact boundaries in the constitution. Their proceedings indeed were only consistent with absolute monarchy; but were entirely suitable to the genius of the act on which they were established; an act that at once gave the crown alone all the power which had formerly been claimed by the popes, but which even these usurping prelates had never been able fully to exercise, without some concurrence of the national clergy.

Whoever refused to take an oath, acknowledging the queen's supremacy, was incapacitated from holding any office; whoever denied the supremacy, or attempted to deprive the queen of that prerogative, forfeited, for the first offence, all his goods and chattels; for the second, was subjected to the penalty of a premunire; but the third offence was declared treason. These punishments, however severe, were less rigorous than those which were formerly, during the reigns of her father and brother, inflicted in like cases.

A law was passed, confirming all the statutes enacted in king Edward's time with regard to religion: the nomination of bishops was given to the crown without any election of the chapters: the queen was empowered, on the vacancy of any see, to seize all the temporalities, and to bestow on the bishop elect an equivalent in the impropriations belonging to the crown. This pretended equivalent was commonly much inferior in value; and thus the queen, amidst all her concern for religion, followed the example of the preceding reformers, in committing depredations on the ecclesiastical revenues.

The bishops and all incumbents were prohibited from alienating their revenues, and from letting leases longer than twenty-one years, or three lives. This law seemed to be meant for securing the property of the church; but as an exception was left in favour of the crown, great abuses still prevailed. It was usual for the courtiers during this reign to make an agreement with a bishop or incumbent, and to procure a fictitious alienation to the queen, who afterwards transferred the lands to the person agreed on. This method of pillaging the church was not remedied till the beginning of James I. The present depression of the clergy exposed them to all injuries; and the laity never stopped till they had reduced the church to such poverty, that her plunder was no longer a compensation for the odium incurred by it.

A solemn and public disputation was held during this session, in presence of lord-keeper Bacon, between the divines of the protestant and those of the catholic communion. The champions appointed to defend the religion of the sovereign, were, as in all former instances, entirely triumphant; and the popish disputants, being pronounced refractory and obstinate, were even punished by imprisonment. Emboldened by this victory, the protestants ventured on the last and most important step, and brought into parliament a bill for abolishing the mass, and re-establishing the liturgy of king Edward. Penalties were enacted, as well against those who departed from this mode of worship, as against those who absented themselves from the church and the sacraments. And thus in one session, without any violence, tumult, or clamour, was the whole system of religion altered, on the very commencement of a reign, and by the will of a young woman, whose title to the crown was by many thought liable to great objections: an event which, though it may appear surprising to men in the present age, was everywhere expected on the first intelligence of Elizabeth's accession.

The commons also made a sacrifice to the queen, more difficult to obtain than that of any articles of faith: they voted a subsidy of four shillings in the pound on land, and two shillings and eightpence on moveables, together with two fifteenths. [*See note* 3 K, *at the end of this Vol.*] The house in no instance departed from the most respectful deference and complaisance towards the queen. Even the importunate address which they made her on the conclusion of the session, to fix her choice of a husband, could not, they supposed, be very disagreeable to one of her sex and age. The address was couched in the most respectful expressions; yet met with a refusal from the queen. She told the speaker, that, as the application from the house was conceived in general terms, only recommending marriage, without pretending to direct her choice of a husband, she could not take offence at the address, or regard it otherwise than as a new instance of their affectionate attachment to her: that any further interposition on their part would have ill become either

these elections: five candidates were nominated by the court to each borough, and three to each county; and by the sheriff's authority, the members were chosen from among these candidates. See State Papers, collected by Edward, earl of Clarendon, p. 92.

them to make as subjects, or her to bear as an independent princess: that even while she was a private person, and exposed to much danger, she had always declined that engagement, which she regarded as an incumbrance; much more, at present, would she persevere in this sentiment, when the charge of a great kingdom was committed to her, and her life ought to be entirely devoted to promoting the interests of religion and the happiness of her subjects: that as England was her husband, wedded to her by this pledge, (and here she showed her finger, with the same gold ring upon it, with which she had solemnly betrothed herself to the kingdom at her inauguration,) so all Englishmen were her children; and while she was employed in rearing or governing such a family, she could not deem herself barren, or her life useless and unprofitable: that if she ever entertained thoughts of changing her condition, the care of her subjects' welfare would still be uppermost in her thoughts; but should she live and die a virgin, she doubted not but divine Providence, seconded by their counsels and her own measures, would be able to prevent all dispute with regard to the succession, and secure them a sovereign, who, perhaps better than her own issue, would imitate her example in loving and cherishing her own people: and that, for her part, she desired that no higher character or fairer remembrace of her should be transmitted to posterity, than to have this inscription engraved on her tombstone, when she should pay the last debt to nature:—"Here lies Elizabeth, who lived and died a maiden queen."

1559. After the prorogation of the parliament, on the 8th of May,* the laws enacted with regard to religion were put in execution, and met with little opposition from any quarter. The liturgy was again introduced in the vulgar tongue, and the oath of supremacy was tendered to the clergy. The number of bishops had been reduced to fourteen by a sickly season, which preceded; and all these, except the bishop of Landaffe, having refused compliance, were degraded from their sees: but of the inferior clergy throughout all England, where there are near ten thousand parishes, only eighty rectors and vicars, fifty prebendaries, fifteen heads of colleges, twelve archdeacons, and as many deans, sacrificed their livings to their religious principles. Those in high ecclesiastic stations, being exposed to the eyes of the public, seem chiefly to have placed a point of honour in their perseverance; but on the whole, the protestants, in the former change introduced by Mary, appear to have been much more rigid and conscientious. Though the catholic religion, adapting itself to the senses, and enjoining observances which enter into the common train of life, does at present lay faster hold on the mind than the reformed, which, being chiefly spiritual, resembles more a system of metaphysics; yet was the proportion of zeal, as well as of knowledge, during the first ages after the Reformation, much greater on the side of the protestants. The catholics continued, ignorantly and supinely, in their ancient belief, or rather their ancient practices: but the reformers, obliged to dispute on every occasion, and inflamed to a degree of enthusiasm by novelty and persecution, had strongly attached themselves to their tenets, and were ready to sacrifice their fortunes, and even their lives, in support of their speculative and abstract principles.

The forms and ceremonies still preserved in the English liturgy, as they bore some resemblance to the ancient service, tended further to reconcile the catholics to the established religion; and as the queen permitted no other mode of worship, and at the same time struck out everything that could be offensive to them in the new liturgy, even those who were addicted to the Romish communion made no scruple of attending the established church. Had Elizabeth gratified her own inclinations, the exterior appearance, which is the chief circumstance with the people, would have been still more similar between the new and the ancient form of worship. Her love of state and magnificence, which she affected in everything, inspired her with an inclination towards the pomp of the catholic religion; and it was merely in compliance with the prejudices of her party, that she gave up either images, or the addresses to saints, or prayers for the dead. Some foreign princes interposed to procure the Romanists the privilege of separate assemblies in particular cities, but the queen would not comply with their request; and she represented the manifest danger of disturbing the national peace by a toleration of different religions.

* It is thought remarkable by Camden, that though this session was the first of the reign, no person was attainted; but, on the contrary, some restored in blood by the parliament: a good symptom of the lenity, at least of the prudence of the queen's government: and that it should appear remarkable, is a proof of the rigour of preceding reigns.

PEACE WITH FRANCE.

While the queen and parliament were employed in settling the public religion, the negociations for a peace were still conducted, first at Cercamp, then at Cateau-Cambresis, between the ministers of France, Spain, and England; and Elizabeth, though equally prudent, was not equally successful in this transaction. Philip employed his utmost efforts to procure the restitution of Calais, both as bound in honour to indemnify England, which, merely on his account, had been drawn into the war, and as engaged in interest to remove France to a distance from his frontiers in the Low Countries. So long as he entertained hopes of espousing the queen, he delayed concluding a peace with Henry; and even after the change of religion in England deprived him of all such views, his ministers hinted to her a proposal, which may be regarded as reasonable and honourable. Though all his own terms with France were settled, he seemed willing to continue the war till she should obtain satisfaction; provided she would stipulate to adhere to the Spanish alliance, and continue hostilities against Henry during the course of six years: but Elizabeth, after consulting with her ministers, wisely rejected this proposal. She was sensible of the low state of her finances; the great debts contracted by her father, brother, and sister; the disorders introduced into every part of the administration; the divisions by which her people were agitated; and she was convinced that nothing but tranquillity during some years could bring the kingdom again into a flourishing condition, or enable her to act with dignity and vigour in her transactions with foreign nations. Well acquainted with the value which Henry put upon Calais, and the impossibility, during the present emergence, of recovering it by treaty, she was willing rather to suffer that loss, than submit to such a dependence on Spain, as she must expect to fall into, if she continued pertinaciously in her present demand. She ordered, therefore, her ambassadors, lord Effingham, the bishop of Ely, and Dr. Wotton, to conclude the negociation, and to settle a peace with Henry on any reasonable terms. Henry offered to stipulate a marriage between the eldest daughter of the dauphin, and the eldest son of Elizabeth; and to engage for the restitution of Calais as the dowry of that princess; but as the queen was sensible that this treaty would appear to the world a palpable evasion, she insisted upon more equitable, at least more plausible conditions. It was at last agreed, that Henry should restore Calais at the expiration of eight years; that, in case of failure, he should pay five hundred thousand crowns, and the queen's title to Calais still remain; that he should find the security of seven or eight foreign merchants, not natives of France, for the payment of this sum; that he should deliver five hostages till that security were provided; that if Elizabeth broke the peace with France or Scotland during the interval, she should forfeit all title to Calais; but if Henry made war on Elizabeth, he should be obliged immediately to restore that fortress. All men of penetration easily saw that these

stipulations were but a colourable pretence for abandoning Calais; but they excused the queen on account of the necessity of her affairs; and they even extolled her prudence in submitting, without further struggle, to that necessity. A peace with Scotland was a necessary consequence of that with France.

Philip and Henry terminated hostilities by a mutual restitution of all places taken during the course of the war; and Philip espoused the princess Elizabeth, eldest daughter of France, formerly betrothed to his son, Don Carlos. The duke of Savoy married Margaret, Henry's sister, and obtained a restitution of all his dominions of Savoy and Piedmont, except a few towns, retained by France. And thus general tranquillity seemed to be restored to Europe.

DISGUST BETWEEN THE QUEEN AND MARY QUEEN OF SCOTS.

But though peace was concluded between France and England, there soon appeared a ground of quarrel, of the most serious nature, and which was afterwards attended with the most important consequences. The two marriages of Henry VIII., that with Catherine of Arragon, and that with Anne Boleyn, were incompatible with each other; and it seemed impossible that both of them could be regarded as valid and legal: but still the birth of Elizabeth lay under some disadvantages, to which that of her sister Mary was not exposed. Henry's first marriage had obtained the sanction of all the powers, both civil and ecclesiastical, which were then acknowledged in England; and it was natural for protestants, as well as Romanists, to allow, on account of the sincere intention of the parties, that their issue ought to be regarded as legitimate. But his divorce and second marriage had been concluded in direct opposition to the see of Rome; and though they had been ratified by the authority both of the English parliament and convocation, those who were strongly attached to the catholic communion, and who reasoned with great strictness, were led to regard them as entirely invalid, and to deny altogether the queen's right of succession. The next heir of blood was the queen of Scots, now married to the dauphin; and the great power of that princess, joined to her plausible title, rendered her a formidable rival to Elizabeth. The king of France had secretly been soliciting at Rome a bull of excommunication against the queen; and she had here been beholden to the good offices of Philip, who, from interest more than either friendship or generosity, had negociated in her favour, and had successfully opposed the pretensions of Henry. But the court of France was not discouraged with this repulse: the duke of Guise, and his brothers, thinking that it would augment their credit if their niece should bring an accession of England, as she had already done of Scotland, to the crown of France, engaged the king not to neglect the claim; and, by their persuasion, he ordered his son and daughter in-law to assume openly the arms as well as title of England, and to quarter these arms on all their equipages, furniture, and liveries. When the English ambassador complained of this injury, he could obtain nothing but an evasive answer—that as the queen of Scots was descended from the blood royal of England, she was entitled, by the example of many princes, to assume the arms of that kingdom. But besides that this practice had never prevailed without permission being first obtained, and without making a visible difference between the arms, Elizabeth plainly saw, that this pretension had not been advanced during the reign of her sister Mary; and that therefore the king of France intended, on the first opportunity, to dispute her legitimacy, and her title to the crown. Alarmed at the danger, she thenceforth conceived a violent jealousy against the queen of Scots; and was determined, as far as possible, to incapacitate Henry from the execution of his project. The sudden death of that monarch, who was killed in a tournament at Paris, while celebrating the espousals of his sister with the duke of Savoy, altered not her views. Being informed that his successor, Francis II., still continued to assume, without reserve, the title of king of England, she began to consider him and his queen as her mortal enemies; and the present situation of affairs in Scotland afforded her a favourable opportunity both of revenging the injury, and providing for her own safety.

AFFAIRS IN SCOTLAND.

The murder of the cardinal-primate at St. Andrews had deprived the Scottish catholics of a head, whose severity, courage, and capacity had rendered him extremely formidable to the innovators in religion; and the execution of the laws against heresy began thenceforth to be more remiss. The queen-regent governed the kingdom by prudent and moderate counsels; and as she was not disposed to sacrifice the civil interests of the state to the bigotry or interests of the clergy, she deemed it more expedient to temporize, and to connive at the progress of a doctrine which she had not power entirely to repress. When informed of the death of Edward, and the accession of Mary to the crown of England, she entertained hopes, that the Scottish reformers, deprived of the countenance which they received from that powerful kingdom, would lose their ardour with their prospect of success, and would gradually return to the faith of their ancestors. But the progress and revolutions of religion are little governed by the usual maxims of civil policy; and the event much disappointed the expectations of the regent. Many of the English preachers, terrified with the severity of Mary's government, took shelter in Scotland, where they found more protection, and a milder administration, and while they propagated their theological tenets, they filled the whole kingdom with a just horror against the cruelties of the bigoted catholics, and showed their disciples the fate which they must expect, if ever their adversaries should attain an uncontrolled authority over them.

A hierarchy, moderate in its acquisitions of power and riches, may safely grant a toleration to sectaries; and the more it softens the zeal of innovators by lenity and liberty, the more securely will it possess those advantages which the legal establishments bestow upon it. But where superstition has raised a church to such an exorbitant height as that of Rome, persecution is less the result of bigotry in the priests, than of a necessary policy; and the rigour of law is the only method of repelling the attacks of men who, besides religious zeal, have so many other motives derived both from public and private interest, to engage them on the side of innovation. But though such overgrown hierarchies may long support themselves by these violent expedients, the time comes when severities tend only to enrage the new sectaries, and make them break through all bounds of reason and moderation. This crisis was now visibly approaching in Scotland; and whoever considers merely the transactions resulting from it, will be inclined to throw the blame equally on both parties; whoever enlarges his view, and reflects on the situations, will remark the necessary progress of human affairs, and the operation of those principles which are inherent in human nature.

REFORMATION IN SCOTLAND.

Some heads of the reformers in Scotland, such as the earl of Argyle, his son, lord Lorne, the earls of Morton and Glencarne, Erskine of Dun, and others, observing the danger to which they were exposed, and desirous to propagate their principles, entered privately into a bond or association; and called themselves the *Congregation* of the Lord, in contradistinction to the established church, which they denominated the congrega-

tion of Satan. The tenor of the bond was as follows: "We perceiving how Satan, in his members, the antichrist of our time, do cruelly rage, seeking to overthrow and to destroy the gospel of Christ and his congregation, ought, according to our bounden duty, to strive, in our Master's cause, even unto the death, being certain of the victory in him. We do therefore promise, before the majesty of God and his congregation, that we, by his grace, shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish the most blessed word of God and his congregation; and shall labour, by all possible means, to have faithful ministers, truly and purely to minister Christ's gospel and sacraments to his people: we shall maintain them, nourish them, and defend them, the whole congregation of Christ, and every member thereof, by our whole power, and at the hazard of our lives, against Satan, and all wicked power who may intend tyranny and trouble against the said congregation: unto which holy word and congregation we do join ourselves; and we forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof: and moreover shall declare ourselves manifestly enemies thereto, by this faithful promise before God, testified to this congregation by our subscriptions. At Edinburgh, the third of December, 1557."

Had the subscribers of this zealous league been content only to demand a toleration of the new opinions; however incompatible their pretensions might have been with the policy of the church of Rome, they would have had the praise of opposing tyrannical laws, enacted to support an establishment prejudicial to civil society: but it is plain that they carried their views much further; and their practice immediately discovered the spirit by which they were actuated. Supported by the authority which they thought belonged to them as the congregation of the Lord, they ordained, that prayers in the vulgar tongue* should be used in all the parish churches of the kingdom; and that preaching, and the interpretation of the scriptures, should be practised in private houses, till God should move the prince to great public preaching by faithful and true ministers. Such bonds of association are always the forerunners of rebellion; and this violent invasion of the established religion was the actual commencement of it.

Before this league was publicly known or avowed, the clergy, alarmed with the progress of the Reformation, attempted to recover their lost authority by a violent exercise of power, which tended still further to augment the zeal and number of their enemies. Hamilton, the primate, seized Walter Mill, a priest of an irreproachable life, who had embraced the new doctrines; and having tried him at St. Andrews, condemned him to the flames for heresy. Such general aversion was entertained against this barbarity, that it was some time before the bishops could prevail on any one to act the part of a civil judge, and pronounce sentence upon Mill; and even after the time of his execution was fixed, all the shops of St. Andrews being shut, no one would sell a rope to tie him to the stake, and the primate himself was obliged to furnish this implement. The man bore the torture with that courage which, though usual on these occasions, always appears supernatural and astonishing to the multitude. The people, to express their abhorrence against the cruelty of the priests, raised a monument of stones on the place of his execution; and as fast as the stones were removed by order of the clergy, they were again supplied from the voluntary zeal of the populace. It is in vain for men to oppose the severest punishment to the united motives of religion and public applause; and this was the last barbarity of the kind which the catholics had the power to exercise in Scotland.

Some time after, the people discovered their sentiments in such a manner as was sufficient to prognosticate to the priests the fate which was awaiting them. It was usual on the festival of St. Giles, the tutelar saint of Edinburgh, to carry in procession the image of that saint; but the protestants, in order to prevent the ceremony, found means, on the eve of the festival, to purloin the statue from the church; and they pleased themselves with imagining the surprise and disappointment of his votaries. The clergy, however, framed hastily a new image, which, in derision, was called by the people young St. Giles; and they carried it through the streets, attended by all the ecclesiastics in the town and neighbourhood. The multitude abstained from violence so long as the queen-regent continued a spectator, but the moment she retired, they invaded the idol, threw it in the mire, and broke it in pieces. The flight and terror of the priests and friars, who, it was remarked, deserted in his greatest distress the object of their worship, was the source of universal mockery and laughter.

Encouraged by all these appearances, the Congregation proceeded with alacrity in openly soliciting subscriptions to their league; and the death of Mary of England, with the accession of Elizabeth, which happened about this time, contributed to increase their hopes of final success in their undertaking. They ventured to present a petition to the regent, craving a reformation of the church, and of the *wicked, scandalous*, and *detestable* lives of the prelates and ecclesiastics. They framed a petition, which they intended to present to parliament, and in which, after premising that they could not communicate with the damnable idolatry and intolerable abuses of the papistical church, they desired, that the laws against heretics should be executed by the civil magistrate alone, and that the scripture should be the sole rule in judging of heresy. They even petitioned the convocation, and insisted that prayers should be said in the vulgar tongue, and that bishops should be chosen with the consent of the gentry of the diocese, and priests with the consent of the parishioners. The regent prudently temporised between these parties; and as she aimed at procuring a matrimonial crown for her son-in-law, the dauphin, she was, on that as well as other accounts, unwilling to come to extremities with either of them.

But after this concession was obtained, she received orders from France, probably dictated by the violent spirit of her brothers, to proceed with rigour against the reformers, and to restore the royal authority by some signal act of power. She made the more eminent of the protestant teachers be cited to appear before the council at Stirling; but when their followers were marching thither in great multitudes, in order to protect and countenance them, she entertained apprehensions of an insurrection, and, it is said, dissipated the people by a promise [*See note* 3 L, *at the end of this Vol.*] that nothing should be done to the prejudice of the ministers. Sentence, however, was passed, by which all the ministers were pronounced rebels, on account of their not appearing: a measure which enraged the people, and made them resolve to oppose the regent's authority by force of arms, and to proceed to extremities against the clergy of the established religion.

In this critical time, John Knox arrived from Geneva, where he had passed some years in banishment, and where he had imbibed, from his commerce with Calvin, the highest fanaticism of his sect, augmented by the native ferocity of his own character. He had been invited back to Scotland by the leaders of the Reformation; and mounting the pulpit at Perth, (11th May,) during the present ferment of men's minds, he declaimed with his usual vehemence against the idolatry and other abominations of the church of Rome, and incited his audience to exert their utmost zeal for its subversion. A priest was so imprudent after this sermon, as to open his repository of images and relics, and prepare himself to say mass. The audience,

* The reformers used at that time king Edward's liturgy in Scotland.—Forbes, p. 155.

exalted to a disposition for any furious enterprise, were as much enraged as if the spectacle had not been quite familiar to them: they attacked the priest with fury, broke the images in pieces, tore the pictures, overthrew the altars, scattered about the sacred vases, and left no implement of idolatrous worship, as they termed it, entire or undefaced. They thence proceeded with additional numbers and augmented rage, to the monasteries of the grey and black friars, which they pillaged in an instant: the Carthusians underwent the same fate; and the populace, not content with robbing and expelling the monks, vented their fury on the buildings which had been the receptacles of such abomination; and in a little time nothing but the walls of these edifices were left standing. The inhabitants of Couper in Fife soon after imitated the example.

CIVIL WARS IN SCOTLAND.

The queen-regent, provoked at these violences, assembled an army, and prepared to chastise the rebels. She had about two thousand French under her command, with a few Scottish troops; and being assisted by such of the nobility as were well affected to her, she pitched her camp within ten miles of Perth. Even the earl of Argyle, and lord James Stuart, prior of St. Andrews, the queen's natural brother, though deeply engaged with the reformers, attended the regent in this enterprise, either because they blamed the fury of the populace, or hoped, by their own influence and authority, to mediate some agreement between the parties. The Congregation, on the other hand, made preparations for defence; and being joined by the earl of Glencarne from the west, and being countenanced by many of the nobility and gentry, they appeared formidable from their numbers, as well as from the zeal by which they were animated. They sent an address to the regent, where they plainly insinuated, that if they were pursued to extremities by the *cruel beasts* the churchmen, they would have recourse to foreign powers for assistance; and they subscribed themselves her faithful subjects in all things not repugnant to God, assuming, at the same time, the name of the faithful congregation of Christ Jesus. They applied to the nobility attending her, and maintained that their own past violences were justified by the word of God, which commands the godly to destroy idolatry, and all the monuments of it; and though all civil authority was sacred, yet was there a great difference between the authority and the persons who exercised it; and that it ought to be considered, whether or not those abominations, called by the pestilent papists, Religion, and which they defend by fire and sword, be the true religion of Christ Jesus. They remonstrated with such of the queen's army as had formerly embraced their party, and told them, "That as they were already reputed traitors by God, they should likewise be excommunicated from their society, and from the participation of the sacraments of the church, which God by his mighty power had erected among them; whose ministers have the same authority which Christ granted to his apostles in these words, — *Whose sins ye shall forgive shall be forgiven, and whose sins ye shall retain shall be retained.*" We may here see, that these new saints were no less lofty in their pretensions than the ancient hierarchy: no wonder they were enraged against the latter as their rivals in dominion. They joined to all these declarations an address to the established church; and they affixed this title to it: "To the generation of antichrist, the pestilent prelates and their shavelings in Scotland, the Congregation of Christ Jesus within the same sayeth." The tenor of the manifesto was suitable to the title. They told the ecclesiastics, "As ye by tyranny intend not only to destroy our bodies, but also by the same to hold our souls in bondage of the devil, subject to idolatry; so shall we with all the force and power which God shall grant unto us, execute just vengeance and punishment upon you: yea, we shall begin that same war which God commanded Israel to execute against the Canaanites; that is, contract of peace shall never be made till you desist from your open idolatry and cruel persecution of God's children. And this, in the name of the eternal God, and of his Son Christ Jesus, whose verity we profess, and gospel we have preached, and holy sacraments rightly administered, we signify unto you, to be our intent, so far as God will assist us to withstand your idolatry. Take this for warning, and be not deceived." With these outrageous symptoms commenced in Scotland that cant, hypocrisy, and fanaticism which long infested that kingdom, and which, though now mollified by the lenity of the civil power, is still ready to break out on all occasions.

The queen-regent, finding such obstinate zeal in the rebels, was content to embrace the counsels of Argyle and the prior of St. Andrews, and to form an accommodation with them. She was received into Perth, which submitted, on her promising an indemnity for past offences, and engaging not to leave any French garrison in the place. Complaints, very ill founded, immediately arose concerning the infraction of this capitulation. Some of the inhabitants, it was pretended, were molested on account of the late violences; and some companies of Scotch soldiers, supposed to be in French pay, were quartered in the town; which step, though taken on very plausible grounds, was loudly exclaimed against by the Congregation. It is asserted, that the regent, to justify these measures, declared that princes ought not to have their promises too strictly urged upon them; nor was any faith to be kept with heretics; and that for her part, could she find as good a colour, she would willingly bereave all these men of their lives and fortunes. But it is nowise likely that such expressions ever dropped from this prudent and virtuous princess. On the contrary, it appears, that all these violences were disagreeable to her; that she was in this particular overruled by the authority of the French counsellors placed about her; and that she often thought, if the management of those affairs had been intrusted wholly to herself, she could easily, without force, have accommodated all differences. [*See note* 3 M, *at the end of this Vol.*]

The Congregation, inflamed with their own zeal, and enraged by these disappointments, remained not long in tranquillity. Even before they left Perth, and while as yet they had no colour to complain of any violation of treaty, they had signed a new covenant, in which, besides their engagements to mutual defence, they vowed, in the name of God, to employ their whole power in destroying everything that dishonoured his holy name; and this covenant was subscribed, among others, by Argyle and the prior of St. Andrews. These two leaders now desired no better pretence for deserting the regent and openly joining their associates, than the complaints, however doubtful, or rather false, of her breach of promise. The Congregation also, encouraged by this accession of force, gave themselves up entirely to the furious zeal of Knox, and renewed at Crail, Anstruther, and other places in Fife, like depredations on the churches and monasteries with those formerly committed at Perth and Couper. The regent, who marched against them with her army, finding their power so much increased, was glad to conclude a truce for a few days, and to pass over with her forces to the Lothians. The reformers besieged and took Perth; proceeded thence to Stirling, where they exercised their usual fury: finding nothing able to resist them, they bent their march to Edinburgh, the inhabitants of which, as they had already anticipated the zeal of the Congregation against the churches and monasteries, gladly opened their gates to them. The regent, with a few forces which remained with her, took shelter in Dunbar, where she fortified herself, in expectation of a re-enforcement from France.

Meanwhile, she employed her partisans in representing to the people the dangerous consequences of this





open rebellion; and she endeavoured to convince them, that the lord James, under pretence of religion, had formed the scheme of wresting the sceptre from the hands of the sovereign. By these considerations many were engaged to desert the army of the Congregation; but much more by the want of pay, or any means of subsistence; and the regent, observing the malcontents to be much weakened, ventured to march to Edinburgh with a design of suppressing them. On the interposition of the duke of Chatelrault, who still adhered to her, she agreed to a capitulation, in which she granted them a toleration of their religion, and they engaged to commit no further depredations on the churches. Soon after they evacuated the city; and before they left it, they proclaimed the articles of agreement; but they took care to publish only the articles favourable to themselves; and they were guilty of an imposture, in adding one to the number, namely, that idolatry should not again be erected in any place where it was at that time suppressed. [*See note* 3 N, *at the end of this Vol.*]

An agreement concluded while men were in this disposition could not be durable; and both sides endeavoured to strengthen themselves as much as possible against the ensuing rupture which appeared inevitable. The regent, having got a re-enforcement of one thousand men from France, began to fortify Leith; and the Congregation seduced to their party the duke of Chatelrault, who had long appeared inclined to join them, and who was at last determined by the arrival of his son, the earl of Arran, from France, where he had escaped many dangers, from the jealousy, as well as bigotry, of Henry and the duke of Guise. More French troops soon after disembarked under the command of La Brosse, who was followed by the bishop of Amiens, and three doctors of the Sorbonne. These last were supplied with stores of syllogisms, authorities, citations, and scholastic arguments, which they intended to oppose to the Scottish preachers, and which, they justly presumed, would acquire force, and produce conviction, by the influence of the French arms and artillery.

The constable Montmorency had always opposed the marriage of the dauphin with the queen of Scots, and had foretold, that by forming such close connexions with Scotland, the ancient league would be dissolved; and the natives of that kingdom, jealous of a foreign yoke, would soon become, instead of allies attached by interest and inclination, the most inveterate enemies to the French government. But though the event seemed now to have justified the prudence of that aged minister, it is not improbable, considering the violent counsels by which France was governed, that the insurrection was deemed a favourable event; as affording a pretence for sending over armies, for entirely subduing the country, for attainting the rebels, and for preparing means thence to invade England, and support Mary's title to the crown of that kingdom. The leaders of the Congregation, well acquainted with these views, were not insensible of their danger, and saw that their only safety consisted in the vigour and success of their measures. They were encouraged by the intelligence received of the sudden death of Henry II.; and having passed an act from their own authority, depriving the queen-dowager of the regency, and ordering all the French troops to evacuate the kingdom, they collected forces to put their edict in execution against them. They again became masters of Edinburgh; but found themselves unable to keep long possession of that city. Their tumultuary armies, assembled in haste, and supported by no pay, soon separated upon the least disaster, or even any delay of success; and were incapable of resisting such veteran troops as the French, who were also seconded by some of the Scottish nobility, among whom the earl of Bothwel distinguished himself. Hearing that the marquis of Elbeuf, brother to the regent, was levying an army against them in Germany, they thought themselves excusable for applying, in this extremity, to the assistance of England; and as the sympathy of religion, as well as regard to national liberty, had now counterbalanced the ancient animosity against that kingdom, this measure was the result of inclination, no less than of interest. [*See Note* 3 O, *at the end of this Vol.*] Maitland of Lidington, therefore, and Robert Melvil, were secretly dispatched by the Congregation to solicit succours from Elizabeth.

INTERPOSITION OF THE QUEEN IN SCOTCH AFFAIRS.

The wise council of Elizabeth did not long deliberate in agreeing to this request, which concurred so well with the views and interests of their mistress. Cecil in particular represented to the queen, that the union of the crowns of Scotland and France, both of them the hereditary enemies of England, was ever regarded as a pernicious event; and her father, as well as protector Somerset, had employed every expedient, both of war and negociation, to prevent it: that the claim, which Mary advanced to the crown, rendered the present situation of England still more dangerous, and demanded, on the part of the queen, the greatest vigilance and precaution: that the capacity, ambition, and exorbitant views of the family of Guise, who now governed the French counsels, were sufficiently known; and they themselves made no secret of their design to place their niece on the throne of England: that, deeming themselves secure of success, they had already, somewhat imprudently and prematurely, taken off the mask; and Throgmorton, the English ambassador at Paris, sent over, by every courier, incontestable proofs of their hostile intentions: that they only waited till Scotland should be entirely subdued; and having thus deprived the English of the advantages resulting from their situation and naval power, they prepared means for subverting the queen's authority: that the zealous catholics in England, discontented with the present government, and satisfied in the legality of Mary's title, would bring them considerable re-enforcement, and would disturb every measure of defence against that formidable power: that the only expedient for preventing these designs was to seize the present opportunity, and take advantage of a like zeal in the protestants of Scotland; nor could any doubt be entertained with regard to the justice of a measure, founded on such evident necessity, and directed only to the ends of self-preservation: that though a French war, attended with great expense, seemed the necessary consequence of supporting the malcontents of Scotland, that power, if removed to the continent, would be much less formidable; and a small disbursement at present would in the end be found the greatest frugality: and that the domestic dissensions of France, which every day augmented, together with the alliance of Philip, who, notwithstanding his bigotry and hypocrisy, would never permit the entire conquest of England, were sufficient to secure the queen against the dangerous ambition and resentment of the house of Guise.

Elizabeth's propensity to caution and economy was, though with some difficulty, overcome by these powerful motives; and she prepared herself to support, by arms and money, the declining affairs of the Congregation in Scotland. She equipped a fleet, which consisted of thirteen ships of war; and giving the command of it to Winter, she sent it to the Frith of Forth; she appointed the young duke of Norfolk her lieutenant in the northern counties; and she assembled at Berwick an army of eight thousand men, under the command of lord Grey, warden of the east and middle marches. Though the court of France, sensible of the danger, offered her to make immediate restitution of Calais, provided she would not interpose in the affairs of Scotland; she resolutely replied, that she never would put an inconsiderable fishing-town in competition with the safety of her dominions; and she still continued her preparations. She concluded a treaty of mutual defence with the Congregation, which was to last

during the marriage of the queen of Scots with Francis, and a year after; and she promised never to desist till the French had entirely evacuated Scotland. And having thus taken all proper measures for success, and received from the Scots six hostages for the performance of articles, she ordered her fleet and army to begin their operations.

SETTLEMENT OF SCOTLAND. 1560.

The appearance of Elizabeth's fleet in the Frith (15th January) disconcerted the French army, who were at that time ravaging the county of Fife; and obliged them to make a circuit by Stirling, in order to reach Leith, where they prepared themselves for defence. The English army, re-enforced by five thousand Scots, sat down before the place; and after two skirmishes—in the former of which the English had the advantage, in the latter the French—they began to batter the town; and, though repulsed with considerable loss in a rash and ill-conducted assault, they reduced the garrison to great difficulties. Their distress was augmented by two events; the dispersion by a storm of d'Elbeuf's fleet, which carried a considerable army on board, and the death of the queen-regent, who expired about this time in the castle of Edinburgh; a woman endowed with all the capacity which shone forth in her family, but possessed of much more virtue and moderation than appeared in the conduct of the other branches of it. The French, who found it impossible to subsist for want of provisions, and who saw that the English were continually re-enforced by fresh numbers, were obliged to capitulate: and the bishop of Valence and count Randan, plenipotentiaries from France, signed a treaty at Edinburgh (5th July) with Cecil and Dr. Wotton, whom Elizabeth had sent thither for that purpose. It was there stipulated, that the French should instantly evacuate Scotland; that the king and queen of France and Scotland should thenceforth abstain from bearing the arms of England, or assuming the title of that kingdom; that further satisfaction for the injury already done in that particular should be granted Elizabeth; and the commissioners should meet to settle this point, or if they could not agree, that the king of Spain should be umpire between the crowns. Besides these stipulations, which regarded England, some concessions were granted to the Scots; namely, that an amnesty should be published for all past offences; that none but natives should enjoy any office in Scotland; that the states should name twenty-four persons, of whom the queen of Scots should choose seven, and the states five, and in the hands of these twelve should the whole administration be placed during the queen's absence; and that Mary should neither make peace nor war without consent of the states. In order to hasten the execution of this important treaty, Elizabeth sent ships, by which the French forces were transported into their own country.

Thus Europe saw, in the first transaction of this reign, the genius and capacity of the queen and her ministers. She discerned at a distance the danger which threatened her; and instantly took vigorous measures to prevent it. Making all possible advantages of her situation, she proceeded with celerity to a decision; and was not diverted by any offers, negociations, or remonstrances of the French court. She stopped not till she had brought the matter to a final issue; and had converted that very power, to which her enemies trusted for her destruction, into her firmest support and security. By exacting no improper conditions from the Scottish malcontents, even during their greatest distress, she established an entire confidence with them; and having cemented the union by all the ties of gratitude, interest, and religion, she now possessed an influence over them beyond what remained even with their native sovereign. The regard, which she acquired by this dexterous and spirited conduct, gave her everywhere, abroad as well as at home, more authority than had attended her sister, though supported by all the power of the Spanish monarchy.

The subsequent measures of the Scottish reformers tended still more to cement their union with England. Being now entirely masters of the kingdom, they made no further ceremony or scruple in fully effecting their purpose. In the treaty of Edinburgh it had been agreed, that a parliament or convention should soon be assembled; and the leaders of the Congregation, not waiting till the queen of Scots should ratify that treaty, thought themselves fully entitled, without the sovereign's authority, immediately to summon a parliament. The reformers presented a petition to this assembly; in which they were not contented with desiring the establishment of their doctrine; they also applied for the punishment of the catholics, whom they called vassals to the Roman harlot; and they asserted, that, among all the rabble of the clergy, such is their expression, there was not one lawful minister; but that they were, all of them, thieves and murderers; yea, rebels and traitors to civil authority; and therefore unworthy to be suffered in any reformed commonwealth. The parliament seem to have been actuated by the same spirit of rage and persecution. After ratifying a confession of faith agreeable to the new doctrines, they passed a statute against the mass, and not only abolished it in all the churches, but enacted, that whoever, anywhere, either officiated in it, or was present at it, should be chastised, for the first offence, with confiscation of goods and corporal punishment, at the discretion of the magistrate; for the second, with banishment; and for the third, with loss of life. A law was also voted for abolishing the papal jurisdiction in Scotland: the presbyterian form of discipline was settled, leaving only at first some shadow of authority to certain ecclesiastics, whom they called Superintendents. The prelates of the ancient faith appeared, in order to complain of great injustice committed on them by the invasion of their property, but the parliament took no notice of them; till at last, these ecclesiastics, tired with fruitless attendance, departed the town. They were then cited to appear; and as nobody presented himself, it was voted by the parliament, that the ecclesiastics were entirely satisfied, and found no reason of complaint.

Sir James Sandilands, prior of St. John, was sent over to France to obtain the ratification of these acts; but was very ill received by Mary, who denied the validity of a parliament summoned without the royal consent; and she refused her sanction to those statutes. But the protestants gave themselves little concern about their queen's refusal. They immediately put the statutes in execution: they abolished the mass; they settled their ministers; they committed everywhere furious devastations on the monasteries, and even on the churches, which they thought profaned by idolatry, and deeming the property of the clergy lawful prize, they took possession without ceremony, of the far greater part of the ecclesiastical revenues. Their new preachers, who had authority sufficient to incite them to war and insurrection, could not restrain their rapacity; and fanaticism concurring with avarice, an incurable wound was given to the papal authority in that country. The protestant nobility and gentry, united by the consciousness of such unpardonable guilt, alarmed for their new possessions, well acquainted with the imperious character of the house of Guise, saw no safety for themselves but in the protection of England; and they dispatched Morton, Glencairne, and Lidington, to express their sincere gratitude to the queen for her past favours, and represent to her the necessity of continuing them.

FRENCH AFFAIRS.

Elizabeth, on her part, had equal reason to maintain a union with the Scottish protestants and soon



found that the house of Guise, notwithstanding their former disappointments, had not laid aside the design of contesting her title, and subverting her authority. Francis and Mary, whose counsels were wholly directed by them, refused to ratify the treaty of Edinburgh; and showed no disposition to give her any satisfaction for that mortal affront, which they had put upon her, by their openly assuming the title and arms of England. She was sensible of the danger attending such pretensions; and it was with pleasure she heard of the violent factions which prevailed in the French government, and of the opposition which had arisen against the measures of the duke of Guise. That ambitious prince, supported by his four brothers, the cardinal of Lorraine, the duke of Aumale, the marquis of Elbeuf, and the grand prior, men no less ambitious than himself, had engrossed all the authority of the crown; and as he was possessed of every quality which could command the esteem or seduce the affections of men, there appeared no end of his acquisitions and pretensions. The constable, Montmorency, who had long balanced his credit, was deprived of all power: the princes of the blood, the king of Navarre, and his brother, the prince of Condé, were entirely excluded from offices and favour: the queen-mother herself, Catherine de Medicis, found her influence every day declining: and as Francis, a young prince, infirm both in mind and body, was wholly governed by his consort, who knew no law but the pleasure of her uncles, men despaired of ever obtaining freedom from the dominion of that aspiring family. It was the contests of religion which first inspired the French with courage openly to oppose their unlimited authority.

The theological disputes, first started in the north of Germany, next in Switzerland, countries at that time wholly illiterate, had long ago penetrated into France; and as they were assisted by the general discontent against the court and church of Rome, and by the zealous spirit of the age, the proselytes to the new religion were secretly increasing in every province. Henry II., in imitation of his father, Francis, had opposed the progress of the reformers; and though a prince addicted to pleasure and society, he was transported by a vehemence, as well as bigotry, which had little place in the conduct of his predecessor. Rigorous punishments had been inflicted on the most eminent of the protestant party; and a point of honour seemed to have arisen, whether the one sect could exercise, or the other suffer most barbarity. The death of Henry put some stop to the persecutions; and the people, who had admired the constancy of the new preachers, now heard with favour their doctrines and arguments. But the cardinal of Lorraine, as well as his brothers, who were possessed of the legal authority, thought it their interest to support the established religion; and when they revived the execution of the penal statutes, they necessarily drove the malcontent princes and nobles to embrace the protection of the new religion. The king of Navarre, a man of mild dispositions, but of a weak character, and the prince of Condé, who possessed many great qualities, having declared themselves in favour of the protestants, that sect acquired new force from their countenance; and the admiral, Coligni, with his brother, Andelot, no longer scrupled to make open profession of their communion. The integrity of the admiral, who was believed sincere in his attachment to the new doctrine, and his great reputation both for valour and conduct, for the arts of peace as well as of war, brought credit to the reformers; and after a frustrated attempt of the malcontents to seize the king's person at Amboise, of which Elizabeth had probably some intelligence, every place was full of distraction, and matters hastened to an open rupture between the parties. But the house of Guise, though these factions had obliged them to remit their efforts in Scotland, and had been one chief cause of Elizabeth's success, were determined not to relinquish their authority in France, or yield to the violence of their enemies. They found an opportunity of seizing the king of Navarre and the prince of Condé; they threw the former into prison; they obtained a sentence of death against the latter; and they were proceeding to put the sentence into execution when the king's sudden death saved the noble prisoner, and interrupted the prosperity of the duke of Guise. The queen-mother was appointed regent (December 4, 1561,) to her son, Charles IX., now in his minority: the king of Navarre was named lieutenant-general of the kingdom: the sentence against Condé was annulled; the constable was recalled to court; and the family of Guise, though they still enjoyed great offices and great power, found a counterpoise to their authority.

Elizabeth was determined to make advantage of these events against the queen of Scots, whom she still regarded as a dangerous rival. She saw herself freed from the perils attending a union of Scotland with France, and from the pretensions of so powerful a prince as Francis; but she considered at the same time, that the English catholics, who were numerous, and who were generally prejudiced in favour of Mary's title, would now adhere to that princess with more zealous attachment when they saw that her succession no longer endangered the liberties of the kingdom, and was rather attended with the advantage of effecting an entire union with Scotland. She gave orders, therefore, to her ambassador, Throgmorton, a vigilant and able minister, to renew his applications to the queen of Scots, and to require her ratification of the treaty of Edinburgh. But though Mary had desisted, after her husband's death, from bearing the arms and title of queen of England, she still declined gratifying Elizabeth in this momentous article; and being swayed by the ambitious suggestions of her uncles, she refused to make any formal renunciation of her pretensions.

Meanwhile, the queen-mother of France, who imputed to Mary all the mortifications which she had met with during Francis's lifetime, took care to retaliate on her by like injuries; and the queen of Scots, finding her abode in France disagreeable, began to think of returning to her native country. Lord James, who had been sent in deputation from the states to invite her over, seconded these intentions; and she applied to Elizabeth, by D'Oisel, for a safe-conduct, in case she should be obliged to pass through England: but she received for answer, that, till she had given satisfaction, by ratifying the treaty of Edinburgh, she could expect no favour from a person whom she had so much injured. This denial excited her indignation; and she made no scruple of expressing her sentiments to Throgmorton, when he reiterated his applications to gratify his mistress in a demand which he represented as so reasonable. Having cleared the room of her attendants, she said to him, "How weak I may prove, or how far a woman's frailty may transport me, I cannot tell: however, I am resolved not to have so many witnesses of my infirmity as your mistress had at her audience of my ambassador, D'Oisel. There is nothing disturbs me so much, as the having asked, with so much importunity, a favour which it was of no consequence for me to obtain. I can, with God's leave, return to my own country without *her* leave; as I came to France, in spite of all the opposition of her brother, king Edward: neither do I want friends both able and willing to conduct me home, as they have brought me hither; though I was desirous rather to make an experiment of your mistress's friendship, than of the assistance of any other person. I have often heard you say, that a good correspondence between her and myself would conduce much to the security and happiness of both our kingdoms: were she well convinced of this truth, she would hardly have

* Forbes, vol. i. p. 214. Throgmorton, about this time, unwilling to intrust to letters the great secrets committed to him, obtained leave, under some pretext, to come over to London.

denied me so small a request. But, perhaps, she bears a better inclination to my rebellious subjects than to me, their sovereign, her equal in royal dignity, her near relation, and the undoubted heir of her kingdoms. Besides her friendship, I ask nothing at her hands: I neither trouble her, nor concern myself in the affairs of her state: not that I am ignorant, that there are now in England a great many malcontents, who are no friends to the present establishment. She is pleased to upbraid me as a person little experienced in the world. I freely own it; but age will cure that defect. However, I am already old enough to acquit myself honestly and courteously to my friends and relations, and to encourage no reports of your mistress, which would misbecome a queen and her kinswoman. I would also say, by her leave, that I am a queen as well as she, and not altogether friendless: and, perhaps, I have as great a soul too; so that methinks we should be upon a level in our treatment of each other. As soon as I have consulted the states of my kingdom, I shall be ready to give her a reasonable answer; and I am the more intent on my journey, in order to make the quicker dispatch in this affair. But she, it seems, intends to stop my journey; so that either she will not let me give her satisfaction, or is resolved not to be satisfied; perhaps on purpose to keep up the disagreement between us. She has often reproached me with my being young; and I must be very young indeed, and as ill-advised, to treat of matters of such great concern and importance without the advice of my parliament. I have not been wanting in all friendly offices to her; but she disbelieves or overlooks them. I could heartily wish, that I were as nearly allied to her in affection as in blood: for that, indeed, would be a most valuable alliance."

ARRIVAL OF MARY IN SCOTLAND. *August* 19

Such a spirited reply, notwithstanding the obliging terms interspersed in it, was but ill fitted to conciliate friendship between these rival princesses, or cure those mutual jealousies which had already taken place. Elizabeth equipped a fleet on pretence of pursuing pirates, but probably with an intention of intercepting the queen of Scots in her return homewards. Mary embarked at Calais; and passing the English fleet in a fog, arrived safely at Leith, attended by her three uncles, the duke of Aumale, the grand prior, and the marquis of Elbeuf, together with the marquis of Damville, and other French courtiers. This change of abode and situation was very little agreeable to that princess. Besides her natural prepossessions in favour of a country in which she had been educated from her earliest infancy, and where she had borne so high a rank, she could not forbear both regretting the society of that people, so celebrated for their humane disposition, and their respectful attachment to their sovereign, and reflecting on the disparity of the scene which lay before her. It is said that, after she was embarked at Calais, she kept her eyes fixed on the coast of France, and never turned them from that beloved object, till darkness fell and intercepted it from her view. She then ordered a couch to be spread for her in the open air; and charged the pilot, that if in the morning the land were still in sight, he should awake her, and afford her one parting view of that country, in which all her affections were centered. The weather proved calm, so that the ship made little way in the night-time: and Mary had once more an opportunity of seeing the French coast. She sat upon her couch, and still looking towards the land, often repeated these words: "Farewell, France, farewell: I shall never see thee more." The first aspect, however, of things in Scotland was more favourable, if not to her pleasure and happiness, at least to her repose and security, than she had reason to apprehend. No sooner did the French galleys appear off Leith, than people of all ranks, who had long expected their arrival flocked towards the shore with an earnest impatience to behold and receive their young sovereign. Some were led by duty, some by interest, some by curiosity; and all combined to express their attachment to her, and to insinuate themselves into her confidence, on the commencement of her administration. She had now reached her nineteenth year; and the bloom of her youth and amiable beauty of her person were further recommended by the affability of her address, the politeness of her manners, and the elegance of her genius. Well accomplished in all the superficial, but engaging graces of a court, she afforded, when better known, still more promising indications of her character; and men prognosticated both humanity from her soft and obliging deportment, and penetration from her taste in all the refined arts of music, eloquence, and poetry. And as the Scots had long been deprived of the presence of their sovereign, whom they once despaired ever more to behold among them, her arrival seemed to give universal satisfaction; and nothing appeared about the court but symptoms of affection, joy, and festivity.

The first measures which Mary embraced confirmed all the prepossessions entertained in her favour. She followed the advice given her in France by D'Oisel and the bishop of Amiens, as well as her uncles; and she bestowed her confidence entirely on the leaders of the reformed party, who had greatest influence over the people, and who, she found, were alone able to support her government. Her brother, lord James, whom she soon after created earl of Murray, obtained the chief authority; and after him Lidington, secretary of state, a man of great sagacity, had a principal share in her confidence. By the vigour of these men's measures she endeavoured to establish order and justice in a country divided by public factions and private feuds; and that fierce, intractable people, unacquainted with laws and obedience, seemed, for a time, to submit peaceably to her gentle and prudent administration.

But there was one circumstance which blasted all these promising appearances, and bereaved Mary of that general favour which her agreeable manners and judicious deportment gave her just reason to expect. She was still a papist; and though she published, soon after her arrival, a proclamation, enjoining every one to submit to the established religion, the preachers and their adherents could neither be reconciled to a person polluted with so great an abomination, nor lay aside their jealousies of her future conduct. It was with great difficulty she could obtain permission for saying mass in her own chapel; and had not the people apprehended, that, if she had here met with a refusal, she would instantly have returned to France, the zealots never would have granted her even that small indulgence. The cry was, "Shall we suffer that idol to be again erected within the realm?" It was asserted in the pulpit, that one mass was more terrible than ten thousand armed men landed to invade the kingdom; lord Lindesey, and the gentlemen of Fife, exclaimed, "That the idolater should die the death;" such was their expression. One that carried tapers for the ceremony of that worship, was attacked and insulted in the court of the palace: and if lord James, and some popular leaders, had not interposed, the most dangerous uproar was justly apprehended from the ungoverned fury of the multitude. The usual prayers in the churches were to this purpose: that God would turn the queen's heart, which was obstinate against him and his truth; or if his holy will be otherwise, that he would strengthen the hearts and *hands* of the elect, stoutly to oppose the rage of all tyrants. Nay, it was openly called in question, whether that princess, being an idolatress, was entitled to any authority, even in civil matters.

The helpless queen was every moment exposed to contumely, which she bore with benignity and patience. Soon after her arrival she dined in the castle

of Edinburgh, and it was there contrived, that a boy, six years of age, should be let down from the roof, and should present her with a bible, a psalter, and the keys of the castle. Lest she should be at a loss to understand this insult on her as a papist, all the decorations expressed the burning of Corah, Dathan, and Abiram, and other punishments inflicted by God upon idolatry. The town-council of Edinburgh had the assurance, from their own authority, to issue a proclamation, banishing from their district "all the wicked rabble of antichrist, the pope, such as priests, monks, friars, together with adulterers and fornicators." And because the privy-council suspended the magistrates for their insolence, the passionate historians of that age have inferred, that the queen was engaged, by a sympathy of manners, to take adulterers and fornicators under her protection. It appears probable, that the magistrates were afterwards reinstated in their office, and that their proclamation was confirmed.

But all the insolence of the people was inconsiderable in comparison of that which was exercised by the clergy and the preachers, who took a pride in vilifying, even to her face, this amiable princess. The assembly of the church framed an address, in which, after telling her, that her mass was a bastard service of God, the fountain of all impiety, and the source of every evil which abounded in the realm; they expressed their hopes, that she would ere this time have preferred truth to her own preconceived opinion, and have renounced her religion, which, they assured her, was nothing but abomination and vanity. They said that the present abuses of government were so enormous, that, if a speedy remedy were not provided, God would not fail in his anger to strike the head and the tail, the disobedient prince and sinful people. They required, that severe punishment should be inflicted on adulterers and fornicators. And they concluded with demanding for themselves some addition both of power and property.

The ringleader in all these insults on majesty was John Knox; who possessed an uncontrolled authority in the church, and even in the civil affairs of the nation, and who triumphed in the contumelious usage of his sovereign. His usual appellation for the queen was Jezebel; and though she endeavoured, by the most gracious condescension, to win his favour, all her insinuations could gain nothing on his obdurate heart. She promised him access to her whenever he demanded it; and she even desired him, if he found her blameable in anything, to reprehend her freely in private, rather than vilify her in the pulpit before the whole people: but he plainly told her, that he had a public ministry intrusted to him; that if she would come to church, she should there hear the gospel of truth; and that it was not his business to apply to every individual, nor had he leisure for that occupation. The political principles of the man, which he communicated to his brethren, were as full of sedition as his theological were of rage and bigotry. Though he once condescended so far as to tell the queen that he would submit to her, in the same manner as Paul did to Nero, he remained not long in this dutiful strain. He said to her, that "Samuel feared not to slay Agag, the fat and delicate king of Amalek, whom king Saul had saved: neither spared Elias Jezebel's false prophets, and Baal's priests, though king Ahab was present. Phineas," added he, "was no magistrate; yet feared he not to strike Cosbi and Zimri in the very act of filthy fornication. And so, madam, your grace may see, that others than chief magistrates may lawfully inflict punishment on such crimes as are condemned by the law of God." Knox had formerly, during the reign of Mary of England, written a book against female succession to the crown; the title of it is, *The first Blast of the Trumpet against the monstrous Regimen of Women.* He was too proud either to recant the tenets of this book, or even to apologize for them; and his conduct showed, that he thought no more civility than loyalty due to any of the female sex.

The whole life of Mary was, from the demeanour of these men, filled with bitterness and sorrow. This rustic apostle scruples not, in his history, to inform us, that he once treated her with such severity, that she lost all command of temper, and dissolved in tears before him: yet, so far from being moved with youth, and beauty, and royal dignity reduced to that condition, he persevered in his insolent reproofs; and when he relates this incident, he discovers a visible pride and satisfaction in his own conduct. The pulpits had become mere scenes of railing against the vices of the court; among which were always noted as the principal, feasting, finery, dancing, balls, and whoredom, their necessary attendant. Some ornaments, which the ladies at that time wore upon their petticoats, excited mightily the indignation of the preachers: and they affirmed, that such vanity would provoke God's vengeance, not only against these foolish women, but against the whole realm.

Mary, whose age, condition, and education invited her to liberty and cheerfulness, was curbed in all amusements by the absurd severity of these reformers; and she found every moment reason to regret her leaving that country, from whose manners she had, in her early youth, received the first impressions. Her two uncles, the duke of Aumale and the grand prior, with the other French nobility, soon took leave of her: the marquis of Elbeuf remained some time longer; but after his departure, she was left to the society of her own subjects; men unacquainted with the pleasures of conversation, ignorant of arts and civility, and corrupted beyond their usual rusticity, by a dismal fanaticism, which rendered them incapable of all humanity or improvement. Though Mary had made no attempt to restore the ancient religion, her popery was a sufficient crime: though her behaviour was hitherto irreproachable, and her manners sweet and engaging, her gaiety and ease were interpreted as signs of dissolute vanity. And to the harsh and preposterous usage, which this princess met with, may, in part, be ascribed those errors of her subsequent conduct, which seemed so little of a piece with the general tenor of her character.

There happened to the marquis of Elbeuf, before his departure, an adventure, which, though frivolous, might enable him to give Mary's friends in France a melancholy idea of her situation. This nobleman, with the earl of Bothwel, and some other young courtiers, had been engaged, after a debauch, to pay a visit to a woman called Alison Craig, who was known to be liberal of her favours; and because they were denied admittance, they broke the windows, thrust open the door, and committed some disorders in searching for the damsel. It happened, that the assembly of the church was sitting at that time, and they immediately took the matter under their cognizance. In conjunction with several of the nobility, they presented an address to the queen, which was introduced with this awful prelude: "To the queen's majesty, and to her secret and great council, her grace's faithful and obedient subjects, the professors of Christ Jesus's holy evangil, wish the spirit of righteous judgment." The tenor of the petition was, that the fear of God, the duty which they owed her grace, and the terrible threatenings denounced by God against every city or country where horrible crimes were openly committed, compelled them to demand the severe punishment of such as had done what in them lay to kindle the wrath of God against the whole realm: that the iniquity of which they complained was so heinous and so horrible that they should esteem themselves accomplices in it, if they had been engaged by worldly fear, or servile complaisance, to pass it over in silence, or bury it in oblivion: that as they owed her grace obedience in the administration of justice, so were they entitled to require of her, in return, the sharp and condign punish-

ment of this enormity, which, they repeated it, might draw down the vengeance of God on the whole kingdom: and that they maintained it to be her duty to lay aside all private affections towards the actors in so heinous a crime, and so enormous a villany, and without delay bring them to a trial, and inflict the severest penalties upon them. The queen gave a gracious reception to this peremptory address; but because she probably thought that breaking the windows of a brothel merited not such severe reprehension, she only replied, that her uncle was a stranger, and that he was attended by a young company: but she would put such order to him and to all others, that her subjects should henceforth have no reason to complain. Her passing over this incident so slightly was the source of great discontent, and was regarded as a proof of the most profligate manners. It is not to be omitted, that Alison Craig, the cause of all the uproar, was known to entertain a commerce with the earl of Arran, who, on account of his great zeal for the Reformation, was, without scruple, indulged in that enormity.

Some of the populace of Edinburgh broke into the queen's chapel during her absence, and committed outrages; for which two of them were indicted, and it was intended to bring them to trial. Knox wrote circular letters to the most considerable zealots of the party, and charged them to appear in town, and protect their brethren. The holy sacraments, he there said, are abused by profane papists; the mass has been said; and in worshipping that idol, the priests have omitted no ceremony, not even the conjuring of their accursed water, that had ever been practised in the time of the greatest blindness. These violent measures for opposing justice were little short of rebellion; and Knox was summoned before the council to answer for his offence. The courage of the man was equal to his insolence. He scrupled not to tell the queen, that the pestilent papists, who had inflamed her against these holy men, were the sons of the devil; and must therefore obey the directions of their father, who had been a liar and a manslayer from the beginning. The matter ended with a full acquittal of Knox. Randolph, the English ambassador in Scotland, had reason to write to Cecil, speaking of the Scottish nation: "I think marvellously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people no more power nor substance: for they would otherwise run wild."

We have related these incidents at greater length than the necessity of our subject may seem to require: but even trivial circumstances, which show the manners of the age, are often more instructive, as well as entertaining, than the great transactions of wars and negociations, which are nearly similar in all periods and in all countries of the world.

The reformed clergy in Scotland had, at that time, a very natural reason for their ill-humour; namely, the poverty, or rather beggary, to which they were reduced. The nobility and gentry had at first laid their hands on all the property of the regular clergy, without making any provision for the friars and nuns, whom they turned out of their possessions. The secular clergy of the catholic communion, though they lost all ecclesiastical jurisdiction, still held some of the temporalities of their benefices; and either became laymen themselves, and converted them into private property, or made conveyance of them at low prices to the nobility, who thus enriched themselves by the plunder of the church. The new teachers had hitherto subsisted chiefly by the voluntary oblations of the faithful; and in a poor country, divided in religious sentiments, this establishment was regarded as very scanty and very precarious. Repeated applications were made for a legal settlement to the preachers; and though almost everything in the kingdom was governed by their zeal and caprice, it was with difficulty that their request was at last complied with. The fanatical spirit which they indulged, and their industry in decrying the principles and practices of the Roman communion, which placed such merit in enriching the clergy proved now a very sensible obstacle to their acquisitions. The convention, however, passed a vote, by which they divided all the ecclesiastical benefices into twenty-one shares: they assigned fourteen to the ancient possessors: of the remaining seven they granted three to the crown; and if that were found to answer the public expenses, they bestowed the overplus on the reformed ministers. The queen was empowered to levy all the seven; and it was ordained that she should afterwards pay to the clergy what should be judged to suffice for their maintenance. The necessities of the crown, the rapacity of the courtiers, and the small affection which Mary bore to the protestant ecclesiastics, rendered their revenues contemptible as well as uncertain; and the preachers, finding that they could not rival the gentry, or even the middling rank of men, in opulence and plenty, were necessitated to betake themselves to other expedients for supporting their authority. They affected a furious zeal for religion, morose manners, a vulgar and familiar, yet mysterious cant; and though the liberality of subsequent princes put them afterwards on a better footing with regard to revenue, and thereby corrected in some degree those bad habits; it must be confessed, that, while many other advantages attend presbyterian government, these inconveniences are not easily separated from the genius of that ecclesiastical polity.

The queen of Scots, destitute of all force, possessing a narrow revenue, surrounded with a factious, turbulent nobility, a bigoted people, and insolent ecclesiastics, soon found, that her only expedient for maintaining tranquillity was to preserve a good correspondence with Elizabeth, who, by former connexions and services, had acquired such authority over all these ranks of men. Soon after her arrival in Scotland, secretary Lidington was sent to London, in order to pay her compliments to the queen, and express her desire of friendship and a good correspondence; and he received a commission from her, as well as from the nobility of Scotland, to demand, as a means of cementing this friendship, that Mary should, by act of parliament or by proclamation, (for the difference between these securities was not then deemed very considerable,) be declared successor to the crown. No request could be more unreasonable, or made at a more improper juncture. The queen replied that Mary had once discovered her intention not to wait for the succession, but had openly, without ceremony or reserve, assumed the title of queen of England, and had pretended a superior right to her throne and kingdom: that though her ambassadors, and those of her husband, the French king, had signed a treaty, in which they renounced that claim, and promised satisfaction for so great an indignity, she was so intoxicated with this imaginary right, that she had rejected the most earnest solicitations, and even, as some endeavoured to persuade her, had incurred some danger in crossing the seas, rather than ratify that equitable treaty: that her partisans everywhere had still the assurance to insist on her title, and had presumed to talk of her own birth as illegitimate: that while affairs were on this footing; while a claim thus openly made, so far from being openly renounced, was only suspended till a more favourable opportunity, it would, in her, be the most egregious imprudence to fortify the hands of a pretender to her crown, by declaring her the successor: that no expedient could be worse imagined for cementing friendship than such a declaration; and kings were often found to bear no goodwill to their successors, even though their own children; much more when the connexion was less intimate, and when such cause of disgust and jealousy had already been given, and indeed was still continued, on the part of Mary: that though she was willing, from the amity which she bore her kinswoman, to

ascribe her former pretensions to the advice of others, by whose direction she was then governed; her present refusal to relinquish them could proceed only from her own prepossessions, and was a proof that she still harboured some dangerous designs against her: that it was the nature of all men to be disgusted with the present, to entertain flattering views of futurity, to think their services ill rewarded, to expect a better recompence from the successor; and she should esteem herself scarcely half a sovereign over the English, if they saw her declare her heir, and arm her rival with authority against her own repose and safety: that she knew the inconstant nature of the people; she was acquainted with the present divisions in religion; she was not ignorant that the same party which expected greater favour during the reign of Mary, did also imagine that the title of that princess was superior to her own: that, for her part, whatever claims were advanced, she was determined to live and die queen of England; and after her death, it was the business of others to determine who had the best pretensions, either by the laws, or by the right of blood, to the succession: that she hoped the claim of the queen of Scots would then be found solid; and, considering the injury which she herself had received, it was sufficient indulgence, if she promised, in the meantime, to do nothing which might, in any respect, weaken or invalidate it: and that Mary, if her title were really preferable, a point which, for her own part, she had never inquired into, possessed all advantages above her rivals; who, destitute both of present power, and of all support by friends, would only expose themselves to inevitable ruin, by advancing any weak, or even doubtful pretensions.

These views of the queen were so prudent and judicious, that there was no likelihood of her ever departing from them: but that she might put the matter to a fuller proof, she offered to explain the words of the treaty of Edinburgh, so as to leave no suspicion of their excluding Mary's right of succession; and in this form she again required her to ratify that treaty. Matters at last came to this issue, that Mary agreed to the proposal, and offered to renounce all present pretensions to the crown of England, provided Elizabeth would agree to declare her the successor. But such was the jealous character of this latter princess, that she never would consent to strengthen the interest and authority of any claimant, by fixing the succession; much less would she make this concession in favour of a rival queen, who possessed such plausible pretensions for the present, and who, though she might verbally renounce them, could easily resume her claim on the first opportunity. Mary's proposal, however, bore so specious an appearance of equity and justice, that Elizabeth, sensible that reason would, by superficial thinkers, be deemed to lie entirely on that side, made no more mention of the matter; and, though further concessions were never made by either princess, they put on all the appearances of a cordial reconciliation and friendship with each other.

WISE GOVERNMENT OF ELIZABETH.

The queen observed that, even without her interposition, Mary was sufficiently depressed by the mutinous spirit of her own subjects; and instead of giving Scotland, for the present, any inquietude or disturbance, she employed herself, more usefully and laudably, in regulating the affairs of her own kingdom, and promoting the happiness of her people. She made some progress in paying those great debts which lay upon the crown; she regulated the coin, which had been much debased by her predecessors; she furnished her arsenal with great quantities of arms from Germany and other places; engaged her nobility and gentry to imitate her example in this particular; introduced into the kingdom the art of making gunpowder and brass cannon; fortified her frontiers on the side of Scotland; made frequent reviews of the militia; encouraged agriculture, by allowing a free exportation of corn; promoted trade and navigation; and so much increased the shipping of her kingdom, both by building vessels of force herself, and suggesting like undertakings to the merchants, that she was justly styled the restorer of naval glory, and the queen of the northern seas. The natural frugality of her temper, so far from incapacitating her from these great enterprises, only enabled her to execute them with greater certainty and success; and all the world saw in her conduct the happy effects of a vigorous perseverance in judicious and well-concerted projects.

It is easy to imagine that so great a princess, who enjoyed such singular felicity and renown, would receive proposals of marriage from every one that had any likelihood of succeeding; and though she had made some public declarations in favour of a single life, few believed that she would persevere for ever in that resolution. The archduke Charles, second son of the emperor, as well as Casimir, son of the elector Palatine, made applications to her; and as this latter prince professed the reformed religion, he thought himself on that account better entitled to succeed in his addresses. Eric, king of Sweden, and Adolph, duke of Holstein, were encouraged, by the same views, to become suitors: and the earl of Arran, heir to the crown of Scotland, was, by the states of that kingdom, recommended to her as a suitable marriage. Even some of her own subjects, though they did not openly declare their pretensions, entertained hopes of success. The earl of Arundel, a person declining in years, but descended from an ancient and noble family, as well as possessed of great riches, flattered himself with this prospect; as did also sir William Pickering, a man much esteemed for his personal merit. But the person most likely to succeed, was a younger son of the late duke of Northumberland, lord Robert Dudley, who, by means of his exterior qualities, joined to address and flattery, had become, in a manner, her declared favourite, and had great influence in all her counsels. The less worthy he appeared of this distinction, the more was his great favour ascribed to some violent affection, which could thus seduce the judgment of this penetrating princess; and men long expected that he would obtain the preference above so many princes and monarchs. But the queen gave all these suitors a gentle refusal, which still encouraged their pursuit; and she thought that she should the better attach them to her interests if they were still allowed to entertain hopes of succeeding in their pretensions. It is also probable that this policy was not entirely free from a mixture of female coquetry; and that, though she was determined in her own mind never to share her power with any man, she was not displeased with the courtship, solicitation, and professions of love, which the desire of acquiring so valuable a prize procured her from all quarters.

What is most singular in the conduct and character of Elizabeth is, that though she determined never to have any heir of her own body, she was not only very averse to fix any successor to the crown, but seems also to have resolved, as far as it lay in her power, that no one who had pretensions to the succession should ever have any heirs or successors. If the exclusion given by the will of Henry VIII. to the posterity of Margaret, queen of Scotland, was allowed to be valid, the right to the crown devolved on the house of Suffolk; and the lady Catherine Gray, younger sister to the lady Jane, was now the heir of that family. This lady had been married to lord Herbert, son of the earl of Pembroke; but having been divorced from that nobleman, she made a private marriage with the earl of Hertford, son of the protector; and her husband, soon after consummation, travelled into France. In a little time she appeared to be pregnant, which so enraged Elizabeth, that she threw her into the Tower, and summoned Hertford to appear, in order to answer

for his misdemeanour. He made no scruple of acknowledging the marriage, which, though concluded without the queen's consent, was entirely suitable to both parties; and for this offence he was also committed to the Tower. Elizabeth's severity stopped not here: she issued a commission to inquire into the matter; and as Hertford could not, within the time limited, prove the nuptials by witnesses, the commerce between him and his consort was declared unlawful, and their posterity illegitimate. They were still detained in custody; but, by bribing their keepers, they found means to have further intercourse; and another child appeared to be the fruit of their commerce. This was a fresh source of vexation to the queen; who made a fine of fifteen thousand pounds be set on Hertford by the star-chamber, and ordered his confinement to be thenceforth more rigid and severe. He lay in this condition for nine years, till the death of his wife, by freeing Elizabeth from all fears, procured him his liberty. This extreme severity must be accounted for, either by the unrelenting jealousy of the queen, who was afraid lest a pretender to the succession should acquire credit by having issue; or by her malignity, which, with all her great qualities, made one ingredient in her character, and which led her to envy, in others, those natural pleasures of love and posterity, of which her own ambition and desire of dominion made her renounce all prospect for herself.

There happened, about this time, some other events in the royal family, where the queen's conduct was more laudable. Arthur Pole, and his brother, nephews to the late cardinal, and descended from the duke of Clarence, together with Anthony Fortescue, who had married a sister of these gentlemen, and some other persons, were brought to their trial for intending to withdraw into France, with a view of soliciting succours from the duke of Guise, of returning thence into Wales, and of proclaiming Mary queen of England, and Arthur Pole duke of Clarence. They confessed the indictment, but asserted, that they never meant to execute these projects during the queen's lifetime: they had only deemed such precautions requisite in case of her demise, which some pretenders to judicial astrology had assured them they might with certainty look for before the year expired. They were condemned by the jury; but received a pardon from the queen's clemency.

CHAPTER XXXIX.

State of Europe — Civil Wars of France — Havre de Grace put in possession of the English — A Parliament — Havre lost — Affairs of Scotland — The Queen of Scots marries the Earl of Darnley — Confederacy against the Protestants — Murder of Rizzio — A Parliament — Murder of Darnley — Queen of Scots marries Bothwel — Insurrections in Scotland — Imprisonment of Mary — Mary flies into England — Conferences at York and Hampton-Court.

STATE OF EUROPE. 1562.

AFTER the commencement of the religious wars in France, which rendered that flourishing kingdom, during the course of near forty years, a scene of horror and devastation, the great rival powers in Europe were Spain and England; and it was not long before an animosity, first political, then personal, broke out between the sovereigns of these countries.

Philip II. of Spain, though he reached not any enlarged views of policy, was endowed with great industry and sagacity, a remarkable caution in his enterprises, an unusual foresight in all his measures; and as he was ever cool and seemingly unmoved by passion, and possessed neither talents nor inclination for war, both his subjects and his neighbours had reason to expect justice, happiness, and tranquillity, from his administration. But prejudices had on him as pernicious effects as ever passion had on any other monarch: and the spirit of bigotry and tyranny by which he was actuated, with the fraudulent maxims which governed his counsels, excited the most violent agitation among his own people, engaged him in acts of the most enormous cruelty, and threw all Europe into combustion.

After Philip had concluded peace at Cateau Cambresis, and had remained some time in the Netherlands, in order to settle the affairs of that country, he embarked for Spain; and as the gravity of that nation, with their respectful obedience to their prince, had appeared more agreeable to his humour than the homely, familiar manners and the pertinacious liberty of the Flemings, it was expected that he would, for the future, reside altogether at Madrid, and would govern all his extensive dominions by Spanish ministers and Spanish counsels. Having met with a violent tempest on his voyage, he no sooner arrived in harbour than he fell on his knees: and after giving thanks for his deliverance, he vowed that his life, which was thus providentially saved, should thenceforth be entirely devoted to the extirpation of heresy. His subsequent conduct corresponded to these professions. Finding that the new doctrines had penetrated into Spain, he let loose the rage of persecution against all who professed them, or were suspected of adhering to them; and by his violence he gave new edge, even to the usual cruelty of priests and inquisitors. He threw into prison Constantine Ponce, who had been confessor to his father, the emperor Charles; who had attended him during his retreat; and in whose arms that great monarch had terminated his life: and after this ecclesiastic died in confinement, he still ordered him to be tried and condemned for heresy, and his statue to be committed to the flames. He even deliberated whether he should not exercise like severity against the memory of his father, who was suspected during his later years to have indulged a propensity towards the Lutheran principles: in his unrelenting zeal for orthodoxy, he spared neither age, sex, nor condition: he was present, with an inflexible countenance, at the most barbarous executions; he issued rigorous orders for the prosecution of heretics in Spain, Italy, the Indies, and the Low Countries: and, having founded his determined tyranny on maxims of civil policy, as well as on principles of religion, he made it apparent to all his subjects, that there was no method, except the most entire compliance, or most obstinate resistance, to escape or elude the severity of his vengeance.

During that extreme animosity which prevailed between the adherents of the opposite religions, the civil magistrate, who found it difficult, if not impossible, for the same laws to govern such enraged adversaries, was naturally led, by specious rules of prudence, in embracing one party, to declare war against the other, and to exterminate, by fire and sword, those bigots, who, from abhorrence of his religion, had proceeded to an opposition of his power, and to a hatred of his person. If any prince possessed such enlarged views as to foresee that a mutual toleration would in time abate the fury of religious prejudices, he yet met with difficulties in reducing this principle to practice; and might deem the malady too violent to await a remedy which, though certain, must necessarily be slow in its operation. But Philip, though a profound hypocrite, and extremely governed by self-interest, seems also to have been himself actuated by an imperious bigotry; and, as he employed great reflection in all his conduct, he could easily palliate the gratification of his natural temper under the colour of wisdom, and find, in this system, no less advantage to his foreign than his domestic politics. By placing himself at the head of the catholic party, he converted the zealots of the ancient faith into partisans of Spanish greatness; and by employing the powerful allurement of religion, he seduced everywhere the subjects from that allegiance which they owed to their native sovereign.

The course of events, guiding and concurring with choice, had placed Elizabeth in a situation diametrically opposite; and had raised her to be the glory, the bulwark, and the support of the numerous, though still persecuted, protestants throughout Europe. More moderate in her temper than Philip, she found with pleasure, that the principles of her sect required not such extreme severity in her domestic government as was exercised by that monarch; and having no object but self-preservation, she united her interests in all foreign negociations with those who were everywhere struggling under oppression, and guarding themselves against ruin and extermination. The more virtuous sovereign was thus happily thrown into the more favourable cause; and fortune, in this instance, concurred with policy and nature.

During the lifetime of Henry II. of France, and of his successor, the force of these principles was somewhat restrained, though not altogether overcome, by motives of a superior interest; and the dread of uniting England with the French monarchy, engaged Philip to maintain a good correspondence with Elizabeth. Yet even during this period he rejected the garter which she sent him; he refused to ratify the ancient league between the house of Burgundy and England; he furnished ships to transport French forces into Scotland; he endeavoured to intercept the earl of Arran, who was hastening to join the malcontents in that country; and the queen's wisest ministers still regarded his friendship as hollow and precarious. But no sooner did the death of Francis II. put an end to Philip's apprehensions with regard to Mary's succession, than his animosity against Elizabeth began more openly to appear; and the interests of Spain and those of England were found opposite in every negociation and transaction.

The two great monarchies of the continent, France and Spain, being possessed of nearly equal force, were naturally antagonists; and England, from its power and situation, was entitled to support its own dignity, as well as tranquillity, by holding the balance between them. Whatever incident, therefore, tended too much to depress one of these rival powers, as it left the other without control, might be deemed contrary to the interests of England; yet so much were these great maxims of policy overruled, during that age, by the disputes of theology, that Philip found an advantage in supporting the established government and religion of France; and Elizabeth, in protecting faction and innovation.

CIVIL WARS OF FRANCE.

The queen-regent of France, when reinstated in authority by the death of her son, Francis, had formed a plan of administration more subtle than judicious; and, balancing the catholics with the hugonots, the duke of Guise with the prince of Condé, she endeavoured to render herself necessary to both, and to establish her own dominion on their constrained obedience. But the equal counterpoise of power, which, among foreign nations, is the source of tranquillity, proves always the ground of quarrel between domestic factions; and if the animosity of religion concur with the frequent occasions which present themselves of mutual injury, it is impossible, during any time, to preserve a firm concord in so delicate a situation. The constable, Montmorency, moved by zeal for the ancient faith, joined himself to the duke of Guise: the king of Navarre, from his inconstant temper, and his jealousy of the superior genius of his brother, embraced the same party: and Catherine, finding herself depressed by this combination, had recourse to Condé and the hugonots, who gladly embraced the opportunity of fortifying themselves by her countenance and protection. An edict had been published, granting a toleration to the protestants; but the interested violence of the duke of Guise, covered with the pretence of religious zeal, broke through this agreement; and the two parties, after the fallacious tranquillity of a moment, renewed their mutual insults and injuries. Condé, Coligni, Andelot, assembled their friends and flew to arms: Guise and Montmorency got possession of the king's person, and constrained the queen-regent to embrace their party: fourteen armies were levied and put in motion in different parts of France: each province, each city, each family, was agitated with intestine rage and animosity. The father was divided against the son, brother against brother, and women themselves sacrificing their humanity as well as their timidity to the religious fury, distinguished themselves by acts of ferocity and valour. Wherever the hugonot prevailed, the images were broken, the altars pillaged, the churches demolished, the monasteries consumed with fire: where success attended the catholics, they burned the bibles, re-baptized the infants, constrained married persons to pass anew through the nuptial ceremony: and plunder, desolation, and bloodshed attended equally the triumph of both parties. The parliament of Paris itself, the seat of law and justice, instead of employing its authority to compose these fatal quarrels, published an edict, by which it put the sword into the hands of the enraged multitude, and empowered the catholics everywhere to massacre the hugonots: and it was during this period, when men began to be somewhat enlightened, and in this nation, renowned for polished manners, that the theological rage, which had long been boiling in men's veins, seems to have attained its last stage of virulence and ferocity.

HAVRE DE GRACE PUT IN POSSESSION OF THE ENGLISH.

Philip, jealous of the progress which the hugonots made in France, and dreading that the contagion would spread into the Low Country provinces, had formed a secret alliance with the princes of Guise, and had entered into a mutual concert for the protection of the ancient faith, and the suppression of heresy. He now sent six thousand men, with some supply of money, to re-enforce the catholic party; and the prince of Condé, finding himself unequal to so great a combination, countenanced by the royal authority, was obliged to dispatch the Vidame of Chartes and Briguemaut to London, in order to crave the assistance and protection of Elizabeth. Most of the province of Normandy was possessed by the hugonots: and Condé offered to put Havre de Grace into the hands of the English; on condition that, together with three thousand men for the garrison of that place, the queen should likewise send over three thousand to defend Dieppe and Roüen, and should furnish the prince with a supply of a hundred thousand crowns.

Elizabeth, besides the general and essential interest of supporting the protestants, and opposing the rapid progress of her enemy, the duke of Guise, had other motives which engaged her to accept of this proposal. When she concluded the peace, (20th September,) at Cateau-Cambresis, she had good reason to foresee that France never would voluntarily fulfil the article which regarded the restitution of Calais; and many subsequent incidents had tended to confirm this suspicion. Considerable sums of money had been expended on the fortifications; long leases had been granted of the lands; and many inhabitants had been encouraged to build and settle there, by assurances that Calais should never be restored to the English. The queen therefore wisely concluded, that could she get possession of Havre, a place which commanded the mouth of the Seine, and was of greater importance than Calais, she should easily constrain the French to execute the treaty, and should have the glory of restoring to the crown that ancient possession, so much the favourite of the nation.

No measure could be more generally odious in

France, than the conclusion of this treaty with Elizabeth. Men were naturally led to compare the conduct of Guise, who had finally expelled the English, and had debarred these dangerous and destructive enemies from all access into France, with the treasonable politics of Condé, who had again granted them an entrance into the heart of the kingdom. The prince had the more reason to repent of this measure, as he reaped not from it all the advantage which he expected. Three thousand English immediately took possession of Havre and Dieppe, under the command of sir Edward Poinings; but the latter place was found so little capable of defence, that it was immediately abandoned. The siege of Roüen was already formed by the catholics, under the command of the king of Navarre and Montmorency; and it was with difficulty that Poinings could throw a small re-enforcement into the place. Though these English troops behaved with gallantry, and though the king of Navarre was mortally wounded during the siege, the catholics still continued the attack of the place, and carrying it at last by assault, put the whole garrison to the sword. The earl of Warwick, eldest son of the late duke of Northumberland, arrived soon after at Havre with another body of three thousand English, and took on him the command of the place.

It was expected that the French catholics, flushed with their success at Roüen, would immediately have formed the siege of Havre, which was not as yet in any condition of defence; but the intestine disorders of the kingdom soon diverted their attention to another enterprise. Andelot, seconded by the negociations of Elizabeth, had levied a considerable body of protestants in Germany; and having arrived at Orleans, the seat of the hugonots' power, he enabled the prince of Condé and the admiral to take the field, and oppose the progress of their enemies. After threatening Paris during some time, they took their march towards Normandy with a view of engaging the English to act in conjunction with them, and of fortifying themselves by the further assistance which they expected from the zeal and vigour of Elizabeth. The catholics, commanded by the constable, and under him by the duke of Guise, followed on their rear; and overtaking them at Dreux, obliged them to give battle. The field was fought with great obstinacy on both sides: and the action was distinguished by this singular event, that Condé and Montmorency, the commanders of the opposite armies, fell both of them prisoners into the hands of their enemies. The appearances of victory remained with Guise; but the admiral, whose fate it ever was to be defeated, and still to rise more terrible after his misfortunes, collected the remains of the army; and inspiring his own unconquerable courage and constancy into every breast, kept them in a body, and subdued some considerable places in Normandy. Elizabeth, the better to support his cause, sent him a new supply of a hundred thousand crowns; and offered, if he could find merchants to lend him the money, to give her bond for another sum of equal amount.

A PARLIAMENT. *January* 12, 1563.

The expenses incurred by assisting the French hugonots had emptied the queen's exchequer; and, in order to obtain a supply, she found herself under the necessity of summoning a parliament; an expedient to which she never willingly had recourse. A little before the meeting of this assembly she had fallen into a dangerous illness, the small-pox; and as her life, during some time, was despaired of, the people became the more sensible of their perilous situation, derived from the uncertainty which, in case of her demise, attended the succession of the crown. The partisans of the queen of Scots, and those of the house of Suffolk, already divided the nation into factions; and every one foresaw, that, though it might be possible at present to determine the controversy by law, yet, if the throne were vacant, nothing but the sword would be able to fix a successor. The commons, therefore, on the opening of the session, voted an address to the queen; in which, after enumerating the dangers attending a broken and doubtful succession, and mentioning the evils which their fathers had experienced from the contending titles of York and Lancaster, they intreated the queen to put an end to their apprehensions, by choosing some husband, whom, they promised, whoever he were, gratefully to receive, and faithfully to serve, honour, and obey: or, if she had entertained any reluctance to the married state, they desired that the lawful successor might be named, at least appointed by act of parliament. They remarked that, during all the reigns which had passed since the conquest, the nation had never before been so unhappy as not to know the person who, in case of the sovereign's death, was legally entitled to fill the vacant throne. And they observed, that the fixed order which took place in inheriting the French monarchy, was one chief source of the usual tranquillity, as well as of the happiness of that kingdom.

This subject, though extremely interesting to the nation, was very little agreeable to the queen; and she was sensible that great difficulties would attend every decision. A declaration in favour of the queen of Scots would form a settlement perfectly legal; because that princess was commonly allowed to possess the right of blood; and the exclusion given by Henry's will, deriving its weight chiefly from an act of parliament, would lose all authority, whenever the queen and parliament had made a new settlement, and restored the Scottish line to its place in the succession. But she dreaded giving encouragement to the catholics, her secret enemies, by this declaration. She was sensible that every heir was, in some degree, a rival; much more one who enjoyed a claim for the present possession of the crown, and who had already advanced, in a very open manner, these dangerous pretensions. The great power of Mary, both from the favour of the catholic princes, and her connexions with the house of Guise, not to mention the force and situation of Scotland, was well known to her; and she saw no security that this princess, if fortified by a sure prospect of succession, would not revive claims which she could never yet be prevailed on formally to relinquish. On the other hand, the title of the house of Suffolk was supported by the more zealous protestants only; and it was very doubtful, whether even a parliamentary declaration in its favour would bestow on it such validity as to give satisfaction to the people. The republican part of the constitution had not yet acquired such an ascendant as to control, in any degree, the ideas of hereditary right; and as the legality of Henry's will was still disputed, though founded on the utmost authority which a parliament could confer; who could be assured that a more recent act would be acknowledged to have greater validity? In the frequent revolutions which had of late taken place, the right of blood had still prevailed over religious prejudices; and the nation had ever shown itself disposed rather to change its faith than the order of succession. Even many protestants declared themselves in favour of Mary's claim of inheritance; and nothing would occasion more general disgust than to see the queen, openly and without reserve, take part against it. The Scottish princess also, finding herself injured in so sensible a point, would thenceforth act as a declared enemy; and uniting together her foreign and domestic friends, the partisans of her present title and of her eventual succession, would soon bring matters to extremities against the present establishment. The queen, weighing all these inconveniences, which were great and urgent, was determined to keep both parties in awe, by maintaining still an ambiguous conduct; and she rather chose that the people should run the hazard of contingent events, than that she herself should visibly endanger her

throne, by employing expedients, which, at best, would not bestow entire security on the nation. She gave, therefore, an evasive answer to the applications of the commons; and when the house, at the end of the session, desired, by the mouth of their speaker, further satisfaction on that head, she could not be prevailed on to make her reply more explicit. She only told them, contrary to her declarations in the beginning of her reign, that she had fixed no absolute resolution against marriage; and she added, that the difficulties attending the question of the succession were so great, that she would be contented, for the sake of her people, to remain some time longer in this vale of misery; and never should depart life with satisfaction, till she had laid some solid foundation for their future security.

The most remarkable law passed this session, was that which bore the title of "*Assurance of the queen's royal power over all states and subjects within her dominions.*" By this act, the asserting twice, by writing, word, or deed, the pope's authority, was subjected to the penalties of treason. All persons in holy orders were bound to take the oath of supremacy; as also all who were advanced to any degree, either in the universities or in common law; all schoolmasters, officers in court, or members of parliament: and the penalty of their second refusal was treason. The first offence, in both cases, was punished by banishment and forfeiture. This rigorous statute was not extended to any of the degree of a baron; because it was not supposed that the queen could entertain any doubt with regard to the fidelity of persons possessed of such high dignity. Lord Montacute made opposition to the bill; and asserted, in favour of the catholics, that they disputed not, they preached not, they disobeyed not the queen, they caused no trouble, no tumults among the people. It is, however, probable that some suspicions of their secret conspiracies had made the queen and parliament increase their rigour against them; though it is also more than probable that they were mistaken in the remedy.

There was likewise another point, in which the parliament, this session, showed more the goodness of their intention, than the soundness of their judgment. They passed a law against fond and fantastical prophecies, which had been observed to seduce the people into rebellion and disorder: but at the same time they enacted a statute, which was most likely to increase these and such like superstitions—it was levelled against conjurations, enchantments, and witchcraft. Witchcraft and heresy are two crimes, which commonly increase by punishment, and never are so effectually suppressed as by being totally neglected. After the parliament had granted the queen a supply of one subsidy, and two fifteenths, the session was finished by a prorogation. The convocation likewise voted the queen a subsidy of six shillings in the pound, payable in three years.

While the English parties exerted these calm efforts against each other, in parliamentary votes and debates, the French factions, inflamed to the highest degree of animosity, continued that cruel war, which their intemperate zeal, actuated by the ambition of their leaders, had kindled in the kingdom. The admiral was successful in reducing the towns of Normandy which held for the king; but he frequently complained, that the numerous garrison of Havre remained totally inactive, and was not employed in any military operation against the common enemy. The queen, in taking possession of that place, had published a manifesto, in which she pretended, that her concern for the interests of the French king had engaged her in that measure, and that her sole intention was to oppose her enemies of the house of Guise, who held their prince in captivity, and employed his power to the destruction of his best and most faithful subjects. It was chiefly her desire to preserve appearances, joined to the great frugality of her temper, which made her, at this critical juncture, keep her soldiers in garrison, and restrain them from committing further hostilities upon the enemy. The duke of Guise, meanwhile, was aiming a mortal blow at the power of the hugonots; and had commenced the siege of Orleans, of which Andelot was governor, and where the constable was detained prisoner. He had the prospect of speedy success in this undertaking; when he was assassinated by Poltrot, a young gentleman, whose zeal, instigated (as is pretended, though without any certain foundation) by the admiral, and Beza, a famous preacher, led him to attempt that criminal enterprise. The death of this gallant prince was a sensible loss to the catholic party; and though the cardinal of Lorraine, his brother, still supported the interests of the family, the danger of their progress appeared not so imminent either to Elizabeth or to the French protestants. The union, therefore, between these allies, which had been cemented by their common fears, began thenceforth to be less intimate; and the leaders of the hugonots were persuaded to hearken to terms of a separate accommodation. Condé and Montmorency held conferences for settling the peace; and as they were both of them impatient to relieve themselves from captivity, they soon came to an agreement with regard to the conditions. The character of the queen-regent, whose ends were always violent, but who endeavoured, by subtlety and policy, rather than force, to attain them, led her to embrace any plausible terms; and, in spite of the protestations of the admiral, whose sagacity could easily discover the treachery of the court, the articles of agreement were finally settled between the parties. A toleration, under some restrictions, was anew granted to the protestants; a general amnesty was published; Condé was reinstated in his offices and governments; and after money was advanced for the payment of arrears due to the German troops, they were dismissed the kingdom.

By the agreement between Elizabeth and the prince of Condé it had been stipulated, that neither party should conclude peace without the consent of the other; but this article was at present but little regarded by the leaders of the French protestants. They only comprehended her so far in the treaty, as to obtain a promise, that, on her relinquishing Havre, her charges, and the money which she had advanced them, should be repaid her by the king of France, and that Calais, on the expiration of the term, should be restored to her. But she disdained to accept of these conditions; and thinking the possession of Havre a much better pledge for effecting her purpose, she sent Warwick orders to prepare himself against an attack from the now united power of the French monarchy.

The earl of Warwick, who commanded a garrison of six thousand men, besides seven hundred pioneers, had no sooner got possession of Havre, than he employed every means for putting it in a posture of defence; and after expelling the French from the town, he encouraged his soldiers to make the most desperate defence against the enemy. The constable commanded the French army; the queen-regent herself, and the king, were present in the camp; even the prince of Condé joined the king's forces, and gave countenance to this enterprise; the admiral and Andelot alone, anxious still to preserve the friendship of Elizabeth, kept at a distance, and prudently refused to join their ancient enemies in an attack upon their allies.

HAVRE LOST. *July* 28.

From the force, and dispositions, and situations of both sides, it was expected that the siege would be attended with some memorable event; yet did France make a much easier acquisition of this important place, than was at first apprehended. The plague crept in among the English soldiers; and being increased by their fatigue and bad diet (for they were but ill supplied with provisions,) it made such ravages, that sometimes a hundred men a day died of it, and there

remained not at last fifteen hundred in a condition to do duty. The French, meeting with such feeble resistance, carried on their attacks successfully; and having made two breaches, each of them sixty feet wide, they prepared for a general assault, which must have terminated in the slaughter of the whole garrison. Warwick, who had frequently warned the English council of the danger, and who had loudly demanded a supply of men and provisions, found himself obliged to capitulate, and to content himself with the liberty of withdrawing his garrison. The articles were no sooner signed, than lord Clinton, the admiral, who had been detained by contrary winds, appeared off the harbour with a re-enforcement of three thousand men, and found the place surrendered to the enemy. To increase the misfortune, the infected army brought the plague with them into England, where it swept off great multitudes, particularly in the city of London. Above twenty thousand persons there died of it in one year. [*See note* 3 P, *at the end of this Vol.*]

Elizabeth, whose usual vigour and foresight had not appeared in this transaction, was now glad to compound matters; and as the queen-regent desired to obtain leisure, in order to prepare measures for the extermination of the hugonots, she readily hearkened to any reasonable terms of accommodation with England. It was agreed (2nd April) that the hostages which the French had given for the restitution of Calais, should be restored for 220,000 crowns; and that both sides should retain all their claims and pretensions.

SCOTCH AFFAIRS.

The peace still continued with Scotland; and even a cordial friendship seemed to have been cemented between Elizabeth and Mary. These princesses made profession of the most entire affection; wrote amicable letters every week to each other; and had adopted, in all appearance, the sentiments as well as style of sisters. Elizabeth punished one Hales, who had published a book against Mary's title; and as the lord-keeper Bacon was thought to have encouraged Hales in this undertaking, he fell under her displeasure, and it was with some difficulty he was able to give her satisfaction, and recover her favour. The two queens had agreed in the foregoing summer to an interview at York; in order to remove all difficulties with regard to Mary's ratification of the treaty of Edinburgh, and to consider of the proper method for settling the succession of England: but as Elizabeth carefully avoided touching on this delicate subject, she employed a pretence of the wars in France, which, she said, would detain her in London; and she delayed till next year the intended interview. It is also probable, that, being well acquainted with the beauty and address and accomplishments of Mary, she did not choose to stand the comparison with regard to those exterior qualities, in which she was eclipsed by her rival; and was unwilling that a princess, who had already made great progress in the esteem and affections of the English, should have a further opportunity of increasing the number of her partisans.

Mary's close connexions with the house of Guise, and her devoted attachment to her uncles, by whom she had been early educated and constantly protected, was the ground of just and insurmountable jealousy to Elizabeth, who regarded them as her mortal and declared enemies, and was well acquainted with their dangerous character and ambitious projects. They had made offer of their niece to Don Carlos, Philip's son; to the king of Sweden, the king of Navarre, the archduke Charles, the duke of Ferrara, the cardinal of Bourbon, who had only taken deacon's orders, from which he might easily be freed by a dispensation; and they were ready to marry her to any one who could strengthen their interests, or give inquietude and disturbance to Elizabeth. Elizabeth on her part was equally vigilant to prevent the execution of their schemes, and was particularly anxious, lest Mary should form any powerful foreign alliance, which might tempt her to revive her pretensions to the crown, and to invade the kingdom on the side where it was weakest and lay most exposed. As she believed that the marriage with the archduke Charles was the one most likely to take place, she used every expedient to prevent it; and besides remonstrating against it to Mary herself, she endeavoured to draw off the archduke from that pursuit, by giving him some hopes of success in his pretensions to herself, and by inviting him to a renewal of the former treaty of marriage. She always told the queen of Scots, that nothing would satisfy her but her espousing some English nobleman, who would remove all grounds of jealousy, and cement the union between the kingdoms; and she offered on this condition to have her title examined, and to declare her successor to the crown. After keeping the matter in these general terms during a twelvemonth, she at last named lord Robert Dudley, now created earl of Leicester, as the person on whom she desired that Mary's choice should fall.

The earl of Leicester, the great and powerful favourite of Elizabeth, possessed all those exterior qualities which are naturally alluring to the fair sex—a handsome person, a polite address, an insinuating behaviour; and by means of these accomplishments, he had been able to blind even the penetration of Elizabeth, and conceal from her the great defects, or rather odious vices, which attended his character. He was proud, insolent, interested, ambitious; without honour, without generosity, without humanity; and atoned not for these bad qualities, by such abilities or courage, as could fit him for that high trust and confidence, with which she always honoured him. Her constant and declared attachment to him had naturally emboldened him to aspire to her bed; and in order to make way for these nuptials, he was universally believed to have murdered, in a barbarous manner, his wife, the heiress of one Robesart. The proposal of espousing Mary was by no means agreeable to him; and he always ascribed it to the contrivance of Cecil, his enemy; who, he thought, intended by that artifice to make him lose the friendship of Mary from the temerity of his pretensions, and that of Elizabeth from jealousy of his attachments to another woman. The queen herself had not any serious intention of effecting this marriage; but as she was desirous that the queen of Scots should never have any husband, she named a man, who, she believed was not likely to be accepted of; and she hoped, by that means, to gain time, and elude the project of any other alliance. The earl of Leicester was too great a favourite to be parted with; and when Mary, allured by the prospect of being declared successor to the crown, seemed at last to hearken to Elizabeth's proposal, this princess receded from her offers, and withdrew the bait which she had thrown out to her rival. This duplicity of conduct, joined to some appearance of an imperious superiority, assumed by her, had drawn a peevish letter from Mary; and the seemingly amicable correspondence between the two queens was, during some time, interrupted. In order to make up the breach, the queen of Scots dispatched sir James Melvil to London; who has given us in his memoirs a particular account of his negociation.

1564. Melvil was an agreeable courtier, a man of address and conversation; and it was recommended to him by his mistress, that, besides grave reasonings, concerning politics and state-affairs, he should introduce more entertaining topics of conversation, suitable to the sprightly character of Elizabeth: and should endeavour by that means to insinuate himself into her confidence. He succeeded so well, that he threw that artful princess entirely off her guard; and made her discover the bottom of her heart, full of all those levities and follies and ideas of rivalship which possess the youngest and most frivolous of her sex. He

talked to her of his travels, and forgot not to mention the different dresses of the ladies in different countries, and the particular advantages of each, in setting off the beauties of the shape and person. The queen said, that she had dresses of all countries; and she took care thenceforth to meet the ambassador every day apparelled in a different habit: sometimes she was dressed in the English garb, sometimes in the French, sometimes in the Italian; and she asked him, which of them became her most? He answered the Italian; a reply that, he knew, would be agreeable to her, because that mode showed to advantage her flowing locks, which he remarked, though they were more red than yellow, she fancied to be the finest in the world. She desired to know of him what was reputed the best colour of hair: she asked whether his queen or she had the finest hair: she even inquired which of them he esteemed the fairest person: a very delicate question, and which he prudently eluded, by saying, that her majesty was the fairest person in England, and his mistress in Scotland. She next demanded which of them was tallest; he replied, his queen; then is she too tall, said Elizabeth: for I myself am of a just stature. Having learned from him, that his mistress sometimes recreated herself by playing on the harpsichord, an instrument on which she herself excelled, she gave orders to lord Hundson, that he should lead the ambassador, as it were casually, into an apartment, where he might hear her perform; and when Melvil, as if ravished with the harmony, broke into the queen's apartment, she pretended to be displeased with his intrusion; but still took care to ask him, whether he thought Mary or her the best performer on that instrument? From the whole of her behaviour, Melvil thought he might, on his return, assure his mistress, that she had no reason ever to expect any cordial friendship from Elizabeth, and that all her professions of amity were full of falsehood and dissimulation.

After two years had been spent in evasions and artifices, Mary's subjects and counsellors, and probably herself, began to think it full time that some marriage were concluded; and lord Darnley, son of the earl of Lenox, was the person in whom most men's opinions and wishes centered. He was Mary's cousin-german, by the lady Margaret Douglas, niece to Harry VIII., and daughter of the earl of Angus, by Margaret, queen of Scotland. He had been born and educated in England, where the earl of Lenox had constantly resided, since he had been banished by the prevailing power of the house of Hamilton: and as Darnley was now in his twentieth year, and was a very comely person, tall and delicately shaped, it was hoped that he might soon render himself agreeable to the queen of Scots. He was also by his father a branch of the same family with herself; and would, in espousing her, preserve the royal dignity in the house of Stuart: he was, after her, next heir to the crown of England; and those who pretended to exclude her on account of her being a foreigner, had endeavoured to recommend his title, and give it the preference. It seemed no inconsiderable advantage, that she could by marrying, unite both their claims; and as he was by birth an Englishman, and could not, by his power or alliances, give any ground of suspicion to Elizabeth, it was hoped that the proposal of this marriage would not be unacceptable to that jealous princess.

Elizabeth was well informed of these intentions; and was secretly not displeased with the projected marriage between Darnley and the queen of Scots. She would rather have wished that Mary had continued for ever in a single life; but finding little probability of rendering this scheme effectual, she was satisfied with a choice which freed her at once from the dread of a foreign alliance, and from the necessity of parting with Leicester, her favourite. In order to pave the way to Darnley's marriage, she secretly desired Mary to invite Lenox into Scotland, to reverse his attainder, and to restore him to his honours and fortune. And when her request was complied with, she took care, in order to preserve the friendship of the Hamiltons and her other partisans in Scotland, to blame openly this conduct of Mary. Hearing that the negociation for Darnley's marriage advanced apace, she gave that nobleman permission, on his first application, to follow his father into Scotland: but no sooner did she learn that the queen of Scots was taken with his figure and person, and that all measures were fixed for espousing him, than she exclaimed against the marriage: sent Throgmorton to order Darnley immediately, upon his allegiance, to return to England; threw the countess of Lenox and her second son into the Tower, where they suffered a rigorous confinement; seized all Lenox's English estate; and though it was impossible for her to assign one single reason for her displeasure, she menaced, and protested, and complained, as if she had suffered the most grievous injury in the world.

The politics of Elizabeth, though judicious, were usually full of duplicity and artifice; but never more so than in her transactions with the queen of Scots, where there entered so many little passions and narrow jealousies, that she durst not avow to the world the reasons of her conduct, scarcely to her ministers, and scarcely even to herself. But besides a womanish rivalship and envy against the marriage of this princess, she had some motives of interest for feigning a displeasure on the present occasion. It served her as a pretence for refusing to acknowledge Mary's title to the succession of England; a point to which, for good reasons, she was determined never to consent. And it was useful to her for a purpose still more unfriendly and dangerous, for encouraging the discontents and rebellion of the Scottish nobility and ecclesiastics.

Nothing can be more unhappy for a people than to be governed by a sovereign attached to a religion different from the established: and it is scarcely possible that mutual confidence can ever, in such a situation, have place between the prince and his subjects. Mary's conduct had been hitherto in every respect unexceptionable, and even laudable; yet had she not made such progress in acquiring popularity, as might have been expected from her gracious deportment and agreeable accomplishments. Suspicions every moment prevailed on account of her attachment to the catholic faith, and especially to her uncles, the open and avowed promoters of the scheme for exterminating the professors of the reformed religion throughout all Europe. She still refused to ratify the acts of parliament which had established the Reformation; she made attempts for restoring to the catholic bishops some part of their civil jurisdiction; and she wrote a letter to the council of Trent, in which, besides professing her attachment to the catholic faith, she took notice of her title to succeed to the crown of England, and expressed her hopes of being able in some period, to bring back all her dominions to the bosom of the church. The zealots among the protestants were not wanting, in their turn, to exercise their insolence against her, which tended still more to alienate her from their faith. A law was enacted, making it capital, on the very first offence, to say mass anywhere, except in the queen's chapel; and it was with difficulty that even this small indulgence was granted her: the general assembly importuned her anew to change her religion; to renounce the blasphemous idolatry of the mass, with the tyranny of the Roman antichrist; and to embrace the true religion of Christ Jesus. As she answered with temper, that she was not yet convinced of the falsity of her religion, or the impiety of the mass; and that her apostacy would lose her the friendship of her allies on the continent; they replied, by assuring her, that their religion was undoubtedly the same which had been revealed by Jesus Christ, which had been preached by the apostles, and which had been embraced by the faithful in the primitive ages; that neither the religion of Turks, Jews, nor Papists was built on so solid a foundation as theirs; that they alone, of all the various

species of religionists spread over the face of the earth, were so happy as to be possessed of the truth; that those who hear, or rather who gaze on the mass, allow sacrilege, pronounce blasphemy, and commit most abominable idolatry; and that the friendship of the King of kings was preferable to all the alliances in the world.

THE QUEEN OF SCOTS MARRIES THE EARL OF DARNLEY.

The marriage of the queen of Scots had kindled afresh the zeal of the reformers, because the family of Lenox was believed to adhere to the catholic faith: and though Darnley, who now bore the name of king Henry, went often to the established church, he could not, by this exterior compliance, gain the confidence and regard of the ecclesiastics. They rather laid hold of the opportunity to insult him to his face; and Knox scrupled not to tell him from the pulpit, that God, for punishment of the offences and ingratitude of the people, was wont to commit the rule over them to boys and women. The populace of Edinburgh, instigated by such doctrines, began to meet and to associate themselves against the government. But what threatened more immediate danger to Mary's authority, were the discontents which prevailed among some of the principal nobility.

The duke of Chatelrault was displeased with the restoration, and still more with the aggrandizement of the family of Lenox, his hereditary enemies; and entertained fears lest his own eventual succession to the crown of Scotland should be excluded by his rival, who had formerly advanced some pretensions to it. The earl of Murray found his credit at court much diminished by the interest of Lenox and his son; and began to apprehend the revocation of some considerable grants, which he had obtained from Mary's bounty. The earls of Argyle, Rothes, and Glencairn, the lords Boyde and Ochiltry, Kirkaldy of Grange, Pittarow, were instigated by like motives; and as these were the persons who had most zealously promoted the Reformation, they were disgusted to find that the queen's favour was entirely engrossed by a new cabal, the earls of Bothwel, Athole, Sutherland, and Huntley; men who were esteemed either lukewarm in religious controversy, or inclined to the catholic party. The same ground of discontent, which, in other courts is the source of intrigue, faction, and opposition, commonly produced in Scotland, either projects of assassination, or of rebellion; and besides mutual accusations of the former kind, which it is difficult to clear up, [*See note* 2 Q, *at the end of this Vol.*] the malcontent lords, as soon as they saw the queen's marriage entirely resolved on, entered into a confederacy for taking arms against their sovereign. They met at Stirling; pretended an anxious concern for the security of religion; framed engagements for mutual defence; and made applications to Elizabeth for assistance and protection. That princess, after publishing the expressions of her displeasure against the marriage, had secretly ordered her ambassadors, Randolph and Throgmorton, to give in her name some promises of support to the malcontents; and had even sent them a supply of ten thousand pounds, to enable them to begin an insurrection.

Mary was no sooner informed of the meeting at Stirling, and the movements of the lords, than she summoned them to appear in court, in order to answer for their conduct; and having levied some forces to execute the laws, she obliged the rebels to leave the low countries, and take shelter in Argyleshire. That she might more effectually cut off their resources, she proceeded with the king to Glasgow, and forced them from their retreat. They appeared at Paisley, in the neighbourhood, with about a thousand horse; and passing the queen's army, proceeded to Hamilton, thence to Edinburgh, which they entered without resistance. They expected great re-enforcements in this place, from the efforts of Knox and the seditious preachers; and they beat their drums, desiring all men to enlist, and to receive wages for the defence of God's glory. But the nation was in no disposition for rebellion: Mary was esteemed and beloved; her marriage was not generally disagreeable to the people: and the interested views of the malcontent lords were so well known, that their pretence of zeal for religion had little influence even on the ignorant populace. The king and queen advanced to Edinburgh at the head of their army: the rebels were obliged to retire into the south; and being pursued by a force which now amounted to eighteen thousand men, they found themselves under a necessity of abandoning their country, and of taking shelter in England.

Elizabeth, when she found the event so much to disappoint her expectations, thought proper to disavow all connexions with the Scottish malcontents, and to declare everywhere, that she had never given them any encouragement, nor any promise of countenance or assistance. She even carried further her dissimulation and hypocrisy. Murray had come to London, with the abbot of Kilwinning, agent for Chatelrault; and she seduced them, by secret assurances of protection, to declare, before the ambassadors of France and Spain, that she had nowise contributed to their insurrection. No sooner had she extorted this confession from them, than she chased them from her presence, called them unworthy traitors, declared that their detestable rebellion was of bad example to all princes; and assured them, that as she had hitherto given them no encouragement, so should they never thenceforth receive from her any assistance or protection. Throgmorton alone, whose honour was equal to his abilities, could not be prevailed on to conceal the part which he had acted in the enterprise of the Scottish rebels; and being well apprized of the usual character and conduct of Elizabeth, he had had the precaution to obtain an order of council to authorize the engagements which he had been obliged to make with them.

The banished lords, finding themselves so harshly treated by Elizabeth, had recourse to the clemency of their own sovereign; and after some solicitation and some professions of sincere repentance, the duke of Chatelrault obtained his pardon, on condition that he should retire into France. Mary was more implacable against the ungrateful earl of Murray and the other confederates, on whom she threw the chief blame of the enterprise; but as she was continually plied with applications from their friends, and as some of her most judicious partisans in England thought that nothing would more promote her interests in that kingdom, than the gentle treatment of men so celebrated for their zeal against the catholic religion, she agreed to give way to her natural temper, which inclined not to severity, and she seemed determined to restore them to favour. In this interval, Rambouillet arrived as ambassador from France, and brought her advice from her uncle, the cardinal of Lorraine, to whose opinion she always paid an extreme deference, by no means to pardon these protestant leaders, who had been engaged in a rebellion against her.

The two religions, in France, as well as in other parts of Europe, were rather irritated than tired with their acts of mutual violence; and the peace granted to the hugonots, as had been foreseen by Coligny, was intended only to lull them asleep, and prepare the way for their final and absolute destruction. The queen-regent made a pretence of travelling through the kingdom, in order to visit the provinces, and correct all the abuses arising from the late civil war; and after having held some conferences on the frontiers with the duke of Lorraine and the duke of Savoy, she came to Bayonne, where she was met by her daughter, the queen of Spain, and the duke of Alva. Nothing appeared in the congress of these two splendid courts, but gaiety, festivity, love, and joy; but amidst these smiling appearances were

secretly fabricated schemes the most bloody, and the most destructive to the repose of mankind, that had ever been thought of in any age or nation. No less than a total and universal extermination of the protestants by fire and sword was concerted by Philip and Catherine of Medicis; and Alva, agreeably to his fierce and sanguinary disposition, advised the queen-regent to commence the execution of this project, by the immediate massacre of all the leaders of the hugonots. But that princess, though equally hardened against every humane sentiment, would not forego this opportunity of displaying her wit and refined politics; and she purposed, rather by treachery and dissimulation, which she called address, to lead the protestants into the snare, and never to draw the sword till they were totally disabled from resistance.

CONFEDERACY AGAINST THE PROTESTANTS.

The cardinal of Lorraine, whose character bore a great affinity to that of Alva, was a chief author of this barbarous association against the reformers; and having connected hopes of success with the aggrandisement of his niece, the queen of Scots, he took care, that her measures should correspond to those violent counsels which were embraced by the other catholic princes. In consequence of this scheme, he turned her from the road of clemency, which she intended to have followed; and made her resolve on the total ruin of the banished lords. .....1566. A parliament was summoned at Edinburgh for attainting them; and as their guilt was palpable and avowed, no doubt was entertained but sentence would be pronounced against them. It was by a sudden and violent incident, which, in the issue, brought on the ruin of Mary herself, that they were saved from the rigour of the law.

The marriage of the queen of Scots with lord Darnley was so natural, and so inviting in all its circumstances, that it had been precipitately agreed to by that princess and her council; and while she was allured by his youth and beauty, and exterior accomplishments, she had at first overlooked the qualities of his mind, which nowise corresponded to the excellence of his outward figure. Violent, yet variable in his resolutions; insolent, yet credulous and easily governed by flatterers; he was destitute of all gratitude, because he thought no favours equal to his merit; and being addicted to low pleasures, he was equally incapable of all true sentiments of love and tenderness. The queen of Scots, in the first effusions of her fondness, had taken a pleasure in exalting him beyond measure: she had granted him the title of king; she had joined his name with her own in all public acts; she intended to have procured him from the parliament a matrimonial crown: but having leisure afterwards to remark his weakness and vices, she began to see the danger of her profuse liberality, and was resolved thenceforth to proceed with more reserve in the trust which she should confer upon him. His resentment against this prudent conduct served but the more to increase her disgust; and the young prince, enraged at her imagined neglects, pointed his vengeance against every one whom he deemed the cause of this change in her measures and behaviour.

MURDER OF RIZZIO.

There was in the court, one David Rizzio, who had of late obtained a very extraordinary degree of confidence and favour with the queen of Scots. He was a Piedmontese, of mean birth, son of a teacher of music, himself a musician; and finding it difficult to subsist by his art in his own country, he had followed into Scotland an ambassador, whom the duke of Savoy sent thither to pay his compliments to Mary, some time after her first arrival. He possessed a good ear and a tolerable voice; and as that princess found him useful to complete her band of music, she retained him in her service after the departure of his master. Her secretary for French dispatches having, some time after, incurred her displeasure, she promoted Rizzio to that office, which gave him frequent opportunities of approaching her person and insinuating himself into her favour. He was shrewd and sensible, as well as aspiring, much beyond his rank and education; and he made so good use of the access which fortune had procured him, that he was soon regarded as the chief confidant, and even minister of the queen. He was consulted on all occasions; no favours could be obtained but by his intercession; all suitors were obliged to gain him by presents and flattery; and the man, insolent from his new exaltation, as well as rapacious in his acquisitions, soon drew on himself the hatred of the nobility and of the whole kingdom. He had at first employed his credit to promote Darnley's marriage; and a firm friendship seemed to be established between them: but on the subsequent change of the queen's sentiments, it was easy for Henry's friends to persuade him that Rizzio was the real author of her indifference, and even to rouse in his mind jealousies of a more dangerous nature. The favourite was of a disagreeable figure, but was not past his youth; [*See note* 3 R, *at the end of this Vol.*;] and though the opinion of his criminal correspondence with Mary might seem of itself unreasonable, if not absurd, a suspicious husband could find no other means of accounting for that lavish and imprudent kindness with which she honoured him. The rigid austerity of the ecclesiastics, who could admit of no freedoms, contributed to spread this opinion among the people; and as Rizzio was universally believed to be a pensionary of the pope's, and to be deeply engaged in all schemes against the protestants, any story, to his and Mary's disadvantage, received an easy credit among the zealots of that communion.

Rizzio, who had connected his interests with the Roman catholics, was the declared enemy of the banished lords; and by promoting the violent prosecution against them, he had exposed himself to the animosity of their numerous friends and retainers. A scheme was also thought to be formed for revoking some exorbitant grants made during the queen's minority; and even the nobility who had seized the ecclesiastical benefices, began to think themselves less secure in the possession of them. The earl of Morton, chancellor, was affected by all these considerations, and still more by a rumour spread abroad, that Mary intended to appoint Rizzio chancellor in his place, and to bestow that dignity on a mean and upstart foreigner, ignorant of the laws and language of the country. So indiscreet had this princess been in her kindness to Rizzio, that even that strange report met with credit, and proved a great means of accelerating the ruin of the favourite. Morton, insinuating himself into Henry's confidence, employed all his art to inflame the discontent and jealousy of that prince; and he persuaded him that the only means of freeing himself from the indignities under which he laboured, was to bring the base stranger to the fate which he had so well merited, and which was so passionately desired by the whole nation. George Douglas, natural brother to the countess of Lenox, concurred in the same advice; and the lords Ruthven and Lindesey, being consulted, offered their assistance in the enterprise; nor was even the earl of Lenox, the king's father, averse to the design. But as these conspirators were well acquainted with Henry's levity, they engaged him to sign a paper, in which he avowed the undertaking, as tending to the glory of God and advancement of religion, and promised to protect them against every consequence which might ensue upon the assassination of Rizzio. All these measures being concerted, a messenger was dispatched to the banished lords, who were hovering near the borders; and they were invited by the king to return to their native country.

This design, so atrocious in itself, was rendered still

more so by the circumstances which attended its execution. Mary, who was in the sixth month of her pregnancy, was supping in private, and had at table the countess of Argyle, her natural sister, with Rizzio, and others of her servants. The king entered the room by a private passage, and stood at the back of Mary's chair: lord Ruthven, George Douglas, and other conspirators, being all armed, rushed in after him; and the queen of Scots, terrified with the appearance, demanded of them the reason of this rude intrusion. They told her, that they intended no violence against her person: but meant only to bring that villain, pointing to Rizzio, to his deserved punishment. Rizzio, aware of the danger, ran behind his mistress, and seizing her by the waist, called aloud to her for protection; while she interposed in his behalf, with cries, and menaces, and entreaties. The impatient assassins, regardless of her efforts, rushed upon their prey, and by overturning everything which stood in their way, increased the horror and confusion of the scene. Douglas, seizing Henry's dagger, stuck it in the body of Rizzio, who, screaming with fear and agony, was torn from Mary by the other conspirators, and pushed into the ante-chamber, where he was dispatched with fifty-six wounds. The unhappy princess, informed of his fate, immediately dried her tears, and said, she would weep no more, she would now think of revenge. The insult, indeed, upon her person; the stain attempted to be fixed on her honour; the danger to which her life was exposed, on account of her pregnancy; were injuries so atrocious and so complicated, that they scarcely left room for pardon, even from the greatest lenity and mercy.

The assassins, apprehensive of Mary's resentment, detained her prisoner in the palace; and the king dismissed all who seemed willing to attempt her rescue, by telling them that nothing was done without his orders, and that he would be careful of the queen's safety. Murray and the banished lords appeared two days after; and Mary, whose anger was now engrossed by injuries more recent and violent, was willingly reconciled to them; and she even received her brother with tenderness and affection. They obtained an acquittal from parliament, and were reinstated in their honours and fortunes. The accomplices also in Rizzio's murder applied to her for a pardon; but she artfully delayed compliance, and persuaded them, that so long as she was detained in custody, and was surrounded by guards, any deed, which she should sign, would have no validity. Meanwhile, she had gained the confidence of her husband, by her persuasion and caresses; and no sooner were the guards withdrawn, than she engaged him to escape with her in the night-time, and take shelter in Dunbar. Many of her subjects here offered her their services: and Mary having collected an army, which the conspirators had no power to resist, advanced to Edinburgh, and obliged them to fly into England, where they lived in great poverty and distress. They made applications, however, to the earl of Bothwel, a new favourite of Mary's; and that nobleman, desirous of strengthening his party by the accession of their interest, was able to pacify her resentment; and he soon after procured them liberty to return into their own country.

The vengeance of the queen of Scots was implacable against her husband alone, whose person was before disagreeable to her, and who, by his violation of every tie of gratitude and duty, had now drawn on him her highest resentment. She engaged him to disown all connexions with the assassins, to deny any concurrence in their crime, even to publish a proclamation containing a falsehood so notorious to the whole world; and having thus made him expose himself to universal contempt, and rendered it impracticable for him ever to acquire the confidence of any party, she threw him off with disdain and indignation. As if she had been making an escape from him, she suddenly withdrew to Alloa, a seat of the earl of Marre's; and when Henry followed her thither, she suddenly returned to Edinburgh; and gave him everywhere the strongest proofs of displeasure, and even of antipathy. She encouraged her courtiers in their neglect of him; and she was pleased that his mean equipage and small train of attendants should draw on him the contempt of the very populace. He was permitted, however, to have apartments in the castle of Edinburgh, which Mary had chosen for the place of her delivery. She there brought forth a son; (19th June;) and as this was very important news to England as well as to Scotland, she immediately dispatched sir James Melvil to carry intelligence of the happy event to Elizabeth. Melvil tells us, that this princess, the evening of his arrival in London, had given a ball to her court at Greenwich, and was displaying all that spirit and alacrity, which usually attended her on these occasions: but when news arrived of the prince of Scotland's birth, all her joy was damped; she sunk into melancholy; she reclined her head upon her arm; and complained to some of her attendants, that the queen of Scots was mother of a fair son, while she herself was but a barren stock. Next day, however, at the reception of the ambassador, she resumed her former dissimulation, put on a joyful countenance, gave Melvil thanks for the haste he had made in conveying to her the agreeable intelligence, and expressed the utmost cordiality and friendship to her sister. Some time after, she dispatched the earl of Bedford, with her kinsman, George Cary, son of lord Hunsdon, in order to officiate at the baptism of the young prince; and she sent by them some magnificent presents to the queen of Scots.

A PARLIAMENT, *September* 30.

The birth of a son gave additional zeal to Mary's partisans in England; and even men of the most opposite parties began to cry aloud for some settlement of the succession. These humours broke out with great vehemence in a new session of parliament held after six prorogations. The house of peers, which had hitherto forborne to touch on this delicate point, here took the lead; and the house of commons soon after imitated the zeal of the lords. Molineux opened the matter in the lower house, and proposed that the question of the succession and that of supply should go hand in hand: as if it were intended to constrain the queen to a compliance with the request of her parliament. The courtiers endeavoured to elude the debate: sir Ralph Sadler told the house, that he had heard the queen positively affirm, that, for the good of her people, she was determined to marry. Secretary Cecil and sir Francis Knollys gave their testimony to the same purpose; as did also sir Ambrose Cave, chancellor of the duchy, and sir Edward Rogers, comptroller of the household. Elizabeth's ambitious and masculine character was so well known that few members gave any credit to this intelligence; and it was considered merely as an artifice, by which she endeavoured to retract that positive declaration, which she had made in the beginning of her reign, that she meant to live and die a virgin. The ministers, therefore, gained nothing further by this piece of policy, than only to engage the house, for the sake of decency, to join the question of the queen's marriage with that of a settlement of the crown; and the commons were proceeding with great earnestness in the debate, and had even appointed a committee to confer with the lords, when express orders were brought them from Elizabeth not to proceed further in the matter. Cecil told them, that she pledged to the house the word of a queen, for her sincerity in her intentions to marry; that the appointment of a successor would be attended with great danger to her person; that she herself had had experience, during the reign of her sister, how much court was usually paid to the next heir, and what dangerous sacrifices men were commonly disposed to make of their present duty to their future prospects; and that she was there-

fore, determined to delay, till a more proper opportunity, the decision of that important question. The house was not satisfied with these reasons, and still less with the command, prohibiting them all debate on the subject. Paul Wentworth, a spirited member, went so far as to question whether such a prohibition were not an infringement of the liberties and privileges of the house. Some even ventured to violate that profound respect which had hitherto been preserved to the queen; and they affirmed that she was bound in duty, not only to provide for the happiness of her subjects during her own life, but also to pay regard to their future security, by fixing a successor; that, by an opposite conduct, she showed herself the step-mother, not the natural parent, of her people, and would seem desirous, that England should no longer subsist than she should enjoy the glory and satisfaction of governing it: that none but timorous princes, or tyrants, or faint-hearted women, ever stood in fear of their successors; and that the affections of the people were a firm and impregnable rampart to every sovereign, who, laying aside all artifice or bye-ends, had courage and magnanimity to put his whole trust in that honourable and sure defence. The queen, hearing of these debates, sent for the speaker, and after reiterating her former prohibition, she bade him inform the house, that if any member remained still unsatisfied, he might appear before the privy-council, and there give his reasons. As the members showed a disposition, notwithstanding these peremptory orders, still to proceed upon the question, Elizabeth thought proper, by a message, to revoke them, and to allow the house liberty of debate. They were so mollified by this gracious condescension, that they thenceforth conducted the matter with more calmness and temper; and they even voted her a supply, to be levied at three payments, of a subsidy and a fifteenth, without annexing any condition to it. The queen soon after dissolved the parliament, (2nd January, 1567,) and told them with some sharpness in the conclusion, that their proceedings had contained much dissimulation and artifice; that, under the plausible pretences of marriage and succession, many of them covered very malevolent intentions towards her; but that, however, she reaped this advantage from the attempts of these men, that she could now distinguish her friends from her enemies. "But do you think," added she, "that I am unmindful of your future security, or will be negligent in settling the succession? That is the chief object of my concern; as I know myself to be liable to mortality. Or do you apprehend that I meant to encroach on your liberties? No; it was never my meaning: I only intended to stop you before you approached the precipice. All things have their time; and though you may be blessed with a sovereign more wise or more learned than I, yet I assure you, that no one will ever rule over you, who shall be more careful of your safety. And therefore, henceforward, whether I live to see the like assembly or no, or whoever holds the reins of government, let me warn you to beware of provoking your sovereign's patience, so far as you have done mine. But I shall now conclude, that, notwithstanding the disgusts I have received, (for I mean not to part with you in anger,) the greater part of you may assure themselves that they go home in their prince's good graces."

Elizabeth carried further her dignity on this occasion. She had received the subsidy without any condition; but as it was believed that the commons had given her that gratuity with a view of engaging her to yield to their requests; she thought proper, on her refusal, voluntarily to remit the third payment; and she said, that money in her subjects' purses was as good to her as in her own exchequer.

But though the queen was able to elude, for the present, the applications of parliament, the friends of the queen of Scots multiplied every day in England: and besides the catholics, many of whom kept a treasonable correspondence with her, and were ready to rise at her command, the court itself of Elizabeth was full of her avowed partisans. The duke of Norfolk, the earls of Leicester, Pembroke, Bedford, Northumberland, sir Nicholas Throgmorton, and most of the considerable men in England, except Cecil, seemed convinced of the necessity of declaring her the successor. None but the more zealous protestants adhered either to the countess of Hertford, or to her aunt, Eleanor, countess of Cumberland; and as the marriage of the former seemed liable to some objections, and had been declared invalid, men were alarmed, even on that side, with the prospect of new disputes concerning the succession. Mary's behaviour also, so moderate towards the protestants, and so gracious towards all men, had procured her universal respect; and the public was willing to ascribe any imprudences, into which she had fallen, to her youth and inexperience. But all these flattering prospects were blasted by the subsequent incidents; where her egregious indiscretions, shall I say? or atrocious crimes, threw her from the height of her prosperity, and involved her in infamy and in ruin.

MURDER OF DARNLEY.

The earl of Bothwel was of a considerable family and power in Scotland; and though not distinguished by any talents either of a civil or military nature, he had made a figure in that party which opposed the greatness of the earl of Murray, and the more rigid Reformers. He was a man of profligate manners; had involved his opulent fortune in great debts; and even reduced himself to beggary by his profuse expenses; and seemed to have no resource but in desperate councils and enterprises. He had been accused more than once of an attempt to assassinate Murray; and though the frequency of these accusations on all sides diminish somewhat the credit due to any particular imputation, they prove sufficiently the prevalence of that detestable practice in Scotland, and may in that view serve to render such rumours the more credible. This man had of late acquired the favour and entire confidence of Mary; and all her measures were directed by his advice and authority. Reports were spread of more particular intimacies between them; and these reports gained ground from the continuance or rather increase of her hatred towards her husband. That young prince was reduced to such a state of desperation, by the neglects which he underwent from his queen and the courtiers, that he had once resolved to fly secretly into France or Spain, and had even provided a vessel for that purpose. Some of the most considerable nobility, on the other hand, observing her rooted aversion to him, had proposed some expedients for a divorce; and though Mary is said to have spoken honourably on the occasion, and to have embraced the proposal no further than it should be found consistent with her own honour and her son's legitimacy, men were inclined to believe that the difficulty of finding proper means for effecting that purpose, was the real cause of laying aside all further thoughts of it. So far were the suspicions against her carried, that when Henry, discouraged with the continual proofs of her hatred, left the court and retired to Glasgow, an illness of an extraordinary nature, with which he was seized immediately on his arrival in that place, was universally ascribed by her enemies to a dose of poison, which, it was pretended, she had administered to him.

While affairs were in this situation, all those who wished well to her character, or to public tranquillity, were extremely pleased, and somewhat surprised, to hear, that a friendship was again conciliated between them, that she had taken a journey to Glasgow on purpose to visit him during his sickness, that she behaved towards him with great tenderness, that she had brought him along with her, and that she appeared thenceforth determined to live with him on a footing more suitable to the connexion between them. Henry, naturally uxorious, and not distrusting this sudden reconciliation, put himself implicitly into her hands,

and attended her to Edinburgh. She lived in the palace of Holyrood house; but as the situation of the place was low and the concourse of people about the court was necessarily attended with noise, which might disturb him in his present infirm state of health, these reasons were assigned for fitting up an apartment for him in a solitary house, at some distance, called the Kirk of Field. Mary here gave him marks of kindness and attachment; she conversed cordially with him; and she lay some nights in a room below his; but on the ninth of February, she told him, that she would pass that night in the palace, because the marriage of one of her servants was there to be celebrated in her presence. About two o'clock in the morning, (10th February,) the whole town was much alarmed at hearing a great noise; and was still more astonished, when it was discovered that the noise came from the king's house, which was blown up by gunpowder; that his dead body was found at some distance in a neighbouring field; and that no marks either of fire, contusion, or violence appeared upon it.*

No doubt could be entertained but Henry was murdered; and general conjecture soon pointed towards the earl of Bothwel as the author of the crime. But as his favour with Mary was visible, and his power great, no one ventured to declare openly his sentiments; and all men remained in silence and mute astonishment. Voices, however, were heard in the streets, during the darkness of the night, proclaiming Bothwel, and even Mary herself, to be murderers of the king; bills were secretly affixed on the walls to the same purpose; offers were made that, upon giving proper securities, his guilt should be openly proved. But after one proclamation from the court, offering a reward and indemnity to any one that would discover the author of that villany, greater vigilance was employed in searching out the spreaders of the libels and reports against Bothwel and the queen, than in tracing the contrivers of the king's assassination, or detecting the regicides.

The earl of Lenox, who lived at a distance from court, in poverty and contempt, was roused by the report of his son's murder, and wrote to the queen, imploring speedy justice against the assassins; among whom he named the earl of Bothwel, sir James Balfour, and Gilbert Balfour his brother, David Chalmers, and four others of the queen's household; all of them persons who had been mentioned in the bills affixed to the walls at Edinburgh. Mary took his demand of speedy justice in a very literal sense; and allowing only fifteen days for the examination of this important affair, she sent a citation to Lenox, requiring him to appear in court, and prove his charge against Bothwel. This noble, meanwhile, and all the other persons accused by Lenox, enjoyed their full liberty; Bothwel himself was continually surrounded with armed men; took his place in council; lived during some time in the house with Mary; and seemed to possess all his wonted confidence and familiarity with her. Even the castle of Edinburgh, a place of great consequence in this critical time, was intrusted to him, and under him, to his creature, sir James Balfour, who had himself been publicly charged as an accomplice in the king's murder. Lenox, who had come as far as Stirling, with a view of appearing at the trial, was informed of all these circumstances; and reflecting on the small train which attended him, he began to entertain very just apprehensions from the power, insolence, and temerity of his enemy. He wrote to Mary, desiring that the day of trial might be prorogued; and conjured her, by all the regard which she bore to her own honour, to employ more leisure and deliberation in determining a question of such extreme moment. No regard was paid to his application: the jury was enclosed, of which the earl of Caithness was chancellor; and though Lenox, foreseeing this precipitation, had ordered Cunningham, one of his retinue, to appear in court, and protest, in his name, against the acquittal of the criminal, the jury proceeded to a verdict. The verdict was such as it behoved them to give, where neither accuser nor witness appeared; and Bothwel was absolved from the king's murder. (12th April.) The jury, however, apprehensive that their verdict would give great scandal, and perhaps expose them afterwards to some danger, entered a protest, in which they represented the necessity of their proceedings. It is remarkable, that the indictment was laid against Bothwel for committing the crime on the ninth of February, not the tenth, the real day on which Henry was assassinated. The interpretation generally put upon this error, too gross, it was thought, to have proceeded from mistake, was that the secret council, by whom Mary was governed, not trusting entirely to precipitation, violence, and authority, had provided this plea, by which they insured, at all adventures, a plausible pretence for acquitting Bothwel.

Two days after this extraordinary transaction, a parliament was held; and though the verdict in favour of Bothwel was attended with such circumstances as strongly confirmed, rather than diminished, the general opinion of his guilt, he was the person chosen to carry the royal sceptre on the first meeting of the national assembly. In this parliament, a rigorous act was made against those who set up defamatory bills; but no notice was taken of the king's murder. The favour which Mary openly bore to Bothwel kept every one in awe; and the effects of this terror appeared more plainly in another transaction, which ensued immediately upon the dissolution of the parliament. A bond or association was framed in which the subscribers, after relating the acquittal of Bothwel by a legal trial, and mentioning a further offer, which he had made to prove his innocence by single combat, oblige themselves, in case any person should afterwards impute to him the king's murder, to defend him with their whole power against such calumniators. After this promise, which implied no great assurance in Bothwel of his own innocence, the subscribers mentioned the necessity of their queen's marriage, in order to support the government; and they recommended Bothwel to her as a husband. This paper was subscribed by all the considerable nobility there present. (24th April.) In a country divided by violent factions, such a concurrence in favour of one nobleman, nowise distinguished above the rest, except by his flagitious conduct, could never have been obtained, had not every one been certain, at least firmly persuaded, that Mary was fully determined on this measure. [*See note* 3 S, *at the end of this Vol.*] Nor would such a motive have sufficed to influence men, commonly so stubborn and intractable, had they not been taken by surprise, been ignorant of each other's sentiments, and overawed by the present power of the court, and by the apprehensions of further violence, from persons so little governed by any principles of honour and humanity. Even with all these circumstances, the subscription to this paper may justly be regarded as a reproach to the nation.

The subsequent measures of Bothwel were equally precipitate and audacious. Mary having gone to Stirling to pay a visit to her son, he assembled a body of eight hundred horse, on pretence of pursuing some robbers on the borders, and having waylaid her on her return, he seized her person near Edinburgh, and carried her to Dunbar, with an avowed design of forcing her to yield to his purpose. Sir James Melvil, one of her retinue, was carried along with her, and says not, that he saw any signs of reluctance or constraint: he was even informed, as he tells us, by Bothwel's officers, that the whole transaction was managed in concert with her. A woman, indeed, of that spirit and resolution, which is acknowledged to belong to Mary, does not usually, on these occasions, give such marks

* It was imagined that Henry had been strangled before the house was blown up. But this supposition is contradicted by the confession of the criminals; and there is no necessity to admit it in order to account for the condition of his body. There are many instances that men's lives have been saved who had been blown up in ships. Had Henry fallen on water he had not probably been killed.

of opposition to *real* violence, as can appear anywise doubtful or ambiguous. Some of the nobility, however, in order to put matters to further trial, sent her a private message; in which they told her, that if, in reality, she lay under force, they would use all their efforts to rescue her. Her answer was, that she had indeed been carried to Dunbar by violence, but ever since her arrival had been so well treated, that she willingly remained with Bothwel. No one gave himself thenceforth any concern to relieve her from a captivity which was believed to proceed entirely from her own approbation and connivance.

This unusual conduct was first ascribed to Mary's sense of the infamy attending her purposed marriage, and her desire of finding some colour to gloss over the irregularity of her conduct. But a pardon, given to Bothwel a few days after, made the public carry their conjectures somewhat further. In this deed, Bothwel received a pardon for the violence committed on the queen's person; and for *all other crimes:* a clause by which the murder of the king was indirectly forgiven. The rape was then conjectured to have been only a contrivance, in order to afford a pretence for indirectly remitting a crime, of which it would have appeared scandalous to make openly any mention.

These events passed with such rapidity, that men had no leisure to admire sufficiently one incident, when they were surprised with a new one equally rare and uncommon. There still, however, remained one difficulty, which it was not easy to foresee, how the queen and Bothwel, determined as they were to execute their shameful purpose, could find expedients to overcome. The man who had procured the subscription of the nobility, recommending him as a husband to the queen, and who had acted this seeming violence on her person, in order to force her consent, had been married two years before to another woman; to a woman of merit, of a noble family, sister to the earl of Huntley. But persons blinded by passion, and infatuated with crimes, soon shake off all appearances of decency. A suit was commenced for a divorce between Bothwel and his wife; and this suit was opened at the same instant in two different, or rather opposite, courts; in the court of the archbishop of St. Andrews, which was popish, and governed itself by the canon law; and in the new consistorial or commissariat court, which was protestant, and was regulated by the principles of the reformed teachers. The plea advanced in each court was so calculated as to suit the principles which there prevailed: in the archbishop's court, the pretence of consanguinity was employed, because Bothwel was related to his wife in the fourth degree; in the commissariat court, the accusation of adultery was made use of against him. The parties, too, who applied for the divorce, were different in the different courts: Bothwel was the person who sued in the former; his wife in the latter. And the suit in both courts was opened, pleaded, examined, and decided with the utmost precipitation; and a sentence of divorce was pronounced in four days.

The divorce being thus obtained, it was thought proper that Mary should be conducted to Edinburgh, and should there appear before the courts of judicature, and should acknowledge herself restored to entire freedom. This was understood to be contrived in a view of obviating all doubts with regard to the validity of her marriage. Orders were then given to publish in the church the banns between the queen and the duke of Orkney; for that was the title which he now bore; and Craig, a minister of Edinburgh, was applied to for that purpose. This clergyman, not content with having refused compliance, publicly in his sermons condemned the marriage, and exhorted all who had access to the queen, to give her their advice against so scandalous an alliance. Being called before the council, to answer for this liberty, he showed a courage which might cover all the nobles with shame, on account of their tameness and servility. He said, that, by the rules of the church, the earl of Bothwel, being convicted of adultery, could not be permitted to marry; that the divorce between him and his former wife was plainly procured by collusion, as appeared by the precipitation of the sentence, and the sudden conclusion of his marriage with the queen; and that all the suspicions which prevailed, with regard to the king's murder and the queen's concurrence in the former rape, would thence receive undoubted confirmation. He therefore exhorted Bothwel, who was present, no longer to persevere in his present criminal enterprises; and turning his discourse to the other counsellors, he charged them to employ all their influence with the queen, in order to divert her from a measure which would load her with eternal infamy and dishonour. Not satisfied even with this admonition, he took the first opportunity of informing the public, from the pulpit, of the whole transaction, and expressed to them his fears, that, notwithstanding all remonstrances, their sovereign was still obstinately bent on her fatal purpose. "For himself," he said, "he had already discharged his conscience, and yet again would take heaven and earth to witness, that he abhorred and detested that marriage, as scandalous and hateful in the sight of mankind: but since the great, as he perceived, either by their flattery or silence, gave countenance to the measure, he besought the faithful to pray fervently to the Almighty, that a resolution, taken contrary to all law, reason, and good conscience, might, by the divine blessing, be turned to the comfort and benefit of the church and kingdom." These speeches offended the court extremely; and Craig was anew summoned before the council, to answer for his temerity in thus passing the bounds of his commission. But he told them that the bounds of his commission were the word of God, good laws, and natural reason; and were the queen's marriage tried by any of these standards, it would appear infamous and dishonourable, and would be so esteemed by the whole world. The council were so overawed by this heroic behaviour in a private clergyman, that they dismissed him without further censure or punishment.

QUEEN OF SCOTS MARRIES BOTHWEL.

May 15.

But though this transaction might have recalled Bothwel and the queen of Scots from their infatuation, and might have instructed them in the dispositions of the people, as well as their own inability to oppose them; they were still resolute to rush forward to their own manifest destruction. The marriage was solemnized by the bishop of Orkney, a protestant, who was afterwards deposed by the church for this scandalous compliance. Few of the nobility appeared at the ceremony: they had most of them, either from shame or fear, retired to their own houses. The French ambassador, Le Croc, an aged gentleman of honour and character, could not be prevailed on, though a dependent of the house of Guise, to countenance the marriage by his presence. Elizabeth remonstrated, by friendly letters and messages, against the marriage: the court of France made like opposition; but Mary, though on all other occasions she was extremely obsequious to the advice of her relations in that country, was here determined to pay no regard to their opinion.

The news of these transactions, being carried to foreign countries, filled Europe with amazement, and threw infamy, not only on the principal actors in them, but also on the whole nation, who seemed by their submission and silence, and even by their declared approbation, to give their sanction to these scandalous practices. The Scots, who resided abroad, met with such reproaches, that they durst nowhere appear in public; and they earnestly exhorted their countrymen at home to free them from the public odium, by bringing to condign punishment the authors of such crimes. This intelligence, with a little more leisure for reflection, roused men from their lethargy;

and the rumours which, from the very beginning, had been spread against Mary, as if she had concurred in the king's murder, seemed now, by the subsequent transactions, to have received a strong confirmation and authority. It was everywhere said, that even though no particular and direct proofs had as yet been pronounced of the queen's guilt, the whole tenor of her late conduct was sufficient, not only to beget suspicion, but to produce entire conviction against her: that her sudden resolution of being reconciled to her husband, whom before she had long and justly hated; her bringing him to court, from which she had banished him by neglects and rigours; her fitting up separate apartments for him; were all of them circumstances which, though trivial in themselves, yet, being compared with the subsequent events, bore a very unfavourable aspect for her: that the least which, after the king's murder, might have been expected in her situation, was a more than usual caution in her measures, and an extreme anxiety to punish the real assassins, in order to free herself from all reproach and suspicion: that no woman who had any regard to her character, would allow a man, publicly accused of her husband's murder, so much as to approach her presence, far less give him a share in her councils, and endow him with favour and authority: that an acquittal, merely in the absence of accusers, was very ill fitted to satisfy the public; especially if that absence proceeded from a designed precipitation of the sentence, and from the terror which her known friendship for the criminal had infused into every one: that the very mention of her marriage to such a person, in such circumstances, was horrible; and the contrivances of extorting a consent from the nobility, and of concerting a rape, were gross artifices, more proper to discover her guilt than prove her innocence: that where a woman thus shows a consciousness of merited reproach, and, instead of correcting, provides only thin glosses to cover her exceptionable conduct, she betrays a neglect of fame, which must either be the effect or the cause of the most shameful enormities: that to espouse a man, who had, a few days before, been so scandalously divorced from his wife; who, to say the least, was believed to have, a few months before, assassinated her husband; was so contrary to the plainest rules of behaviour, that no pretence of indiscretion or imprudence could account for such a conduct: that a woman, who, so soon after her husband's death, though not attended with any extraordinary circumstances, contracts a marriage, which might in itself be the most blameless, cannot escape severe censure; but one who overlooks, for her pleasure, so many other weighty considerations, was equally capable, in gratifying her appetites, to neglect every regard to honour and to humanity: that Mary was not ignorant of the prevailing opinion of the public with regard to her own guilt, and of the inferences which would everywhere be drawn from her conduct; and therefore, if she still continued to pursue measures which gave such just offence, she ratified, by her actions, as much as she could by the most formal confession, all the surmises and imputations of her enemies: that a prince was here murdered in the face of the world; Bothwel alone was suspected and accused; if he were innocent, nothing could absolve him, either in Mary's eyes or those of the public, but the detection and conviction of the real assassin; yet no inquiry was made to that purpose, though a parliament had been assembled; the sovereign and wife was here plainly silent from guilt, the people from terror. That the only circumstance which opposed all these presumptions, or rather proofs, was the benignity and goodness of her preceding behaviour, which seemed to remove her from all suspicions of such atrocious inhumanity; but that the characters of men were extremely variable, and persons guilty of the worst actions were not always of the worst and most criminal dispositions: that a woman who, in a critical and dangerous moment, had sacrificed her honour to a man of abandoned principle, might thenceforth be led blindfold by him to the commission of the most enormous crimes, and was in reality no longer at her own disposal: and that, though one supposition was still left to alleviate her blame, namely, that Bothwel, presuming on her affection towards him, had of himself committed the crime, and had never communicated it to her, yet such a sudden and passionate love to a man, whom she had long known, could not easily be accounted for, without supposing some degree of preceding guilt; and as it appeared that she was not afterwards restrained, either by shame or prudence, from incurring the highest reproach and danger, it was not likely that a sense of duty or humanity would have a more powerful influence over her.

These were the sentiments which prevailed throughout Scotland; and as the protestant teachers, who had great authority, had long borne an animosity to Mary, the opinion of her guilt was, by that means, the more widely diffused, and made the deeper impression on the people. Some attempts made by Bothwel, and, as is pretended, with her consent, to get the young prince into his power, excited the most serious attention; and the principal nobility, even many of those who had formerly been constrained to sign the application in favour of Bothwel's marriage, met at Stirling, and formed an association for protecting the prince, and punishing the king's murderers. The earl of Athole himself, a known catholic, was the first author of this confederacy: the earls of Argyle, Morton, Marre, Glencarne, the lords Boyd, Lindesey, Hume, Semple, Kirkaldy of Grange, Tulibardine, and secretary Lidington, entered zealously into it. The earl of Murray, foreseeing such turbulent times, and being desirous to keep free from these dangerous factions, had, some time before, desired and obtained Mary's permission to retire into France.

INSURRECTIONS IN SCOTLAND.

Lord Hume was first in arms; and, leading a body of eight hundred horse, suddenly environed the queen of Scots and Bothwel in the castle of Bothwick. They found means of making their escape to Dunbar; while the confederate lords were assembling their troops at Edinburgh, and taking measures to effect their purpose. Had Bothwel been so prudent as to keep within the fortress of Dunbar, his enemies must have dispersed for want of pay and subsistence; but hearing that the associated lords were fallen into distress, he was so rash as to take the field, and advance towards them. (15th June.) The armies met at Carberry Hill, about six miles from Edinburgh; and Mary soon became sensible that her own troops disapproved of her cause, and were averse to spill their blood in the quarrel. After some bravadoes of Bothwel, where he discovered very little courage, she saw no resource but that of holding a conference with Kirkaldy of Grange, and of putting herself, upon some general promises, into the hands of the confederates. She was conducted to Edinburgh, amidst the insults of the populace; who reproached her with her crimes; and even held before her eyes, which way soever she turned, a banner, on which were painted the murder of her husband, and the distress of her infant son. Mary, overwhelmed with her calamities, had recourse to tears and lamentations. Meanwhile Bothwel, during her conference with Grange, fled unattended to Dunbar; and fitting out a few small ships, set sail for the Orkneys, where he subsisted during some time by piracy. He was pursued thither by Grange, and his ship was taken, with several of his servants, who afterwards discovered all the circumstances of the king's murder, and were punished for the crime. Bothwel himself escaped in a boat, and found means to get a passage to Denmark, where he was thrown into prison, lost his senses, and died miserably about ten years after; an end worthy of his flagitious conduct and behaviour.

IMPRISONMENT OF MARY.

The queen of Scots, now in the hands of an enraged faction, met with such treatment as a sovereign may naturally expect from subjects who have their future security to provide for, as well as their present animosity to gratify. It is pretended, that she behaved with a spirit very little suitable to her condition, avowed her inviolable attachment to Bothwel, and even wrote him a letter, which the lords intercepted, wherein she declared, that she would endure any extremity, nay, resign her dignity and crown itself, rather than relinquish his affections.* The malcontents, finding the danger to which they were exposed, in case Mary should finally prevail, thought themselves obliged to proceed with rigour against her; and they sent her next day under a guard to the castle of Lochlevin, situated in a lake of that name. The mistress of the house was mother to the earl of Murray; and as she pretended to have been lawfully married to the late king of Scots, she naturally bore an animosity to Mary, and treated her with the utmost harshness and severity.

Elizabeth, who was fully informed of all these incidents, seemed touched with compassion toward the unfortunate queen; and all her fears and jealousies being now laid asleep, by the consideration of that ruin and infamy in which Mary's conduct had involved her, she began to reflect on the instability of human affairs, the precarious state of royal grandeur, the danger of encouraging rebellious subjects; and she resolved to employ her authority for alleviating the calamities of her unhappy kinswoman. She sent sir Nicholas Throgmorton ambassador to Scotland, in order to remonstrate both with Mary and the associated lords; and she gave him instructions, which, though mixed with some lofty pretensions, were full of that good sense which was so natural to her, and of that generosity which the present interesting conjuncture had called forth. She empowered him to declare in her name to Mary, that the late conduct of that princess, so enormous and in every respect so unjustifiable, had given her the highest offence; and though she felt the movements of pity towards her, she had once determined never to interpose in her affairs, either by advice or assistance, but to abandon her entirely, as a person whose condition was totally desperate, and honour irretrievable: that she was well assured that other foreign princes, Mary's near relations, had embraced the same resolution; but, for her part, the late events had touched her heart with more tender sympathy, and had made her adopt measures more favourable to the liberty and interests of the unhappy queen: that she was determined not to see her oppressed by her rebellious subjects, but would employ all her good offices, and even her power, to redeem her from captivity, and place her in such a condition as would at once be compatible with her dignity, and the safety of her subjects: that she conjured her to lay aside all thoughts of revenge, except against the murderers of her husband; and as she herself was his near relation, she was better entitled than the subjects of Mary, to interpose her authority on that head; and she therefore besought that princess, if she had any regard to her own honour and safety, not to oppose so just and reasonable a demand: that after those two points were provided for, her own liberty and the punishment of her husband's assassins, the safety of her infant son was next to be considered; and there seemed no expedient more proper for that purpose, than sending him to be educated in England: and that, besides the security which would attend his removal from a scene of faction and convulsions, there were many other beneficial consequences, which it was easy to foresee as the result of his education in that country.

* The reality of this letter appears somewhat disputable: chiefly because Murray and his associates never mentioned it in their accusation of her before queen Elizabeth's commissioners.

The remonstrances which Throgmorton was instructed to make to the associated lords, were entirely conformable to these sentiments which Elizabeth entertained in Mary's favour. She empowered him to tell them, that, whatever blame she might throw on Mary's conduct, any opposition to their sovereign was totally unjustifiable, and incompatible with all order and good government: that it belonged not to them to reform, much less to punish, the mal-administration of their prince; and the only arms which subjects could in any case lawfully employ against the supreme authority, were entreaties, counsels, and representations: that if these expedients failed, they were next to appeal by their prayers to Heaven; and to wait with patience till the Almighty, in whose hands are the hearts of princes, should be pleased to turn them to justice and to mercy: that she inculcated not this doctrine, because she herself was interested in its observance; but because it was universally received in all well-governed states, and was essential to the preservation of civil society: that she required them to restore their queen to liberty; and promised, in that case, to concur with them in all proper expedients for regulating the government, for punishing the king's murderers, and for guarding the life and liberty of the infant prince: and that if the services, which she had lately rendered the Scottish nation, in protecting them from foreign usurpation, were duly considered by them, they would repose confidence in her good offices, and would esteem themselves blame-worthy in having hitherto made no application to her.

Elizabeth, besides these remonstrances, sent, by Throgmorton, some articles of accommodation, which he was to propose to both parties, as expedients for the settlement of public affairs; and though these articles contained some important restraints on the sovereign power, they were in the main calculated for Mary's advantage, and were sufficiently indulgent to her. The associated lords, who determined to proceed with greater severity, were apprehensive of Elizabeth's partiality; and being sensible that Mary would take courage from the protection of that powerful princess, they thought proper, after several affected delays, to refuse the English ambassador all access to her. There were four different schemes proposed in Scotland, for the treatment of the captive queen: one, that she should be restored to her authority under very strict limitations: the second, that she should be obliged to resign her crown to the prince, be banished the kingdom, and be confined either to France or England; with assurances from the sovereign in whose dominions she should reside, that she should make no attempts to the disturbance of the established government: the third, that she should be publicly tried for her crimes, of which her enemies pretended to have undoubted proof, and be sentenced to perpetual imprisonment: the fourth was still more severe, and required, that, after her trial and condemnation, capital punishment should be inflicted upon her. Throgmorton supported the mildest proposal; but though he promised his mistress's guarantee for the performance of articles, threatened the ruling party with immediate vengeance in case of refusal, and warned them not to draw on themselves, by their violence, the public reproach, which now lay upon their queen; he found that, excepting secretary Lidington, he had not the good fortune to convince any of the leaders. All counsels seemed to tend towards the more severe expedients; and the preachers, in particular, drawing their examples from the rigorous maxims of the Old Testament, which can only be warranted by particular revelations, inflamed the minds of the people against their unhappy sovereign.

There were several pretenders to the regency of the young prince after the intended deposition of Mary. The earl of Lenox claimed that authority as grandfather to the prince: the duke of Chatelrault, who was absent in France, had pretensions as next heir to the

crown: but the greatest number of the associated lords inclined to the earl of Murray, in whose capacity they had entire trust, and who possessed the confidence of the preachers and more zealous reformers. All measures being therefore concerted, three instruments were sent to Mary, by the hands of lord Lindesey, and sir Robert Melvil; by one of which she was to resign the crown in favour of her son, by another to appoint Murray regent, by the third to make a council which should administer the government until his arrival in Scotland. The queen of Scots, seeing no prospect of relief, lying justly under apprehensions for her life, and believing that no deed which she executed during her captivity could be valid, was prevailed on, after a plentiful effusion of tears, to sign these three instruments; and she took not the trouble of inspecting any one of them. In consequence of this forced resignation, the young prince was proclaimed king, by the name of James VI. He was soon after (29th July) crowned at Stirling, and the earl of Morton took in his name the coronation oath; in which a promise to extirpate heresy was not forgotten. Some republican pretensions in favour of the people's power were countenanced in this ceremony: and a coin was soon after struck, on which the famous saying of Trajan was inscribed, *Pro me; si mereas, in me:* For me; if I deserve it, against me. Throgmorton had orders from his mistress not to assist at the coronation of the king of Scots.

The council of regency had not long occasion to exercise their authority. The earl of Murray arrived from France, and took possession of his high office. He paid a visit to the captive queen; and spoke to her in a manner which better suited her past conduct than her present condition. This harsh treatment quite extinguished in her breast any remains of affection towards him. Murray proceeded afterwards to break, in a more public manner, all terms of decency with her. He summoned a parliament; (15th December;) and that assembly, after voting that she was undoubtedly an accomplice in her husband's murder, condemned her to imprisonment, ratified her demission of the crown, and acknowledged her son for king and Murray for regent. The regent, a man of vigour and abilities, employed himself successfully in reducing the kingdom. He bribed sir James Balfour to surrender the castle of Edinburgh: he constrained the garrison of Dunbar to open their gates, and he demolished that fortress.

But though everything thus bore a favourable aspect to the new government, and all men seemed to acquiesce in Murray's authority; a violent revolution, however necessary, can never be effected without great discontents; and it was not likely that, in a country where the government, in its most settled state, possessed a very disjointed authority, a new establishment should meet with no interruption or disturbance. Few considerable men of the nation seemed willing to support Mary, so long as Bothwel was present; but the removal of that obnoxious nobleman had altered the sentiments of many. The duke of Chatelrault, being disappointed of the regency, bore no good-will to Murray; and the same sentiments were embraced by all his numerous retainers. Several of the nobility, finding that others had taken the lead among the associaters, formed a faction apart, and opposed the prevailing power: and besides their being moved by some remains of duty and affection towards Mary, the malcontent lords, observing everything carried to extremity against her, were naturally led to embrace her cause, and shelter themselves under her authority. All who retained any propensity to the catholic religion, were induced to join this party; and even the people in general, though they had formerly either detested Mary's crimes, or blamed her imprudence, were now inclined to compassionate her present situation, and lamented that a person, possessed of so many amiable accomplishments, joined to such high dignity, should be treated with such extreme severity. Animated by all these motives, many of the principal nobility, now adherents to the queen of Scots, met at Hamilton and concerted measures for supporting the cause of that princess.

1568. While these humours were in fermentation, Mary was employed in contrivances for effecting her escape; and she engaged, by her charms and caresses, a young gentleman, George Douglas, brother to the laird of Lochlevin, to assist her in that enterprise. She even went so far as to give him hopes of espousing her, after her marriage with Bothwel should be dissolved on the plea of force; and she proposed this expedient to the regent, who rejected it. Douglas, however, persevered in his endeavours to free her from captivity, and having all opportunities of access to the house, he was at last successful in the undertaking. He conveyed her in disguise into a small boat, and himself rowed her ashore. (2nd May.) She hastened to Hamilton; and the news of her arrival in that place being immediately spread abroad, many of the nobility flocked to her with their forces. A bond of association for her defence was signed by the earls of Argyle, Huntley, Eglington, Crawford, Cassilis, Rothes, Montrose, Sutherland, Errol, nine bishops, and nine barons, besides many of the most considerable gentry. And in a few days an army, to the number of six thousand men, was assembled under her standard.

Elizabeth was no sooner informed of Mary's escape, than she discovered her resolution of persevering in the same generous and friendly measures which she had hitherto pursued. If she had not employed force against the regent, during the imprisonment of that princess, she had been chiefly withheld by the fear of pushing him to greater extremities against her; but she had proposed to the court of France an expedient, which, though less violent, would have been no less effectual for her service: she desired that France and England should by concert cut off all commerce with the Scots, till they should do justice to their injured sovereign. She now dispatched Leighton into Scotland to offer both her good offices, and the assistance of her forces to Mary; but as she apprehended the entrance of French troops into the kingdom, she desired that the controversy between the queen of Scots and her subjects might by that princess be referred entirely to her arbitration, and that no foreign succours should be introduced into Scotland.

MARY FLIES INTO ENGLAND.

But Elizabeth had not leisure to exert fully her efforts in favour of Mary. The regent made haste to assemble forces; and notwithstanding that his army was inferior in number to that of the queen of Scots, he took the field against her. A battle was fought (15th May) at Langside, near Glasgow, which was entirely decisive in favour of the regent; and though Murray, after his victory, stopped the bloodshed, yet was the action followed by a total dispersion of the queen's party. That unhappy princess fled southwards from the field of battle with great precipitation, and came, with a few attendants to the borders of England. She here deliberated concerning her next measures, which would probably prove so important to her future happiness or misery. She found it impossible to remain in her kingdom; she had an aversion, in her present wretched condition, to return into France, where she had formerly appeared with so much splendour; and she was not, besides, provided with a vessel which could safely convey her thither: the late generous behaviour of Elizabeth made her hope for protection, and even assistance, from that quarter; and as the present fears from her domestic enemies were the most urgent, she overlooked all other considerations, and embraced the resolution of taking shelter in England. She embarked on board a fishing-boat in Galloway, (16th May,) and landed the same day at Work-

ington, in Cumberland, about thirty miles from Carlisle; whence she immediately dispatched a messenger to London, notifying her arrival, desiring leave to visit Elizabeth, and craving her protection, in consequence of former professions of friendship made her by that princess.

Elizabeth now found herself in a situation when it was become necessary to take some decisive resolution with regard to her treatment of the queen of Scots; and as she had hitherto, contrary to the opinion of Cecil, attended more to the motives of generosity than of policy, she was engaged by that prudent minister to weigh anew all the considerations which occurred in this critical conjuncture. He represented, that the party which had dethroned Mary, and had at present assumed the government of Scotland, was always attached to the English alliance, and was engaged, by all the motives of religion and of interest, to persevere in their connexion with Elizabeth: that though Murray and his friends might complain of some unkind usage during their banishment in England, they would easily forget these grounds of quarrel, when they reflected that Elizabeth was the only ally on whom they could safely rely, and that their own queen, by her attachment to the catholic faith, and by her other connexions, excluded them entirely from the friendship of France, and even from that of Spain: that Mary, on the other hand, even before her violent breach with her protestant subjects, was, in secret, entirely governed by the counsels of the house of Guise; much more would she implicitly comply with their views, when, by her own ill conduct, the power of that family and of the zealous catholics was become her sole resource and security: that her pretensions to the English crown would render her a dangerous instrument in their hands; and, were she once able to suppress the protestants in her own kingdom, she would unite the Scottish and English catholics, with those of all foreign states, in a confederacy against the religion and government of England: that it behoved Elizabeth, therefore, to proceed with caution in the design of restoring her rival to the throne; and to take care, both that this enterprise, if undertaken, should be effected by English forces alone, and that full securities should beforehand be provided for the reformers and the Reformation in Scotland: that, above all, it was necessary to guard carefully the person of that princess; lest, finding this unexpected reserve in the English friendship, she should suddenly take the resolution of flying into France, and should attempt, by foreign force, to recover possession of her authority: that her desperate fortunes and broken reputation fitted her for any attempt; and her resentment, when she should find herself thus deserted by the queen, would concur with her ambition and her bigotry, and render her an unrelenting, as well as powerful enemy to the English government: that if she were once abroad, in the hands of enterprising catholics, the attack on England would appear to her as easy as that on Scotland; and the only method, she must imagine, of recovering her native kingdom, would be to acquire that crown, to which she would deem herself equally entitled: that a neutrality in such interesting situations, though it might be pretended, could never, without the most extreme danger, be upheld by the queen; and the detention of Mary was equally requisite, whether the power of England were to be employed in her favour, or against her: that nothing, indeed, was more becoming a great prince than generosity; yet the suggestions of this noble principle could never, without imprudence, be consulted in such delicate circumstances as those in which the queen was at present placed; where her own safety and the interests of her people were intimately concerned in every resolution which she embraced: that though the example of successful rebellion, especially in a neighbouring country, could nowise be agreeable to any sovereign, yet Mary's imprudence had been so great, perhaps her crimes so enormous, that the insurrection of subjects, after such provocation, could no longer be regarded as a precedent against other princes: that it was first necessary for Elizabeth to ascertain, in a regular and satisfactory manner, the extent of Mary's guilt, and thence to determine the degree of protection which she ought to afford her against her discontented subjects: that as no glory could surpass that of defending oppressed innocence, it was equally infamous to patronize vice and murder on the throne; and the contagion of such dishonour would extend itself to all who countenanced or supported it: and that, if the crimes of the Scottish princess should, on inquiry, appear as great and certain as was affirmed and believed, every measure against her, which policy should dictate, would thence be justified; or if she should be found innocent, every enterprise, which friendship should inspire, would be acknowledged laudable and glorious.

Agreeably to these views, Elizabeth resolved to proceed in a seemingly generous, but really cautious, manner with the queen of Scots; and she immediately sent orders to lady Scrope, sister to the duke of Norfolk, a lady who lived in the neighbourhood, to attend on that princess. Soon after, she dispatched to her lord Scrope himself, warden of the marches, and sir Francis Knolles, vice-chamberlain. They found Mary already lodged in the castle of Carlisle; and, after expressing the queen's sympathy with her in her late misfortunes, they told her, that her request of being allowed to visit their sovereign, and of being admitted to her presence, could not at present be complied with: till she had cleared herself of her husband's murder, of which she was so strongly accused, Elizabeth could not, without dishonour, show her any countenance, or appear indifferent to the assassination of so near a kinsman. So unexpected a check threw Mary into tears; and the necessity of her situation extorted from her a declaration, that she would willingly justify herself to her sister from all imputations, and would submit her cause to the arbitration of so good a friend. Two days after she sent lord Herreis to London with a letter to the same purpose.

This concession, which Mary could scarcely avoid without an acknowledgment of guilt, was the point expected and desired by Elizabeth: she immediately dispatched Midlemore to the regent of Scotland; requiring him both to desist from the further prosecution of his queen's party, and send some persons to London to justify his conduct with regard to her. Murray might justly be startled at receiving a message so violent and imperious; but as his domestic enemies were numerous and powerful, and England was the sole ally which he could expect among foreign nations, he was resolved rather to digest the affront, than provoke Elizabeth by a refusal. He also considered, that though that queen had hitherto appeared partial to Mary, many political motives evidently engaged her to support the king's cause in Scotland; and it was not to be doubted but so penetrating a princess would in the end discover this interest, and would at least afford him a patient and equitable hearing. He therefore replied, that he would himself take a journey to England, attended by other commissioners; and would willingly submit the determination of his cause to Elizabeth.

Lord Herreis now perceived that his mistress had advanced too far in her concessions; he endeavoured to maintain, that Mary could not, without diminution of her royal dignity, submit to a contest with her rebellious subjects before a foreign prince: and he required either present aid from England, or liberty for his queen to pass over into France. Being pressed, however, with the former agreement before the English council, he again renewed his consent; but in a few days he began anew to recoil; and it was with some difficulty that he was brought to acquiesce in the first

determination. These fluctuations, which were incessantly renewed, showed his visible reluctance to the measures pursued by the court of England.

The queen of Scots discovered no less aversion to the trial proposed; and it required all the artifice and prudence of Elizabeth to make her persevere in the agreement to which she had at first consented. This latter princess still said to her, that she desired not, without Mary's consent or approbation, to enter into the question, and pretended only, as a friend, to hear her justification: that she was confident there would be found no difficulty in refuting all the calumnies of her enemies; and even if her apology should fall short of full conviction, Elizabeth was determined to support her cause, and procure her some reasonable terms of accommodation: and that it was never meant, that she should be cited to a trial on the accusation of her rebellious subjects; but, on the contrary, that they should be summoned to appear, and to justify themselves for their conduct towards her. Allured by these plausible professions, the queen of Scots agreed to vindicate herself by her own commissioners before commissioners appointed by Elizabeth.

During these transactions, lord Scrope and sir Francis Knolles, who resided with Mary at Carlisle, had leisure to study her character, and make report of it to Elizabeth. Unbroken by her misfortunes, resolute in her purpose, active in her enterprises, she aspired to nothing but victory; and was determined to endure any extremity, to undergo any difficulty, and to try every fortune, rather than abandon her cause, or yield the superiority to her enemies. Eloquent, insinuating, affable, she had already convinced all those who approached her, of the innocence of her past conduct: and as she declared her fixed purpose to require aid of her friends all over Europe, and even to have recourse to infidels and barbarians, rather than fail of vengeance against her persecutors, it was easy to foresee the danger to which her charms, her spirit, her address, if allowed to operate with their full force, would expose them. The court of England, therefore, who, under pretence of guarding her, had already, in effect, detained her prisoner, were determined to watch her with greater vigilance. As Carlisle, by its situation on the borders, afforded her great opportunities of contriving her escape, they removed her to Bolton, a seat of lord Scrope's in Yorkshire: and the issue of the controversy between her and the Scottish nation was regarded as a subject more momentous to Elizabeth's security and interests, than it had hitherto been apprehended.

CONFERENCES AT YORK AND HAMPTON COURT. *October* 4.

The commissioners appointed by the English court for the examination of this great cause, were the duke of Norfolk, the earl of Sussex, and sir Ralph Sadler; and York was named as the place of conference, Lesley, bishop of Ross, the lords Herreis, Levingstone, and Boyde, with three persons more, appeared as commissioners from the queen of Scots. The earl of Murray, regent, the earl of Morton, the bishop of Orkney, lord Lindesey, and the abbot of Dunfermling, were appointed commissioners from the king and kingdom of Scotland. Secretary Lidington, George Buchanan, the famous poet and historian, with some others, were named as their assistants.

It was a great circumstance in Elizabeth's glory, that she was thus chosen umpire between the factions of a neighbouring kingdom, which had, during many centuries, entertained the most violent jealousy and animosity against England; and her felicity was equally rare, in having the fortunes and fame of so dangerous a rival, who had long given her the greatest inquietude, now entirely at her disposal. Some circumstances of her late conduct had discovered a bias towards the side of Mary: her prevailing interests led her to favour the enemies of that princess: the professions of impartiality, which she had made, were open and frequent; and she had so far succeeded, that each side accused her commissioners of partiality towards their adversaries. She herself appears, by the instructions given them, to have fixed no plan for the decision; but she knew that the advantages which she should reap, must be great, whatever issue the cause might take. If Mary's crimes could be ascertained by undoubted proof, she could for ever blast the reputation of that princess, and might justifiably detain her for ever a prisoner in England: if the evidence fell short of conviction, it was intended to restore her to the throne, but with such strict limitations as would leave Elizabeth perpetual arbiter of all differences between the parties in Scotland, and render her in effect absolute mistress of the kingdom.

Mary's commissioners, before they gave in their complaints against her enemies in Scotland, entered a protest, that their appearance in the cause should nowise affect the independence of her crown, or be construed as a mark of subordination to England: the English commissioners received this protest, but with a reserve to the claim of England. The complaint of that princess was next read, and contained a detail of the injuries which she had suffered since her marriage with Bothwel: that her subjects had taken arms against her, on pretence of freeing her from captivity; and when she put herself into their hands, they had committed her to close custody in Lochlevin; had placed her son, an infant, on her throne; had again taken arms against her after her deliverance from prison; had rejected all her proposals for accommodation; had given battle to her troops; and had obliged her, for the safety of her person, to take shelter in England. The earl of Murray, in answer to this complaint, gave a summary and imperfect account of the late transactions: that the earl of Bothwel, the known murderer of the late king, had, a little after he committed that crime, seized the person of the queen, and led her to Dunbar; that he acquired such influence over her, as to gain her consent to marry him, and he had accordingly procured a divorce from his former wife, and had pretended to celebrate his nuptials with the queen; that the scandal of this transaction, the dishonour which it brought on the nation, the danger to which the infant prince was exposed from the attempts of that audacious man, had obliged the nobility to take arms, and expose his criminal enterprises; that after Mary, in order to save him, had thrown herself into their hands, she still discovered such a violent attachment to him, that they found it necessary, for their own and the public safety, to confine her person, during a season, till Bothwel and the other murderers of her husband could be tried and punished for their crimes; and that, during this confinement, she had voluntarily, without compulsion or violence, merely from disgust at the inquietude and vexations attending power, resigned her crown to her only son, and had appointed the earl of Murray regent during the minority. The queen's answer to this apology was obvious: that she did not know, and never could suspect, that Bothwel, who had been acquitted by a jury, and recommended to her by all the nobility for her husband, was the murderer of the king; that she ever was, and still continues, desirous that if he be guilty he may be brought to condign punishment: that her resignation of the crown was extorted from her by the well-grounded fears of her life, and even by direct menaces of violence; and that Throgmorton, the English ambassador, as well as others of her friends, had advised her to sign that paper, as the only means of saving herself from the last extremity, and had assured her that a consent, given under these circumstances, could never have any validity.

So far the queen of Scots seemed plainly to have the advantage in the contest: and the English com-

missioners might have been surprised that Murray had made so weak a defence, and had suppressed all the material imputations against that princess, on which his party had ever so strenuously insisted, had not some private conferences previously informed them of the secret. Mary's commissioners had boasted that Elizabeth, from regard to her kinswoman, and from her desire of maintaining the rights of sovereigns, was determined, how criminal soever the conduct of that princess might appear, to restore her to the throne: and Murray, reflecting on some past measures of the English court, began to apprehend that there were but too just grounds for these expectations. He believed that Mary, if he would agree to conceal the most violent part of the accusation against her, would submit to any reasonable terms of accommodation; but if he once proceeded so far as to charge her with the whole of her guilt, no composition could afterwards take place, and should she ever be restored, either by the power of Elizabeth, or the assistance of her other friends, he and his party must be exposed to her severe and implacable vengeance. He resolved, therefore, not to venture rashly on a measure which it would be impossible for him ever to recall; and he privately paid a visit to Norfolk and the other English commissioners, confessed his scruples, laid before them the evidence of the queen's guilt, and desired to have some security for Elizabeth's protection, in case that evidence should, upon examination, appear entirely satisfactory. Norfolk was not secretly displeased with these scruples of the regent. He had ever been a partisan of the queen of Scots; secretary Lidington, who began also to incline to that party, and was a man of singular address and capacity, had engaged him to embrace further views in her favour, and even to think of espousing her: and though that duke confessed, that the proofs against Mary seemed to be unquestionable, he encouraged Murray in his present resolution, not to produce them publicly in the conferences before the English commissioners.

Norfolk, however, was obliged to transmit to court the queries proposed by the regent. These queries consisted of four particulars: Whether the English commissioners had authority from their sovereign to pronounce sentence against Mary, in case her guilt should be fully proved before them? Whether they would promise to exercise that authority, and proceed to an actual sentence? Whether the queen of Scots, if she were found guilty, should be delivered into the hands of the regent, or at least, be so secured in England, that she never should be able to disturb the tranquillity of Scotland? and, Whether Elizabeth would also, in that case, promise to acknowledge the young king, and protect the regent in his authority.

Elizabeth, when these queries, with the other transactions, were laid before her, began to think that they pointed towards a conclusion more decisive and more advantageous than she had hitherto expected. She determined, therefore, to bring the matter into full light; and, under pretext that the distance from her person retarded the proceedings of her commissioners, she ordered them to come to London, and there continue the conference. On their appearance, she immediately joined in commission with them some of the most considerable of her council; sir Nicholas Bacon, lord-keeper, the earls of Arundel and Leicester, lord Clinton, admiral, and sir William Cecil, secretary. The queen of Scots, who knew nothing of these secret motives, and who expected that fear or decency would still restrain Murray from proceeding to any violent accusation against her, expressed an entire satisfaction in this adjournment; and declared that the affair, being under the immediate inspection of Elizabeth, was now in the hands where she most desired to rest it. The conferences were accordingly continued at Hampton-Court; and Mary's commissioners, as before, made no scruple to be present at them.

The queen, meanwhile, gave a satisfactory answer to all Murray's demands, and declared that though she wished and hoped, from the present inquiry, to be entirely convinced of Mary's innocence, yet if the event should prove contrary, and that princess should appear guilty of her husband's murder, she should, for her own part, deem her ever after unworthy of a throne. The regent, encouraged by this declaration, opened more fully his charge against the queen of Scots, and, after expressing his reluctance to proceed to that extremity, and protesting that nothing but the necessity of self-defence, which must not be abandoned for any delicacy, could have engaged him in such a measure, he proceeded to accuse her in plain terms of participation and consent in the assassination of the king. The earl of Lenox too appeared before the English commissioners; and, imploring vengeance for the murder of his son, accused Mary as an accomplice with Bothwel in that enormity.

When this charge was so unexpectedly given in, and copies of it were transmitted to the bishop of Ross, lord Herreis, and the other commissioners of Mary, they absolutely refused to return an answer; and they grounded their silence on very extraordinary reasons: they had orders, they said, from their mistress, if anything were advanced that might touch her honour, not to make any defence, as she was a sovereign princess, and could not be subject to any tribunal; and they required that she should previously be admitted to Elizabeth's presence, to whom, and to whom alone, she was determined to justify her innocence. They forgot that the conferences were at first begun, and were still continued, with no other view than to clear her from the accusations of her enemies; that Elizabeth, had ever pretended to enter into them only as her friend, by her own consent and approbation, not as assuming any jurisdiction over her; that this princess had, from the beginning, refused to admit her to her presence, till she should vindicate herself from the crimes imputed to her; that she had therefore discovered no new signs of partiality by her perseverance in that resolution; and that though she had granted an audience to the earl of Murray and his colleagues, she had previously conferred the same honour on Mary's commissioners; and her conduct was so far entirely equal to both parties. [*See note* 3 T, *at the end of this Vol.*]

As the commissioners of the queen of Scots refused to give in any answer to Murray's charge, the necessary consequence seemed to be, that there could be no further proceedings in the conference. But though this silence might be interpreted as a presumption against her, it did not fully answer the purpose of those English ministers who were enemies to that princess. They still desired to have in their hands the proofs of her guilt; and in order to draw them with decency from the regent, a judicious artifice was employed by Elizabeth. Murray was called before the English commissioners; and reproved by them, in the queen's name, for the atrocious imputations which he had the temerity to throw upon his sovereign: but though the earl of Murray, they added, and the other commissioners, had so far forgotten the duty of allegiance to their prince, the queen never would overlook what she owed to her friend, her neighbour, and her kinswoman; and she therefore desired to know what they could say in their own justification. Murray, thus urged, made no difficulty in producing the proofs of his charge against the queen of Scots; and among the rest, some love-letters and sonnets of hers to Bothwel, written all in her own hand, and two other papers, one written in her own hand, another subscribed by her, and written by the earl of Huntley; each of which contained a promise of marriage with Bothwel, made before the pretended trial and acquittal of that nobleman.

All these important papers had been kept by Bothwel in a silver box or casket, which had been given him by Mary, and which had belonged to her first

husband, Francis; and though the princess had enjoined him to burn the letters as soon as he had read them, he had thought proper carefully to preserve them as pledges of her fidelity, and had committed them to the custody of sir James Balfour, deputy-governor of the castle of Edinburgh. When that fortress was besieged by the associated lords, Bothwel sent a servant to receive the casket from the hands of the deputy-governor. Balfour delivered it to the messenger; but as he had at that time received some disgust from Bothwel, and was secretly negociating an agreement with the ruling party, he took care, by conveying private intelligence to the earl of Morton, to make the papers be intercepted by him. They contained incontestable proofs of Mary's criminal correspondence with Bothwel, of her consent to the king's murder, and of her concurrence in the violence which Bothwel pretended to commit upon her. Murray fortified this evidence by some testimonies of corresponding facts; and he added, some time after, the dying confession of one Hubert, or French Paris, as he was called, a servant of Bothwel's, who had been executed for the king's murder, and who directly charged the queen with her being accessary to that criminal enterprise.

Mary's commissioners had used every expedient to ward this blow which they saw coming upon them, and against which, it appears, they were not provided with any proper defence. As soon as Murray opened his charge, they endeavoured to turn the conference from an inquiry into a negociation: and though informed by the English commissioners that nothing could be more dishonourable for their mistress, than to enter into a treaty with such undutiful subjects, before she had justified herself from those enormous imputations which had been thrown upon her; they still insisted that Elizabeth should settle terms of accommodation between Mary and her enemies in Scotland. They maintained that, till their mistress had given in her answer to Murray's charge, his proofs could neither be called for nor produced: and finding that the English commissioners were still determined to proceed in the method which had been projected, they finally broke off the conferences, and never would make any reply. These papers, at least translations of them, have since been published. The objections made to their authenticity are, in general, of small force; but were they ever so specious, they cannot now be hearkened to; since Mary, at the time when the truth could have been fully cleared, did, in effect, ratify the evidence against her, by recoiling from the inquiry at the very critical moment, and refusing to give an answer to the accusation of her enemies. [*See note* 3 U, *at the end of this Vol.*]

But Elizabeth, though she had seen enough for her own satisfaction, was determined that the most eminent persons of her court should also be acquainted with these transactions, and should be convinced of the equity of her proceedings. She ordered her privy-council to be assembled; and, that she might render the matter more solemn and authentic, she summoned, along with them, the earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick. All the proceedings of the English commissioners were read to them: the evidences produced by Murray were perused: a great number of letters written by Mary to Elizabeth were laid before them, and the handwriting compared with that of the letters delivered in by the regent: the refusal of the queen of Scots' commissioners to make any reply was related: and on the whole Elizabeth told them, that as she had from the first thought it improper that Mary, after such horrid crimes were imputed to her, should be admitted to her presence before she had, in some measure, justified herself from the charge; so now, when her guilt was confirmed by so many evidences, and all answer refused, she must, for her part, persevere more steadily in that resolution. Elizabeth next called in the queen of Scots' commissioners, and, after observing that she deemed it much more decent for their mistress to continue the conferences, than to require the liberty of justifying herself in person; she told them, that Mary might either send reply by a person whom she trusted, or deliver it herself to some English nobleman, whom Elizabeth should appoint to wait upon her: but as to her resolution of making no reply at all, she must regard it as the strongest confession of guilt; nor could they ever be deemed her friends who advised her to that method of proceeding. These topics she enforced still more strongly in a letter which she wrote to Mary herself.

The queen of Scots had no other subterfuge from these pressing remonstrances, than still to demand a personal interview with Elizabeth: a concession which, she was sensible, would never be granted; because Elizabeth knew that this expedient could decide nothing; because it brought matters to extremity which that princess desired to avoid; and because it had been refused from the beginning, even before the commencement of the conferences. In order to keep herself better in countenance, Mary thought of another device. Though the conferences were broken off, she ordered her commissioners to accuse the earl of Murray and his associates as the murderers of the king: but this accusation coming so late, being extorted merely by a complaint of Murray's, and being unsupported by any proof, could only be regarded as an angry recrimination upon her enemy. [*See note* 3 W, *at the end of this Vol.*] She also desired to have copies of the papers given in by the regent; but as she still persisted in her resolution to make no reply before the English commissioners, this demand was finally refused her. [*See note* 3 X, *at the end of this Vol.*]

As Mary had thus put an end to the conferences, the regent expressed great impatience to return into Scotland; and he complained, that his enemies had taken advantage of his absence, and had thrown the whole government into confusion. Elizabeth therefore dismissed him; and granted him a loan of five thousand pounds to bear the charges of his journey. During the conferences at York, the duke of Chatelrault arrived at London, in passing from France; and as the queen knew that he was engaged in Mary's party, and had very plausible pretensions to the regency of the king of Scots, she thought proper to detain him till after Murray's departure. But notwithstanding these marks of favour, and some other assistance which she secretly gave this latter nobleman, she still declined acknowledging the young king, or treating with Murray as regent of Scotland.

Orders were given for removing the queen of Scots from Bolton, a place surrounded with catholics, to Tutbury, in the county of Stafford, where she was put under the custody of the earl of Shrewsbury. Elizabeth entertained hopes that this princess, discouraged by her misfortunes, and confounded by the late transactions, would be glad to secure a safe retreat from all the tempests with which she had been agitated; and she promised to bury everything in oblivion, provided Mary would agree, either voluntarily to resign her crown, or to associate her son with her in the government; and the administration to remain, during his minority, in the hands of the earl of Murray. But that high-spirited princess refused all treaty upon such terms, and declared that her last words should be those of a queen of Scotland. Besides many other reasons, she said, which fixed her in that resolution, she knew, that if, in the present emergence, she made such concessions, her submission would be universally deemed an acknowledgment of guilt, and would ratify all the calumnies of her enemies.

Mary still insisted upon this alternative—either that Elizabeth should assist her in recovering her authority, or should give her liberty to retire into France, and make trial of the friendship of other princes: and as

she asserted that she had come voluntarily into England, invited by many former professions of amity, she thought that one or other of these requests could not, without the most extreme injustice, be refused her. But Elizabeth, sensible of the danger which attended both these proposals, was secretly resolved to detain her still a captive; and as her retreat into England had been little voluntary, her claim upon the queen's generosity appeared much less urgent than she was willing to pretend. Necessity, it was thought, would, to the prudent, justify her detention: her past misconduct would apologize for it to the equitable: and though it was foreseen, that compassion for Mary's situation, joined to her intrigues and insinuating behaviour, would, while she remained in England, excite the zeal of her friends, especially of the catholics, these inconveniences were deemed much inferior to those which attended any other expedient. Elizabeth trusted also to her own address for eluding all these difficulties: she purposed to avoid breaking absolutely with the queen of Scots, to keep her always in hopes of an accommodation, to negociate perpetually with her, and still to throw the blame of not coming to any conclusion, either on unforeseen accidents, or on the obstinacy and perverseness of others.

We come now to mention some English affairs which we left behind us, that we might not interrupt our narrative of the events in Scotland, which form so material a part of the present reign. The term fixed by the treaty of Cateau Cambresis for the restitution of Calais, expired in 1567; and Elizabeth, after making her demand at the gates of that city, sent sir Thomas Smith to Paris; and that minister, in conjunction with sir Henry Norris, her resident ambassador, enforced her pretensions. Conferences were held on that head, without coming to any conclusion satisfactory to the English. The chancellor, De l'Hospital, told the English ambassadors, that though France, by an article of the treaty, was obliged to restore Calais on the expiration of eight years, there was another article of the same treaty, which now deprived Elizabeth of any right that could accrue to her by that engagement: that it was agreed, if the English should, during the interval, commit hostilities upon France, they should instantly forfeit all claim to Calais; and the taking possession of Havre and Dieppe, with whatever pretences that measure might be covered, was a plain violation of the peace between the nations: that though these places were not entered by force, but put into Elizabeth's hands by the governors, these governors were rebels; and a correspondence with such traitors was the most flagrant injury that could be committed on any sovereign: that in the treaty which ensued upon the expulsion of the English from Normandy, the French ministers had absolutely refused to make any mention of Calais, and had thereby declared their intention to take advantage of the title which had accrued to the crown of France: and that though a general clause had been inserted, implying a reservation of all claims, this concession could not avail the English, who at that time possessed no just claim to Calais, and had previously forfeited all right to that fortress. The queen was nowise surprised at hearing these allegations; and as she knew that the French court intended not from the first to make restitution, much less after they could justify their refusal by such plausible reasons, she thought it better for the present to acquiesce in the loss, than to pursue a doubtful title by a war both dangerous and expensive, as well as unseasonable.

Elizabeth entered anew into negociations for espousing the archduke Charles; and she seems, at this time, to have had no great motive of policy, which might induce her to make this fallacious offer: but as she was very rigorous in the terms insisted on, and would not agree that the archduke, if he espoused her, should enjoy any power or title in England, and even refused him the exercise of his religion, the treaty came to nothing; and that prince, despairing of success in his addresses, married the daughter of Albert, duke of Bavaria.

CHAPTER XL.

Character of the Puritans — Duke of Norfolk's Conspiracy — Insurrection in the North — Assassination of the earl of Murray — A Parliament — Civil Wars of France — Affairs of the Low Countries — New Conspiracy of the duke of Norfolk — Trial of Norfolk — His Execution — Scotch Affairs — French Affairs — Massacre of Paris — French Affairs — Civil Wars of the Low Countries — A Parliament.

CHARACTER OF THE PURITANS. 1568.

OF all the European churches which shook off the yoke of the papal authority, no one proceeded with so much reason and moderation as the church of England; an advantage which had been derived partly from the interposition of the civil magistrate in this innovation, partly from the gradual and slow steps by which the Reformation was conducted in that kingdom. Rage and animosity against the catholic religion was as little indulged as could be supposed in such a revolution: the fabric of the secular hierarchy was maintained entire: the ancient liturgy was preserved, so far as was thought consistent with the new principles: many ceremonies, become venerable from age and preceding use, were retained: the splendour of the Romish worship, though removed, had at least given place to order and decency: the distinctive habits of the clergy, according to their different ranks, were continued: no innovation was admitted, merely from spite and opposition to former usage: and the new religion, by mitigating the genius of the ancient superstition, and rendering it more compatible with the peace and interests of society, had preserved itself in that happy medium which wise men have always sought, and which the people have so seldom been able to maintain.

But though such, in general, was the spirit of the Reformation in that country, many of the English reformers, being men of more warm complexions and more obstinate tempers, endeavoured to push matters to extremities against the church of Rome, and indulged themselves in the most violent contrariety and antipathy to all former practices. Among these, Hooper, who afterwards suffered for his religion with such extraordinary constancy, was chiefly distinguished. This man was appointed, during the reign of Edward, to the see of Gloucester, and made no scruple of accepting the episcopal office; but he refused to be consecrated in the episcopal habit, the cymarre and rochette, which had formerly, he said, been abused by superstition, and which were thereby rendered unbecoming a true Christian. Cranmer and Ridley were surprised at this objection, which opposed the received practice, and even the established laws; and though young Edward, desirous of promoting a man so celebrated for his eloquence, his zeal, and his morals, enjoined them to dispense with this ceremony, they were still determined to retain it. Hooper then embraced the resolution, rather to refuse the bishopric than clothe himself in those hated garments; but it was deemed requisite, that, for the sake of the example, he should not escape so easily. He was first confined to Cranmer's house, then thrown into prison till he should consent to be a bishop on the terms proposed: he was plied with conferences, and reprimands, and arguments: Bucer and Peter Martyr, and the most celebrated foreign reformers, were consulted on this important question: and a compromise, with great difficulty, was at last made, that Hooper should not be obliged to wear commonly the obnoxious robes, but should agree to be consecrated in them, and to use them during cathedral service, a condescension not a little extra-

ordinary in a man of so inflexible a spirit as this reformer.

The same objection which had arisen with regard to the episcopal habit, had been moved against the raiment of the inferior clergy; and the surplice, in particular, with the tippet and corner-cap, was a great object of abhorrence to many of the popular zealots. In vain was it urged that particular habits, as well as postures and ceremonies, having been constantly used by the clergy, and employed in religious service, acquire a veneration in the eyes of the people, appear sacred in their apprehensions, excite their devotion, and contract a kind of mysterious virtue, which attaches the affections of men to the national and established worship: that in order to produce this effect, an uniformity in these particulars is requisite, and even a perseverance, as far as possible, in the former practice: and that the nation would be happy, if, by retaining these inoffensive observances, the reformers could engage the people to renounce willingly what was absurd or pernicious in the ancient superstition. These arguments, which had influence with wise men, were the very reasons which engaged the violent protestants to reject the habits. They pushed matters to a total opposition with the church of Rome: every compliance, they said, was a symbolising with antichrist. And this spirit was carried so far by some reformers, that in a national remonstrance made afterwards by the church of Scotland against these habits, it was asked, "What has Christ Jesus to do with Belial? What has darkness to do with light? If surplices, corner-caps, and tippets, have been badges of idolaters in the very act of their idolatry, why should the preacher of Christian liberty, and the open rebuker of all superstition, partake with the dregs of the Romish beast? Yea, who is there that ought not rather to be afraid of taking in his hand, or on his forehead, the print and mark of that odious beast?" But this application was rejected by the English church.

There was only one instance in which the spirit of contradiction to the Romanists took place universally in England: the altar was removed from the wall, was placed in the middle of the church, and was thenceforth denominated the communion-table. The reason why this innovation met with such general reception was, that the nobility and gentry got thereby a pretence for making spoil of the plate, vestures, and rich ornaments, which belonged to the altars.

These disputes, which had been started during the reign of Edward, were carried abroad by the protestants, who fled from the persecutions of Mary; and as the zeal of these men had received an increase from the furious cruelty of their enemies, they were generally inclined to carry their opposition to the utmost extremity against the practices of the church of Rome. Their communication with Calvin and the other reformers, who followed the discipline and worship of Geneva, confirmed them in this obstinate reluctance; and though some of the refugees, particularly those who were established at Francfort, still adhered to king Edward's liturgy, the prevailing spirit carried these confessors to seek a still further reformation. On the accession of Elizabeth, they returned to their native country; and being regarded with general veneration, on account of their zeal and past sufferings, they ventured to insist on the establishment of their projected model; nor did they want countenance from many considerable persons in the queen's council. But the princess herself, so far from being willing to despoil religion of the few ornaments and ceremonies which remained in it, was rather inclined to bring the public worship still nearer to the Romish ritual;* and she thought that the Reformation had already gone too far in shaking off these forms and observances, which, without distracting men of more refined apprehensions, tend, in a very innocent manner, to allure, and amuse, and engage the vulgar. She took care to have a law for uniformity strictly enacted: she was empowered by the parliament to add any new ceremonies which she thought proper; and though she was sparing in the exercise of this prerogative, she continued rigid in exacting an observance of the established laws, and in punishing all non-conformity. The zealots, therefore, who harboured a great antipathy to the episcopal order, and to the whole liturgy, were obliged, in a great measure, to conceal these sentiments, which would have been regarded as highly audacious and criminal; and they confined their avowed objections to the surplice, the confirmation of children, the sign of the cross in baptism, the ring in marriage, kneeling at the sacrament, and bowing at the name of Jesus. So fruitless is it for sovereigns to watch with a rigid care over orthodoxy, and to employ the sword in religious controversy, that the work, perpetually renewed, is perpetually to begin; and a garb, a gesture, nay, a metaphysical or grammatical distinction, when rendered important by the disputes of theologians, and the zeal of the magistrate, is sufficient to destroy the unity of the church, and even the peace of society. These controversies had already excited such ferment among the people, that in some places they refused to frequent the churches where the habits and ceremonies were used; would not salute the conforming clergy; and proceeded so far as to revile them in the streets, to spit in their faces, and to use them with all manner of contumely. And while the sovereign authority checked these excesses, the flame was confined, not extinguished; and burning fiercer from confinement, it burst out in the succeeding reigns to the destruction of the church and monarchy.

All enthusiasts, indulging themselves in rapturous flights, ecstasies, visions, inspirations, have a natural aversion to episcopal authority, to ceremonies, rites, and forms, which they denominate superstition, or beggarly elements, and which seem to restrain the liberal effusions of their zeal and devotion: but there was another set of opinions adopted by these innovators, which rendered them in a peculiar manner the object of Elizabeth's aversion. The same bold and daring spirit, which accompanied them in their addresses to the divinity, appeared in their political speculations; and the principles of civil liberty, which, during some reigns, had been little avowed in the nation, and which were totally incompatible with the present exorbitant prerogative, had been strongly adopted by this new sect. Scarcely any sovereign before Elizabeth, and none after her, carried higher, both in speculation and practice, the authority of the crown; and the puritans (so these sectaries were called, on account of their pretending to a superior purity of worship and discipline) could not recommend themselves worse to her favour, than by inculcating the doctrine of resisting or restraining princes. From all these motives, the queen neglected no opportunity of depressing those zealous innovators; and while they were secretly countenanced by some of her most favoured ministers, Cecil, Leicester, Knolles, Bedford, Walsingham, she never was, to the end of her life, reconciled to their principles and practices.

We have thought proper to insert in this place an account of the rise and genius of the puritans; because Camden marks the present year, as the period when they began to make themselves considerable in England. We now return to our narration.

DUKE OF NORFOLK'S CONSPIRACY. 1569.

The duke of Norfolk was the only peer that enjoyed

* When Nowel, one of her chaplains, had spoke unreverently, in a sermon preached before her, of the sign of the cross, she called also for him in her closet a while, commanding him to retain from that ungodly digression, and to return unto his text. And on the other side, when one of her divines had preached a sermon in defence of the real presence, she openly gave him thanks for his pains and piety. Heylin, p. 124.—She even would have absolutely forbidden the marriage of the clergy, if Cecil had not interposed. Strype's Life of Parker, p. 107, 108, 109.—She was an enemy to sermons, and usually said, that she thought two or three preachers were sufficient for a whole county. It was probably for these reasons that one Doring told her to her face from the pulpit, that she was like Herod in cruel heart, that would not be ruled by God's people but obstructed his discipline. See Life of Hooker, prefixed to his Works.

the highest title of nobility; and as there was at present no princes of the blood, the splendour of his family, the opulence of his fortune, and the extent of his influence, had rendered him without comparison the first subject in England. The qualities of his mind corresponded to his high station: beneficent, affable, generous, he had acquired the affections of the people; prudent, moderate, obsequious, he possessed, without giving her any jealousy, the good graces of his sovereign. His grandfather and father had long been regarded as the leaders of the catholics; and this hereditary attachment, joined to the alliance of blood, had procured him the friendship of the most considerable men of that party: but as he had been educated among the reformers, was sincerely devoted to their principles, and maintained that strict decorum and regularity of life, by which the protestants were at that time distinguished; he thereby enjoyed the rare felicity of being popular even with the most opposite factions. The height of his prosperity alone was the source of his misfortunes, and engaged him in attempts, from which his virtue and prudence would naturally have for ever kept him at a distance.

Norfolk was at this time a widower; and being of a suitable age, his marriage with the queen of Scots had appeared so natural, that it had occurred to several of his friends and those of that princess; but the first person who, after secretary Lidington, opened the scheme to the duke, is said to have been the earl of Murray, before his departure for Scotland. That nobleman set before Norfolk both the advantage of composing the dissensions in Scotland by an alliance, which would be so generally acceptable, and the prospect of reaping the succession of England; and in order to bind Norfolk's interest the faster with Mary's, he proposed that the duke's daughter should also espouse the young king of Scotland. The previously obtaining of Elizabeth's consent, was regarded, both by Murray and Norfolk, as a circumstance essential to the success of their project; and all terms being adjusted between them, Murray took care, by means of sir Robert Melvil, to have the design communicated to the queen of Scots. This princess replied, that the vexations which she had met with in her two last marriages had made her more inclined to lead a single life; but she was determined to sacrifice her own inclinations to the public welfare: and therefore, as soon as she should be legally divorced from Bothwel, she would be determined by the opinion of her nobility and people in the choice of another husband.

It is probable that Murray was not sincere in this proposal. He had two motives to engage him to dissimulation. He knew the danger which he must run in his return through the north of England, from the power of the earls of Northumberland and Westmoreland, Mary's partisans in that country; and he dreaded an insurrection in Scotland from the duke of Chatelrault and the earls of Argyle and Huntley, whom she had appointed her lieutenants during her absence. By these feigned appearances of friendship, he both engaged Norfolk to write in his favour to the northern noblemen; and he persuaded the queen of Scots to give her lieutenants permission, and even advice, to conclude a cessation of hostilities with the regent's party.

The duke of Norfolk, though he had agreed that Elizabeth's consent should be previously obtained before the completion of his marriage, had reason to apprehend that he never should prevail with her voluntarily to make that concession. He knew her perpetual and unrelenting jealousy against her heir and rival; he was acquainted with her former reluctance to all proposals of marriage with the queen of Scots; he foresaw that this princess's espousing a person of his power and character, and interest, would give the greatest umbrage; and as it would then become necessary to reinstate her in possession of her throne on some tolerable terms, and even to endeavour the re-establishing of her character, he dreaded lest Elizabeth, whose politics had now taken a different turn, would never agree to such indulgent and generous conditions. He therefore attempted previously to gain the consent and approbation of several of the most considerable nobility; and he was successful with the earls of Pembroke, Arundel, Derby, Bedford, Shrewsbury, Southampton, Northumberland, Westmoreland, Sussex. Lord Lumley and Sir Nicholas Throgmorton cordially embraced the proposal; even the earl of Leicester, Elizabeth's declared favourite, who had formerly entertained some views of espousing Mary, willingly resigned all pretensions, and seemed to enter zealously into Norfolk's interests. There were other motives, besides affection to the duke, which produced this general combination of the nobility.

Sir William Cecil, secretary of state, was the most vigilant, active, and prudent minister ever known in England; and as he was governed by no views but the interests of his sovereign, which he had inflexibly pursued, his authority over her became every day more predominant. Ever cool himself, and uninfluenced by prejudice or affection, he checked those sallies of passion, and sometimes of caprice, to which she was subject; and if he failed of persuading her in the first movement, his perseverance, and remonstrances, and arguments, were sure at last to recommend themselves to her sound discernment. The more credit he gained with his mistress, the more was he exposed to the envy of her other counsellors; and as he had been supposed to adopt the interests of the house of Suffolk, whose claim seemed to carry with it no danger to the present establishment, his enemies, in opposition to him, were naturally led to attach themselves to the queen of Scots. Elizabeth saw, without uneasiness, this emulation among her courtiers, which served to augment her own authority: and though she supported Cecil, whenever matters came to extremities, and dissipated every conspiracy against him, particularly one laid about this time for having him thrown into the Tower on some pretence or other, she never gave him such unlimited confidence as might enable him entirely to crush his adversaries.

Norfolk, sensible of the difficulty which he must meet with in controlling Cecil's counsels, especially where they concurred with the inclination as well as interest of the queen, durst not open to her his intentions of marrying the queen of Scots; but proceeded still in the same course, of increasing his interest in the kingdom, and engaging more of the nobility to take part in his measures. A letter was written to Mary by Leicester, and signed by several of the first rank, recommending Norfolk for her husband, and stipulating conditions for the advantage of both kingdoms: particularly, that she should give sufficient surety to Elizabeth, and the heirs of her body, for the free enjoyment of the crown of England; that a perpetual league, offensive and defensive, should be made between their realms and subjects; that the protestant religion should be established by law in Scotland; and that she should grant an amnesty to her rebels in that kingdom. When Mary returned a favourable answer to this application, Norfolk employed himself with new ardour in the execution of his project; and besides securing the interests of many of the considerable gentry and nobility who resided at court, he wrote letters to such as lived at their country-seats, and possessed the greatest authority in the several counties. The kings of France and Spain, who interested themselves extremely in Mary's cause, were secretly consulted, and expressed their approbation of these measures. And though Elizabeth's consent was always supposed as a previous condition to the finishing of this alliance, it was apparently Norfolk's intention, when he proceeded such lengths without consulting her, to render his party so strong, that it should no longer be in her power to refuse it.

It was impossible that so extensive a conspiracy could entirely escape the queen's vigilance and that of Cecil. She dropped several intimations to the duke, by which he might learn that she was acquainted with his designs; and she frequently warned him to beware on what pillow he reposed his head: but he never had the prudence or the courage to open to her his full intentions. Certain intelligence of this dangerous combination was given her, first by Leicester, then by Murray,* who, if ever he was sincere in promoting Norfolk's marriage, which is much to be doubted, had at least intended, for his own safety, and that of his party, that Elizabeth should, in reality, as well as in appearance, be entire arbiter of the conditions, and should not have her consent extorted by any confederacy of her own subjects. This information gave great alarm to the court of England; and the more so, as those intrigues were attended with other circumstances, of which, it is probable, Elizabeth was not wholly ignorant.

Among the nobility and gentry that seemed to enter into Norfolk's views, there were many, who were zealously attached to the catholic religion, who had no other design than that of restoring Mary to her liberty, and who would gladly, by a combination with foreign powers, or even at the expense of a civil war, have placed her on the throne of England. The earls of Northumberland and Westmoreland, who possessed great power in the north, were leaders of this party; and the former nobleman made offer to the queen of Scots, by Leonard Dacres, brother to lord Dacres, that he would free her from confinement, and convey her to Scotland, or any other place to which she should think proper to retire. Sir Thomas and sir Edward Stanley, sons of the earl of Derby, sir Thomas Gerrard Rolstone, and other gentlemen, whose interest lay in the neighbourhood of the place where Mary resided, concurred in the same views; and required that, in order to facilitate the execution of the scheme, a diversion should, in the meantime, be made from the side of Flanders. Norfolk discouraged, and even in appearance suppressed, these conspiracies; both because his duty to Elizabeth would not allow him to think of effecting his purpose by rebellion, and because he foresaw that, if the queen of Scots came into the possession of these men, they would rather choose for her husband the king of Spain, or some foreign prince, who had power as well as inclination, to re-establish the catholic religion.

When men of honour and good principles, like the duke of Norfolk, engage in dangerous enterprises, they are commonly so unfortunate as to be criminal by halves; and while they balance between the execution of their designs and their remorses, their fear of punishment and their hope of pardon, they render themselves an easy prey to their enemies. The duke, in order to repress the surmises spread against him, spoke contemptuously to Elizabeth of the Scottish alliance; affirmed that his estate in England was more valuable than the revenue of a kingdom wasted by civil wars and factions; and declared that, when he amused himself in his own tennis-court at Norwich amidst his friends and vassals, he deemed himself at least a petty prince, and was fully satisfied with his condition. Finding that he did not convince her by these asseverations, and that he was looked on with a jealous eye by the ministers, he retired to his country seat without taking leave. He soon after repented of this measure, and set out on his return to court, with a view of using every expedient to regain the queen's good graces; but he was met at St. Alban's by Fitz-Garret, lieutenant of the band of pensioners, by whom he was conveyed to Burnham, three miles from Windsor, where the court then resided. He was soon after committed to the Tower, under the custody of sir Henry Nevil. Lesley, bishop of Ross, the queen of Scots' ambassador, was examined, and confronted with Norfolk before the council. The earl of Pembroke was confined to his own house. Arundel, Lumley, and Throgmorton were taken into custody. The queen of Scots herself was removed to Coventry; all access to her was, during some time, more strictly prohibited; and viscount Hereford was joined to the earls of Shrewsbury and Huntingdon in the office of guarding her.

* It appears by Haynes, p. 501, 505, that Elizabeth had heard rumours of Norfolk's dealing with Murray, and charged the latter to inform her of the whole truth, which he accordingly did. See also the earl of Murray's letter, produced on Norfolk's trial.

INSURRECTIONS IN THE NORTH.

A rumour had been diffused in the north of an intended rebellion; and the earl of Sussex, president of York, alarmed with the danger, sent for Northumberland and Westmoreland, in order to examine them; but not finding any proof against them, he allowed them to depart. The report meanwhile gained ground daily; and many appearances of its reality being discovered, orders were despatched by Elizabeth to these two noblemen to appear at court, and answer for their conduct. They had already proceeded so far in their criminal designs, that they dared not to trust themselves in her hands: they had prepared measures for a rebellion; had communicated their design to Mary and her ministers; had entered into a correspondence with the duke of Alva, governor of the Low Countries; had obtained his promise of a re-enforcement of troops, and of a supply of arms and ammunition; and had prevailed on him to send over to London Chiapino Vitelli, one of his most famous captains, on pretence of adjusting some differences with the queen; but in reality with a view of putting him at the head of the northern rebels. The summons, sent to the two earls, precipitated the rising before they were fully prepared; and Northumberland remained in suspense between opposite dangers, when he was informed that some of his enemies were on the way with a commission to arrest him. He took horse instantly, and hastened to his associate Westmoreland, whom he found surrounded with his friends and vassals, and deliberating with regard to the measures which he should follow in the present emergence. They determined to begin the insurrection without delay; and the great credit of these two noblemen, with that zeal for the catholic religion which still prevailed in the neighbourhood, soon drew together multitudes of the common people. They published a manifesto, in which they declared, that they intended to attempt nothing against the queen, to whom they avowed unshaken allegiance; and that their sole aim was to re-establish the religion of their ancestors, to remove evil counsellors, and to restore the duke of Norfolk and other faithful peers to their liberty, and to the queen's favour. The numbers of the malcontents amounted to four thousand foot and sixteen hundred horse; and they expected the concurrence of all the catholics in England.

The queen was not negligent in her own defence, and she had beforehand, from her prudent and wise conduct, acquired the general good-will of her people, the best security of a sovereign; insomuch that even the catholics in most counties expressed an affection for her service; and the duke of Norfolk himself, though he had lost her favour, and lay in confinement, was not wanting, as far as his situation permitted, to promote the levies among his friends and retainers. Sussex, attended by the earls of Rutland, the lords Hunsdon, Evers, and Willoughby of Parham, marched against the rebels at the head of seven thousand men, and found them already advanced to the bishopric of Durham, of which they had taken possession. They retired before him to Hexham; and hearing that the earl of Warwick and lord Clinton were advancing against them with a greater body, they found no other resource than to disperse themselves without striking a blow

The common people retired to their houses: the leaders fled into Scotland. Northumberland was found skulking in that country, and was confined by Murray in the castle of Lochlevin. Westmoreland received shelter from the chieftains of the Kers and Scots, partisans of Mary; and persuaded them to make an inroad into England, with a view of exciting a quarrel between the two kingdoms. After they had committed great ravages, they retreated into their own country. This sudden and precipitate rebellion was followed soon after by another still more imprudent, raised by Leonard Dacres. Lord Hunsdon, at the head of the garrison of Berwick, was able without any other assistance, to quell these rebels. Great severity was exercised against such as had taken part in these rash enterprises. Sixty-six petty constables were hanged; and no less than eight hundred persons are said, on the whole, to have suffered by the hands of the executioner. But the queen was so well pleased with Norfolk's behaviour, that she released him from the Tower; allowed him to live, though under some show of confinement, in his own house: and only exacted a promise from him not to proceed any further in his negociations with the queen of Scots.

Elizabeth now found that the detention of Mary was attended with all the ill consequences which she had foreseen when she first embraced that measure. This latter princess, recovering, by means of her misfortunes and her own natural good sense, from that delirium into which she seems to have been thrown during her attachment to Bothwel, had behaved with such modesty and judgment, and even dignity, that every one who approached her was charmed with her demeanor; and her friends were enabled, on some plausible grounds, to deny the reality of all those crimes which had been imputed to her. Compassion for her situation, and the necessity of procuring her liberty, proved an incitement among all her partisans to be active in promoting her cause; and as her deliverance from captivity, it was thought, could nowise be effected but by attempts dangerous to the established government, Elizabeth had reason to expect little tranquillity so long as the Scottish queen remained a prisoner in her hands. But as this inconvenience had been preferred to the danger of allowing that princess to enjoy her liberty, and to seek relief in all the catholic courts of Europe, it behoved the queen to support the measure which she had adopted, and to guard, by every prudent expedient, against the mischiefs to which it was exposed. She still flattered Mary with hopes of her protection, maintained an ambiguous conduct between that queen and her enemies in Scotland, negociated perpetually concerning the terms of her restoration, made constant professions of friendship to her; and by these artifices endeavoured both to prevent her from making any desperate efforts for her deliverance, and to satisfy the French and Spanish ambassadors, who never intermitted their solicitations, sometimes accompanied with menaces, in her behalf. This deceit was received with the same deceit by the queen of Scots: professions of confidence were returned by professions equally insincere: and while an appearance of friendship was maintained on both sides, the animosity and jealousy, which had long prevailed between them, became every day more inveterate and incurable. These two princesses, in address, capacity, activity, and spirit, were nearly a match for each other; but, unhappily, Mary, besides her present forlorn condition, was always inferior, in personal conduct and discretion, as well as in power, to her illustrious rival.

Elizabeth and Mary wrote at the same time letters to the regent. The queen of Scots desired, that her marriage with Bothwel might be examined, and a divorce be legally pronounced between them. The queen of England gave Murray the choice of three conditions—that Mary should be restored to her dignity on certain terms; that she should be associated with her son, and the administration remain in the regent's hands till the young prince should come to years of discretion; or that she should be allowed to live at liberty as a private person in Scotland and have an honourable settlement made in her favour. Murray summoned a convention of states, in order to deliberate on these proposals of the two queens, no answer was made by them to Mary's letter, on pretence that she had there employed the style of a sovereign addressing herself to her subjects: but in reality, because they saw that her request was calculated to prepare the way for a marriage with Norfolk, or some powerful prince, who could support her cause, and restore her to the throne. They replied to Elizabeth, that the two former conditions were so derogatory to the royal authority of their prince, that they could not so much as deliberate concerning them: the third alone could be the subject of treaty. It was evident that Elizabeth, in proposing conditions so unequal in their importance, invited the Scots to a refusal of those which were most advantageous to Mary; and as it was difficult, if not impossible, to adjust all the terms of the third, so as to render it secure and eligible to all parties, it was concluded that she was not sincere in any of them.

ASSASSINATION OF THE EARL OF MURRAY.

January 23, 1570.

It is pretended that Murray had entered into a private negociation with the queen, to get Mary delivered into his hands; and as Elizabeth found the detention of her in England so dangerous, it is probable that she would have been pleased, on any honourable or safe terms, to rid herself of a prisoner who gave her so much inquietude. [*See note* 3 Y, *at the end of this Vol.*] But all these projects vanished by the sudden death of the regent, who was assassinated, in revenge of a private injury, by a gentleman of the name of Hamilton. Murray was a person of considerable vigour, abilities, and constancy; but though he was not unsuccessful, during his regency, in composing the dissensions in Scotland, his talents shone out more eminently in the beginning than in the end of his life. His manners were rough and austere; and he possessed not that perfect integrity, which frequently accompanies, and can alone atone for, that unamiable character.

By the death of the regent, Scotland relapsed into anarchy. Mary's party assembled together, and made themselves masters of Edinburgh. The castle, commanded by Kirkaldy of Grange, seemed to favour her cause; and as many of the principal nobility had embraced that party, it became probable, though the people were in general averse to her, that her authority might again acquire the ascendant. To check its progress, Elizabeth dispatched Sussex with an army to the north, under colour of chastising the ravages committed by the borderers. He entered Scotland and laid waste the lands of the Kers and Scots, seized the castle of Hume, and committed hostilities on all Mary's partisans, who, he said, had offended his mistress by harbouring the English rebels. Sir William Drury was afterwards sent with a body of troops, and he threw down the houses of the Hamiltons, who were engaged in the same faction. The English armies were afterwards recalled by agreement with the queen of Scots, who promised, in return, that no French troops should be introduced into Scotland, and that the English rebels should be delivered up to the queen by her partisans.

But though the queen, covering herself with the pretence of revenging her own quarrel, so far contributed to support the party of the young king of Scots, she was cautious not to declare openly against Mary; and she even sent a request, which was equivalent to a command, to the enemies of that princess not to elect, during some time, a regent in the place of Murray. Lenox, the king's grandfather, was therefore chosen temporary governor, under the title of lieutenant. Hearing afterwards that Mary's parti-

sans, instead of delivering up Westmoreland, and the other fugitives, as they had promised, had allowed them to escape into Flanders; she permitted the king's party to give Lenox the title of regent, and she sent Randolph, as her resident, to maintain a correspondence with him. But notwithstanding this step, taken in favour of Mary's enemies, she never laid aside her ambiguous conduct, or quitted the appearance of amity to that princess. Being importuned by the bishop of Ross, and her other agents, as well as by foreign ambassadors, she twice procured a suspension of arms between the Scottish factions, and by that means stopped the hands of the regent, who was likely to obtain advantages over the opposite party. By these seeming contrarieties she kept alive the factions in Scotland, increased their mutual animosity, and rendered the whole country a scene of devastation and of misery. She had no intention to conquer the kingdom, and consequently no interest or design to instigate the parties against each other; but this consequence was an accidental effect of her cautious politics, by which she was engaged, as far as possible, to keep on good terms with the queen of Scots, and never to violate the appearances of friendship with her, at least those of neutrality. [*See note* 3 Z, *at the end of this Vol.*]

The better to amuse Mary with the prospect of an accommodation, Cecil and sir Walter Mildmay were sent to her with proposals from Elizabeth. The terms were somewhat rigorous, such as a captive queen might expect from a jealous rival; and they thereby bore the greater appearance of sincerity on the part of the English court. It was required that the queen of Scots, besides renouncing all title to the crown of England during the lifetime of Elizabeth, should make a perpetual league, offensive and defensive, between the kingdoms; that she should marry no Englishman without Elizabeth's consent, nor any other person without the consent of the states of Scotland; that compensation should be made for the late ravages committed in England; that justice should be executed on the murderers of king Henry; that the young prince should be sent into England, to be educated there: and that six hostages, all of them noblemen, should be delivered to the queen of England, with the castle of Hume, and some other fortress, for the security of performance. Such were the conditions upon which Elizabeth promised to contribute her endeavours towards the restoration of the deposed queen. The necessity of Mary's affairs obliged her to consent to them; and the kings of France and Spain, as well as the pope, when consulted by her, approved of her conduct; chiefly on account of the civil wars, by which all Europe was at that time agitated, and which incapacitated the catholic princes from giving her any assistance.

Elizabeth's commissioners proposed also to Mary a plan of accommodation with her subjects in Scotland; and after some reasoning on that head, it was agreed that the queen should require Lenox, the regent, to send commissioners, in order to treat of conditions under her mediation. The partisans of Mary boasted, that all terms were fully settled with the court of England, and that the Scottish rebels would soon be constrained to submit to the authority of their sovereign: but Elizabeth took care that these rumours should meet with no credit, and that the king's party should not be discouraged, nor sink too low in their demands. Cecil wrote to inform the regent, that all the queen of England's proposals, so far from being fixed and irrevocable, were to be discussed anew in the conference; and desired him to send commissioners who should be constant in the king's cause, and cautious not to make concessions which might be prejudicial to their party. Sussex also, in his letters, dropped hints to the same purpose; and Elizabeth herself said to the abbot of Dunfermling, whom Lenox had sent to the court of England, that she would not insist on Mary's restoration, provided the Scots could make the justice of their cause appear to her satisfaction; and that, even if their reasons should fall short of full conviction, she would take effectual care to provide for their future security.

1571. On the 1st of March the parliament of Scotland appointed the earl of Morton and sir James Macgill, together with the abbot of Dunfermling, to manage the treaty. These commissioners presented memorials, containing reasons for the deposition of their queen; and they seconded their arguments with examples drawn from the Scottish history, with the authority of laws, and with the sentiments of many famous divines. The lofty ideas which Elizabeth had entertained, of the absolute, indefeisible right of sovereigns, made her be shocked with these republican topics; and she told the Scottish commissioners, that she was nowise satisfied with their reasons for justifying the conduct of their countrymen; and that they might therefore, without attempting any apology, proceed to open the conditions which they required for their security. They replied, that their commission did not empower them to treat of any terms which might infringe the title and sovereignty of their young king, but they would gladly hear whatever proposals should be made them by her majesty. The conditions recommended by the queen were not disadvantageous to Mary; but as the commissioners still insisted, that they were not authorized to treat in any manner concerning the restoration of that princess, the conferences were necessarily at an end; and Elizabeth dismissed the Scottish commissioners with injunctions, that they should return, after having procured more ample powers from their parliament. The bishop of Ross openly complained to the English council, that they had abused his mistress by fair promises and professions; and Mary herself was no longer at a loss to judge of Elizabeth's insincerity. By reason of these disappointments, matters came still nearer to extremities between the two princesses; and the queen of Scots, finding all her hopes eluded, was more strongly incited to make, at all hazards, every possible attempt for her liberty and security.

An incident also happened about this time, which tended to widen the breach between Mary and Elizabeth, and to increase the vigilance and jealousy of the latter princess. Pope Pius V., who had succeeded Paul, after having endeavoured in vain to conciliate by gentle means the friendship of Elizabeth, whom his predecessor's violence had irritated, issued at last a bull of excommunication against her, deprived her of all title to the crown, and absolved her subjects from their oaths of allegiance. It seems probable that this attack on the queen's authority was made in concert with Mary, who intended by that means to forward the northern rebellion; a measure which was at that time in agitation. John Felton affixed this bull to the gates of the bishop of London's palace; and, scorning either to fly or to deny the fact, he was seized and condemned, and received the crown of martyrdom, for which he seems to have entertained so violent an ambition.

A PARLIAMENT. *April* 2.

A new parliament, after five years' interval, was assembled at Westminster; and as the queen, by the rage of the pope against her, was become still more the head of the ruling party, it might be expected, both from this incident and from her own prudent and vigorous conduct, that her authority over the two houses would be absolutely uncontrollable. It was so in fact; yet is it remarkable, that it prevailed not without some small opposition; and that too arising chiefly from the height of zeal for protestantism; a disposition of the English, which in general contributed extremely to increase the queen's popularity. We shall be somewhat particular in relating the transactions of this session, because they show, as well the extent of the royal power during that age, as the

character of Elizabeth, and the genius of her government. It will be curious also to observe the faint dawn of the spirit of liberty among the English, the jealousy with which that spirit was repressed by the sovereign, the imperious conduct which was maintained in opposition to it, and the ease with which it was subdued by this arbitrary princess.

The lord-keeper Bacon, after the speaker of the commons was elected, told the parliament, in the queen's name, that she enjoined them not to meddle with any matters of state: such was his expression; by which he probably meant, the questions of the queen's marriage and the succession, about which they had before given her some uneasiness: for as to the other great points of government, alliances, peace and war, or foreign negociations, no parliament in that age ever presumed to take them under consideration, or question, in these particulars, the conduct of their sovereign, or of his ministers.

In the former parliament, the puritans had introduced seven bills for a further reformation in religion; but they had not been able to prevail in any one of them. This house of commons had sitten a very few days, when Stricland, a member, revived one of the bills, that for the amendment of the liturgy. The chief objection, which he mentioned, was the sign of the cross in baptism. Another member added the kneeling at the sacrament: and remarked that, if a posture of humiliation were requisite in that act of devotion, it were better that the communicants should throw themselves prostrate on the ground, in order to keep at the widest distance from former superstition.

Religion was a point of which Elizabeth was, if possible, still more jealous than of matters of state. She pretended that, in quality of supreme head or governor of the church, she was fully empowered, by her prerogative alone, to decide all questions which might arise with regard to doctrine, discipline, or worship; and she never would allow her parliaments so much as to take these points into consideration. The courtiers did not forget to insist on this topic: the treasurer of the household, though he allowed that any heresy might be repressed by parliament, (a concession which seems to have been rash and unguarded, since the act, investing the crown with the supremacy, or rather recognising that prerogative, gave the sovereign full power to reform all heresies,) yet he affirmed, that it belonged to the queen alone, as head of the church, to regulate every question of ceremony in worship. The comptroller seconded this argument; insisted on the extent of the queen's prerogative; and said that the house might, from former examples, have taken warning not to meddle with such matters. One Pistor opposed these remonstrances of the courtiers. He was scandalized, he said, that affairs of such infinite consequence (namely, kneeling and making the sign of the cross) should be passed over so slightly. These questions, he added, concern the salvation of souls, and interest every one more deeply than the monarchy of the whole world. This cause he showed to be the cause of God; the rest were all but terrene, yea, trifles in comparison, call them ever so great; subsidies, crowns, kingdoms, he knew not what weight they had when laid in the balance with subjects of such unspeakable importance. Though the zeal of this member seems to have been approved of, the house, overawed by the prerogative, voted upon the question, that a petition should be presented to her majesty, for her licence to proceed further in this bill; and, in the meantime, that they should stop all debate or reasoning concerning it.

Matters would probably have rested here, had not the queen been so highly offended with Stricland's presumption, in moving the bill for reformation of the liturgy, that she summoned him before the council, and prohibited him thenceforth from appearing in the house of commons. This act of power was too violent even for the submissive parliament to endure. Carleton took notice of the matter; complained that the liberties of the house were invaded observed that Stricland was not a private man, but represented a multitude; and moved that he might be sent for, and, if he were guilty of any offence, might answer for it at the bar of the house, which he insinuated to be the only competent tribunal. Yelverton enforced the principles of liberty with still greater boldness. He said, that the precedent was dangerous: and though in this happy time of lenity, among so many good and honourable personages, as were at present invested with authority, nothing of extremity or injury was to be apprehended, yet the times might alter; what now is permitted, might hereafter be construed as duty; and might be enforced even on the ground of the present permission. He added, that all matters not treasonable, or which implied not *too much* derogation of the imperial crown, might, without offence, be introduced into parliament; where every question that concerned the community must be considered, and where even the right of the crown itself must finally be determined. He remarked, that men sat not in that house in their private capacities, but as elected by their country; and though it was proper that the prince should retain his prerogative, yet was that prerogative limited by law: as the sovereign could not of himself make laws, neither could he break them, merely from his own authority.

These principles were popular, and noble, and generous; but the open assertion of them was, at this time, somewhat new in England: and the courtiers were more warranted by present practice, when they advanced a contrary doctrine. The treasurer warned the house to be cautious in their proceedings; neither to venture further than their assured warrant might extend, nor hazard their good opinion with her majesty in any doubtful cause. The member, he said, whose attendance they required, was not restrained on account of any liberty of speech, but for his exhibiting a bill in the house against the prerogative of the queen; a temerity which which was not to be tolerated. And he concluded with observing, that even speeches, made in that house, had been questioned and examined by the sovereign. Cleere, another member, remarked, that the sovereign's prerogative is not so much as disputable, and that the safety of the queen is the safety of the subject. He added, that, in questions of divinity, every man was for his instruction to repair to his ordinary: and he seems to insinuate, that the bishops themselves, for their instruction, must repair to the queen. Fleetwood observed, that, in his memory, he knew a man, who, in the fifth of the present queen, had been called to account for a speech in the house. But lest this example should be deemed too recent, he would inform them, from the parliament-rolls, that, in the reign of Henry V., a bishop was committed to prison by the king's command, on account of his freedom of speech; and the parliament presumed not to go further than to be humble suitors for him: in the subsequent reign the speaker himself was committed with another member; and the house found no other remedy than a like submissive application. He advised the house to have recourse to the same expedient; and not to presume either to send for their member, or demand him as of right. During this speech, those members of the privy-council who sat in the house whispered together; upon which the speaker moved, that the house should make stay of all further proceedings: a motion which was immediately complied with. The queen, finding that the experiment which she had made was likely to excite a great ferment, saved her honour by this silence of the house; and lest the question might be resumed, she sent next day to Stricland her permission to give his attendance in parliament.

Notwithstanding this rebuke from the throne, the zeal of the commons still engaged them to continue the discussion of those other bills which regarded re-

ligion; but they were interrupted by a still more arbitrary proceeding of the queen, in which the lords condescended to be her instruments. This house sent a message to the commons, desiring that a committee might attend them. Some members were appointed for that purpose; and the upper house acquainted them, that the queen's majesty being informed of the articles of reformation which they had canvassed, approved of them, intended to publish them, and to make the bishops execute them, by virtue of her royal authority, as supreme head of the church of England: but that she would not permit them to be treated of in parliament. The house, though they did not entirely stop proceedings on account of this injunction, seem to have been nowise offended at such haughty treatment; and in the issue all the bills came to nothing.

A motion made by Robert Bell, a puritan, against an exclusive patent granted to a company of merchants in Bristol, gave also occasion to several remarkable incidents. The queen, some days after the motion was made, sent orders by the mouth of the speaker, commanding the house to spend little time in motions, and to avoid long speeches. All the members understood that she had been offended, because a matter had been moved which seemed to touch her prerogative. Fleetwood accordingly spoke of this delicate subject. He observed, that the queen had a prerogative of granting patents; that to question the validity of any patent was to invade the royal prerogative; that all foreign trade was entirely subject to the pleasure of the sovereign; that even the statute which gave liberty of commerce, admitted of all prohibitions from the crown, and that the prince, when he granted an exclusive patent, only employed the power vested in him, and prohibited all others from dealing in any particular branch of commerce. He quoted the clerk of the parliament's book, to prove that no man might speak in parliament of the statute of wills, unless the king first gave licence; because the royal prerogative in the wards was thereby touched. He showed likewise the statutes of Edward I., Edward III., and Henry IV., with a saving of the prerogative. And in Edward VI.'s time, the protector was applied to, for his allowance to mention matters of prerogative.

Sir Humphrey Gilbert, the gallant and renowned sea-adventurer, carried these topics still further. He endeavoured to prove the motion made by Bell to be a vain device, and perilous to be treated of; since it tended to the derogation of the prerogative imperial, which whoever should attempt so much as in fancy, could not, he said, be otherwise accounted than an open enemy. For what difference is there between saying that the queen is not to use the privilege of the crown, and saying that she is not queen? And though experience has shown so much clemency in her majesty, as might, perhaps, make subjects forget their duty; it is not good to sport or venture too much with princes. He reminded them of the fable of the hare, who, upon the proclamation that all horned beasts should depart the court, immediately fled, lest his ears should be construed to be horns: and by this apologue he seems to insinuate that even those who heard or permitted such dangerous speeches, would not themselves be entirely free from danger. He desired them to beware, lest, if they meddled further with these matters, the queen might look to her own power; and finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Louis XI. of France, who, as he termed it, delivered the crown from wardship.

Though this speech gave some disgust, nobody, at the time, replied anything, but that sir Humphrey mistook the meaning of the house, and of the member who made the motion: they never had any other purpose, than to represent their grievances, in due and seemly form, unto her majesty. But in a subsequent debate, Peter Wentworth, a man of a superior free spirit, called that speech an insult on the house: noted sir Humphrey's disposition to flatter and fawn on the prince; compared him to the chamelion, which can change itself into all colours, except white; and recommended to the house a due care of liberty of speech, and of the privileges of parliament. It appears, on the whole, that the motion against the exclusive patent had no effect. Bell, the member who first introduced it, was sent for by the council, and was severely reprimanded for his temerity. He returned to the house with such an amazed countenance, that all the members, well informed of the reason, were struck with terror; and during some time no one durst rise to speak of any matter of importance, for fear of giving offence to the queen and the council. Even after the fears of the commons were somewhat abated, the members spoke with extreme precaution; and by employing most of their discourse in preambles and apologies, they showed their conscious terror of the rod which hung over them. Wherever any delicate point was touched, though ever so gently, nay seemed to be approached, though at ever so great a distance, the whisper ran about the house, "The queen will be offended; the council will be extremely displeased:" and by these surmises men were warned of the danger to which they exposed themselves. It is remarkable, that the patent, which the queen defended with such imperious violence, was contrived for the profit of four courtiers, and was attended with the utter ruin of seven or eight thousand of her industrious subjects.

Thus everything which passed the two houses was extremely respectful and submissive; yet did the queen think it incumbent on her, at the conclusion of the session, (29th May,) to check, and that with great severity, those feeble efforts of liberty, which had appeared in the motions and speeches of some members. The lord-keeper told the commons, in her majesty's name, that, though the majority of the lower house had shown themselves in their proceedings discreet and dutiful, yet a few of them had discovered a contrary character, and had justly merited the reproach of audacious, arrogant, and presumptuous: contrary to their duty both as subjects and parliament-men, nay, contrary to the express injunctions given them from the throne at the beginning of the session, injunctions which it might well become them to have better attended to, they had presumed to call in question her majesty's grants and prerogatives. But her majesty warns them, that since they thus wilfully forget themselves, they are otherwise to be admonished: some other species of correction must be found for them; since neither the commands of her majesty, nor the example of their wiser brethren, can reclaim their audacious, arrogant, and presumptuous folly, by which they are thus led to meddle with what nowise belongs to them, and what lies beyond the compass of their understanding.

In all these transactions appears clearly the opinion which Elizabeth had entertained of the duty and authority of parliaments. They were not to canvass any matters of state; still less were they to meddle with the church. Questions of either kind were far above their reach, and were appropriated to the prince alone, or to those councils and ministers with whom he was pleased to intrust them. What then was the office of parliaments? They might give directions for the due tanning of leather, or milling of cloth; for the preservation of pheasants and partridges; for the reparation of bridges and highways; for the punishment of vagabonds or common beggars. Regulations concerning the police of the country came properly under their inspection; and the laws of this kind which they prescribed had, if not a greater yet a more durable authority, than those which were derived only from the proclamations of the sovereign. Precedents or reports could fix a rule for decisions in private property, or the punishment of crimes: but no alteration or innovation in the municipal law could proceed from any other source than the parliament; nor

would the courts of justice be induced to change their established practice by an order in council. But the most acceptable part of parliamentary proceedings was the granting of subsidies; the attainting and punishing of the obnoxious nobility, or any minister of state after his fall; the countenancing of such great efforts of power, as might be deemed somewhat exceptionable, when they proceeded entirely from the sovereign. The redress of grievances was sometimes promised to the people; but seldom could have place, while it was an established rule, that the prerogatives of the crown must not be abridged, or so much as questioned and examined in parliament. Even though monopolies and exclusive companies had already reached an enormous height, and were every day increasing to the destruction of all liberty, and extinction of all industry, it was criminal in a member to propose, in the most dutiful and regular manner, a parliamentary application against any of them.

These maxims of government were not kept secret by Elizabeth, or smoothed over by any fair appearances or plausible pretences. They were openly avowed in her speeches and messages to parliament; and were accompanied with all the haughtiness, nay, sometimes bitterness, of expression, which the meanest servant could look for from his offended master. Yet notwithstanding this conduct, Elizabeth continued to be the most popular sovereign that ever swayed the sceptre of England; because the maxims of her reign were conformable to the principles of the times, and to the opinion generally entertained with regard to the constitution. The continued encroachments of popular assemblies on Elizabeth's successors have so changed our ideas in these matters, that the passages above mentioned appear to us extremely curious, and even at first surprising; but they were so little remarked during the time, that neither Camden, though a contemporary writer, nor any other historian, has taken any notice of them. So absolute indeed was the authority of the crown, that the precious spark of liberty had been kindled, and was preserved, by the puritans alone; and it was to this sect, whose principles appear so frivolous and habits so ridiculous, that the English owe the whole freedom of their constitution. Actuated by that zeal which belongs to innovators, and by the courage which enthusiasm inspires, they hazarded the utmost indignation of their sovereign; and employing all their industry to be elected into parliament, a matter not difficult while a seat was rather regarded as a burden than an advantage,* they first acquired a majority in that assembly, and then obtained an ascendant over the church and monarchy.

The following were the principal laws enacted this session. It was declared treason, during the lifetime of the queen, to affirm, that she was not the lawful sovereign, or that any other possessed a preferable title, or that she was a heretic, schismatic, or infidel, or that the laws and statutes cannot limit and determine the right of the crown and the successor thereof: to maintain in writing or printing, that any person except the *natural issue* of her body, is or ought to be the queen's heir or successor, subjected the person and all his abettors, for the first offence, to imprisonment during a year, and to the forfeiture of half their goods: the second offence subjected them to the penalty of a præmunire. This law was plainly levelled against the queen of Scots and her partisans; and implied an avowal, that Elizabeth never intended to declare her successor. It may be noted, that the usual phrase of *lawful issue*, which the parliament thought indecent towards the queen, as if she could be supposed to have any other, was changed into that of *natural issue*. But this alteration was the source of pleasantry during the time; and some suspected a deeper design, as if Leicester intended, in case of the queen's demise, to produce some bastard of his own, and affirm that he was her offspring.

It was also enacted, that whosoever by bulls should publish absolutions or other rescripts of the pope, or should, by means of them, reconcile any man to the church of Rome, such offenders, as well as those who were so reconciled, should be guilty of treason. The penalty of a præmunire was imposed on every one who imported any *Agnus Dei*, crucifix, or such other implement of superstition, consecrated by the pope. The former laws against usury were enforced by a new statute. A supply of one subsidy and two fifteenths was granted by parliament. The queen, as she was determined to yield to them none of her power, was very cautious in asking them for any supply. She endeavoured, either by a rigid frugality to make her ordinary revenues suffice for the necessities of the crown, or she employed her prerogative, and procured money by the granting of patents, monopolies, or by some such ruinous expedient.

Though Elizabeth possessed such uncontrolled authority over her parliaments, and such extensive influence over her people; though during a course of thirteen years she had maintained the public tranquillity, which was only interrupted by the hasty and ill-concerted insurrection in the north; she was still kept in great anxiety, and felt her throne perpetually totter under her. The violent commotions excited in France and the Low Countries, as well as in Scotland, seemed in one view to secure her against any disturbance; but they served, on more reflection, to instruct her in the danger of her situation, when she remarked that England, no less than these neighbouring countries, contained the seeds of intestine discord, the differences of religious opinion, and the furious intolerance and animosity of the opposite sectaries.

CIVIL WARS OF FRANCE.

The league formed at Bayonne in 1566 for the extermination of the protestants, had not been concluded so secretly but intelligence of it had reached Condé, Coligni, and the other leaders of the hugonots; and finding that the measures of the court agreed with their suspicions, they determined to prevent the cruel perfidy of their enemies, and to strike a blow before the catholics were aware of the danger. The hugonots, though dispersed over the whole kingdom, formed a kind of separate empire; and being closely united, as well by their religious zeal as by the dangers to which they were perpetually exposed, they obeyed, with entire submission, the orders of their leaders, who were ready on every signal to fly to arms. The king and queen-mother were living in great security at Montceaux in Brie, when they found themselves surrounded by protestant troops, which had secretly marched thither from all quarters; and had not a body of Swiss come speedily to their relief, and conducted them with great intrepidity to Paris, they must have fallen, without resistance, into the hands of the malcontents. A battle was afterwards fought in the plains of St. Dennis; where, though the old constable Montmorency, the general of the catholics, was killed combating bravely at the head of his troops, the hugonots were finally defeated. Condé, collecting his broken forces, and receiving a strong re-enforcement from the German protestants, appeared again in the field; and laying siege to Chartres, a place of great importance, obliged the court to agree to a new accommodation.

So great was the mutual animosity of those religionists, that even had the leaders on both sides been ever so sincere in their intentions for peace, and reposed ever so much confidence in each other, it would have been difficult to retain the people in tranquillity; much more, where such extreme jealousy prevailed, and where the court employed every pacification as a snare for their enemies. A plan was laid for seizing the person of the prince and admiral; who narrowly escaped

* It appeared this session, that a bribe of four pour ls had been given to a mayor for a seat in parliament.—D'Ewes, p. 181. It is probable that the former had no other view than the privilege of being free from arrests.

to Rochelle, and summoned their partisans to their assistance. The civil wars were renewed with greater fury than ever, and the parties became still more exasperated against each other. The young duke of Anjou, brother to the king, commanded the forces of the catholics; and fought, in 1569, a great battle at Jarnac with the hugonots, where the prince of Condé was killed and his army defeated. This discomfiture, with the loss of so great a leader, reduced not the hugonots to despair. The admiral still supported the cause; and having placed at the head of the protestants the prince of Navarre, then sixteen years of age, and the young prince of Condé, he encouraged the party rather to perish bravely in the field, than ignominiously by the hands of the executioner. He collected such numbers, so determined to endure every extremity, that he was enabled to make head against the duke of Anjou; and being strengthened by a new re-enforcement of Germans, he obliged that prince to retreat, and to divide his forces.

Coligni then laid siege to Poitiers; and as the eyes of all France were fixed on this enterprise, the duke of Guise, emulous of the renown which his father had acquired by the defence of Metz, threw himself into the place, and so animated the garrison by his valour and conduct, that the admiral was obliged to raise the siege. Such was the commencement of that unrivalled fame and grandeur afterwards attained by this duke of Guise. The attachment which all the catholics had borne to his father was immediately transferred to the son; and men pleased themselves in comparing all the great and shining qualities which seemed in a manner hereditary in that family. Equal in affability, in munificence, in address, in eloquence, and in every quality which engages the affections of men; equal also in valour, in conduct, in enterprise, in capacity; there seemed only this difference between them, that the son, educated in more turbulent times, and finding a greater dissolution of all law and order, exceeded the father in ambition and temerity, and was engaged in enterprises still more destructive to the authority of his sovereign, and to the repose of his native country.

Elizabeth, who kept her attention fixed on the civil commotions of France, was nowise pleased with this new rise of her enemies the Guises; and being anxious for the fate of the protestants, whose interests were connected with her own, she was engaged, notwithstanding her aversion from all rebellion, and from all opposition to the will of the sovereign, to give them secretly some assistance. Besides employing her authority with the German princes, she lent money to the queen of Navarre, and received some jewels as pledges for the loan. And she permitted Henry Champernon to levy, and transport over into France, a regiment of a hundred gentlemen volunteers; among whom Walter Raleigh, then a young man, began to distinguish himself in that great school of military valour. The admiral, constrained by the impatience of his troops, and by the difficulty of subsisting them, fought with the duke of Anjou the battle of Moncontour in Poictou, where he was wounded and defeated. The court of France, notwithstanding their frequent experience of the obstinacy of the hugonots, and the vigour of Coligni, vainly flattered themselves that the force of the rebels was at last finally annihilated; and they neglected further preparations against a foe, who, they thought, could never more become dangerous. They were surprised to hear that this leader had appeared, without dismay, in another quarter of the kingdom; had encouraged the young princes, whom he governed, to like constancy; had assembled an army; had taken the field, and was even strong enough to threaten Paris. The public finances, diminished by the continued disorders of the kingdom, and wasted by so many fruitless military enterprises, could not longer bear the charge of a new armament; and the king, notwithstanding his extreme animosity against the hugonots, was obliged, in 1570, to conclude an accommodation with them, to grant them a pardon for all past offences, and to renew the edicts for liberty of conscience.

Though a pacification was seemingly concluded, the mind of Charles was nowise reconciled to his rebellious subjects; and this accommodation, like all the foregoing, was nothing but a snare by which the perfidious court had projected to destroy at once, without danger, all its formidable enemies. As the two young princes, the admiral, and the other leaders of the hugonots, instructed by past experience, discovered an extreme distrust of the king's intentions, and kept themselves in security at a distance, all possible artifices were employed to remove their apprehensions, and to convince them of the sincerity of the new counsels which seemed to be embraced. The terms of the peace were religiously observed to them; the toleration was strictly maintained; all attempts made by the zealous catholics to infringe it were punished with severity; offices, and favours, and honours, were bestowed on the principal nobility among the protestants; and the king and council everywhere declared, that, tired of civil disorders, and convinced of the impossibility of forcing men's consciences, they were thenceforth determined to allow every one the free exercise of his religion.

Among the other artifices employed to lull the protestants into a fatal security, Charles affected to enter into close connexion with Elizabeth; and as it seemed not the interest of France to forward the union of the two kingdoms of Great Britain, that princess the more easily flattered herself that the French monarch would prefer her friendship to that of the queen of Scots. The better to deceive her, proposals of marriage were made her with the duke of Anjou; a prince whose youth, beauty, and reputation for valour, might naturally be supposed to recommend him to a woman who had appeared not altogether insensible to these endowments. The queen immediately founded on this offer the project of deceiving the court of France; and being intent on that artifice, she laid herself the more open to be deceived. Negociations were entered into with regard to the marriage; terms of the contract were proposed; difficulties started and removed; and the two courts, equally insincere, though not equally culpable, seemed to approach every day nearer to each other in their demands and concessions. The great obstacle seemed to lie in adjusting the difference of religion; because Elizabeth, who recommended toleration to Charles, was determined not to grant it in her own dominions, not even to her husband; and the duke of Anjou seemed unwilling to submit, for the sake of interest, to the dishonour of an apostacy.

The artificial politics of Elizabeth never triumphed so much in any contrivances as in those which were conjoined with her coquetry; and as her character in this particular was generally known, the court of France thought that they might, without danger of forming any final conclusion, venture the further in their concessions and offers to her. The queen also had other motives for dissimulation. Besides the advantage of discouraging Mary's partisans, by the prospect of an alliance between France and England, her situation with Philip demanded her utmost vigilance and attention; and the violent authority established in the Low Countries made her desirous of fortifying herself even with the bare appearance of a new confederacy.

AFFAIRS OF THE LOW COUNTRIES.

The theological controversies which had long agitated Europe had, from the beginning, penetrated into the Low Countries; and as these provinces maintained an extensive commerce, they had early received from every kingdom with which they corresponded, a tincture of religious innovation. An opinion at that time prevailed, which had been zealously propagated by priests, and implicitly received by sovereigns, that heresy was closely connected with rebellion, and that every great or violent alteration in the church involved a like

revolution in the civil government. The forward zeal of the reformers would seldom allow them to wait the consent of the magistrate to their innovations: they became less dutiful when opposed and punished: and though their pretended spirit of reasoning and inquiry was, in reality, nothing but a new species of implicit faith, the prince took the alarm, as if no institutions could be secure from the temerity of their researches. The emperor Charles, who proposed to augment his authority, under pretence of defending the catholic faith, easily adopted these political principles; and notwithstanding the limited prerogative which he possessed in the Netherlands, he published the most arbitrary, severe, and tyrannical edicts against the protestants; and he took care that the execution of these should be no less violent and sanguinary. He was neither cruel nor bigoted in his natural disposition; yet an historian, celebrated for moderation and caution, has computed that in the several persecutions promoted by that monarch, no less than a hundred thousand persons perished by the hands of the executioner.* But these severe remedies, far from answering the purposes intended, had rather served to augment the numbers as well as zeal of the reformers; and the magistrates of the several towns, seeing no end of those barbarous executions, felt their humanity rebel against their principles, and declined any further persecution of the new doctrines.

When Philip succeeded to his father's dominions, the Flemings were justly alarmed with new apprehensions; lest their prince, observing the lenity of the magistrates, should take the execution of the edicts from such remiss hands, and should establish the inquisition in the Low Countries, accompanied with all the iniquities and barbarities which attended it in Spain. The severe and unrelenting character of the man, his professed attachment to Spanish manners, the inflexible bigotry of his principles: all these circumstances increased their terror: and when he departed the Netherlands, with a known intention never to return, the disgust of the inhabitants was extremely augmented, and their dread of those tyrannical orders which their sovereign, surrounded with Spanish ministers, would issue from his cabinet at Madrid. He left the duchess of Parma governess of the Low Countries; and the plain good sense and good temper of that princess, had she been intrusted with the sole power, would have preserved the submission of those opulent provinces, which were lost from that refinement of treacherous and barbarous politics on which Philip so highly valued himself. The Flemings found that the name alone of regent remained with the duchess; that cardinal Granville entirely possessed the king's confidence; that attempts were every day made on their liberties; that a resolution was taken never more to assemble the states; that new bishoprics were arbitrarily erected, in order to enforce the execution of the persecuting edicts; and that, on the whole, they must expect to be reduced to the condition of a province under the Spanish monarchy. The discontents of the nobility gave countenance to the complaints of the gentry, which encouraged the mutiny of the populace; and all orders of men showed a strong disposition to revolt. Associations were formed, tumultuary petitions presented, names of distinction assumed, badges of party displayed; and the current of the people, impelled by religious zeal and irritated by feeble resistance, rose to such a height, that in several towns, particularly in Antwerp, they made an open invasion on the established worship, pillaged the churches and monasteries, broke the images, and committed the most unwarrantable disorders.

The wiser part of the nobility, particularly the prince of Orange, and the counts Egmont and Horn, were alarmed at these excesses, to which their own discontents had at first given countenance; and seconding the wisdom of the governess, they suppressed the dangerous insurrections, punished the ringleaders, and reduced all the provinces to a state of order and submission. But Philip was not contented with the re-establishment of his ancient authority: he considered, that provinces so remote from the seat of government could not be ruled by a limited prerogative; and that a prince, who must entreat rather than command, would necessarily, when he resided not among the people, feel every day a diminution of his power and influence. He determined, therefore, to lay hold of the late popular disorders, as a pretence for entirely abolishing the privileges of the Low Country provinces; and for ruling them thenceforth with a military and arbitrary authority.

In the execution of this violent design, he employed a man, who was a proper instrument in the hands of such a tyrant. Ferdinand of Toledo, duke of Alva, had been educated amidst arms; and having attained a consummate knowledge in the military art, his habits led him to transfer into all government the severe discipline of a camp, and to conceive no measures between prince and subject, but those of rigid command and implicit obedience. This general, in 1568, conducted from Italy to the Low Countries a powerful body of veteran Spaniards: and his avowed animosity to the Flemings, with his known character, struck that whole people with terror and consternation. It belongs not to our subject to relate at length those violences which Alva's natural barbarity, steeled by reflection, and aggravated by insolence, exercised on those flourishing provinces. It suffices to say, that all their privileges, the gift of so many princes, and the inheritance of so many ages, were openly and expressly abolished by edict; arbitrary and sanguinary tribunals erected; the counts Egmont and Horn, in spite of their great merits and past services, brought to the scaffold; multitudes of all ranks thrown into confinement, and thence delivered over to the executioner: and notwithstanding the peaceable submission of all men, nothing was heard of but confiscation, imprisonment, exile, torture, and death.

Elizabeth was equally displeased to see the progress of that scheme, laid for the extermination of the protestants, and to observe the erection of so great a military power, in a state situated in so near a neighbourhood. She gave protection to all the Flemish exiles who took shelter in her dominions; and as many of these were the most industrious inhabitants of the Netherlands, and had rendered that country celebrated for its arts, she reaped the advantage of introducing into England some useful manufactures, which were formerly unknown in that kingdom. Foreseeing that the violent government of Alva could not long subsist without exciting some commotion, she ventured to commit an insult upon him, which she would have been cautious not to hazard against a more established authority. Some Genoese merchants had engaged, by contract with Philip, to transport into Flanders the sum of four hundred thousand crowns; and the vessels, on which this money was embarked, had been attacked in the Channel by some privateers equipped by the French hugonots, and had taken shelter in Plymouth and Southampton. The commanders of the ships pretended that the money belonged to the king of Spain; but the queen, finding upon inquiry that it was the property of Genoese merchants, took possession of it as a loan; and by that means deprived the duke of Alva of this resource in the time of his greatest necessity. Alva, in revenge, seized all the English merchants in the Low Countries, threw them into prison, and confiscated their effects. The queen retaliated by a like violence on the Flemish and Spanish merchants; and gave all the English liberty to make reprisals on the subjects of Philip.

These differences were afterwards accommodated by treaty, and mutual reparations were made to the merchants: but nothing could repair the loss which so

* Cuoti Annal. lib. 1. Father Paul, another great authority, computes, that fifty thousand persons were put to death in the Low Countries alone.

well-timed a blow inflicted on the Spanish government in the Low Countries. Alva, in want of money, and dreading the immediate mutiny of his troops, to whom great arrears were due, imposed by his arbitrary will the most ruinous taxes on the people. He not only required the hundredth penny, and the twentieth of all immoveable goods: he also demanded the tenth of all moveable goods on every sale; an absurd tyranny, which would not only have destroyed all arts and commerce, but even have restrained the common intercourse of life. The people refused compliance: the duke had recourse to his usual expedient of the gibbet: and thus matters came still nearer the last extremities between the Flemings and the Spaniards.

NEW CONSPIRACY OF THE DUKE OF NORFOLK.

All the enemies of Elizabeth, in order to revenge themselves for her insults, had naturally recourse to one policy, the supporting of the cause and pretensions of the queen of Scots; and Alva, whose measures were ever violent, soon opened a secret intercourse with that princess. There was one Rodolphi, a Florentine merchant, who had resided about fifteen years in London, and who, while he conducted his commerce in England, had managed all the correspondence of the court of Rome with the catholic nobility and gentry. He had been thrown into prison at the time when the duke of Norfolk's intrigues with Mary had been discovered; but either no proof was found against him, or the part which he had acted was not very criminal; and he soon after recovered his liberty. This man, zealous for the catholic faith, had formed a scheme, in concert with the Spanish ambassador, for subverting the government, by a foreign invasion and a domestic insurrection; and when he communicated his project, by letter, to Mary, he found that, as she was now fully convinced of Elizabeth's artifices, and despaired of ever recovering her authority, or even her liberty, by pacific measures, she willingly gave her concurrence. The great number of discontented catholics were the chief source of their hopes on the isle of England; and they also observed, that the kingdom was, at that time, full of indigent gentry, chiefly younger brothers, who having at present, by the late decay of the church, and the yet languishing state of commerce, no prospect of a livelihood suitable to their birth, were ready to throw themselves into any desperate enterprise. But in order to inspire life and courage into all these malcontents, it was requisite that some great nobleman should put himself at their head; and no one appeared to Rodolphi, and to the bishop of Ross, who entered into all these intrigues, so proper, both on account of his power and his popularity, as the duke of Norfolk.

This nobleman, when released from confinement in the Tower, had given his promise that he would drop all intercourse with the queen of Scots; but finding that he had lost, and, as he feared, beyond recovery, the confidence and favour of Elizabeth, and being still, in some degree, restrained from his liberty, he was tempted, by impatience and despair, to violate his word, and to open anew his correspondence with the captive princess. A promise of marriage was renewed between them; the duke engaged to enter into all her interests; and as his remorses gradually diminished in the course of these transactions, he was pushed to give his consent to enterprises still more criminal. Rodolphi's plan was, that the duke of Alva should, on some other pretence, assemble a great quantity of shipping in the Low Countries; should transport a body of six thousand foot, and four thousand horse into England; should land them at Harwich, where the duke of Norfolk was to join them with all his friends; should thence march directly to London, and oblige the queen to submit to whatever terms the conspirators should please to impose upon her. Norfolk expressed his assent to this plan; and three letters, in consequence of it, were written in his name by Rodolphi, one to Alva, another to the pope, and a third to the king of Spain; but the duke, apprehensive of the danger, refused to sign them. He only sent to the Spanish ambassador a servant and confidant, named Barker, as well to notify his concurrence in the plan, as to vouch for the authenticity of these letters; and Rodolphi, having obtained a letter of credence from the ambassador, proceeded on his journey to Brussels and to Rome. The duke of Alva and the pope embraced the scheme with alacrity: Rodolphi informed Norfolk of their intentions; and everything seemed to concur in forwarding the undertaking.

Norfolk, notwithstanding these criminal enterprises, had never entirely forgotten his duty to his sovereign, his country, and his religion; and though he had laid the plan both of an invasion and an insurrection, he still flattered himself, that the innocence of his intentions would justify the violence of his measures, and that, as he aimed at nothing but the liberty of the queen of Scots, and the obtaining of Elizabeth's consent to his marriage, he could not justly reproach himself as a rebel and a traitor. It is certain, however, that, considering the queen's vigour and spirit, the scheme, if successful, must finally have ended in dethroning her; and her authority was here exposed to the utmost danger.

TRIAL OF NORFOLK. *January* 12, 1572.

The conspiracy hitherto had entirely escaped the vigilance of Elizabeth, and that of secretary Cecil, who now bore the title of lord Burleigh. It was from another attempt of Norfolk's, that they first obtained a hint, which, being diligently traced, led at last to a full discovery. Mary had intended to send a sum of money to lord Herreis, and her partisans in Scotland; and Norfolk undertook to have it delivered to Bannister, a servant of his, at that time in the north, who was to find some expedient for conveying it to lord Herreis. He intrusted the money to a servant, who was not in the secret, and told him that the bag contained a sum of money in silver, which he was to deliver to Bannister with a letter: but the servant, conjecturing, from the weight and size of the bag, that it was full of gold, carried the letter to Burleigh; who immediately ordered Bannister, Barker, and Hicford, the duke's secretary, to be put under arrest, and to undergo a severe examination. Torture made them confess the whole truth; and as Hicford, though ordered to burn all papers, had carefully kept them concealed under the mats of the duke's chamber, and under the tiles of the house, full evidence now appeared against his master. Norfolk himself, who was entirely ignorant of the discoveries made by his servants, was brought before the council; and though exhorted to atone for his guilt by a full confession, he persisted in denying every crime with which he was charged. The queen always declared, that if he had given her this proof of his sincere repentance, she would have pardoned all his former offences; but finding him obstinate, she committed him to the Tower, and ordered him to be brought to his trial. The bishop of Ross had, on some suspicion, been committed to custody before the discovery of Norfolk's guilt; and every expedient was employed to make him reveal his share in the conspiracy. He at first insisted on his privilege; but he was told, that as his mistress was no longer a sovereign, he would not be regarded as an ambassador, and that, even if that character were allowed, it did not warrant him in conspiring against the sovereign at whose court he resided. As he still refused to answer interrogatories, he was informed of the confession made by Norfolk's servants, after which he no longer scrupled to make a full discovery: and his evidence put the guilt of that noble-

man beyond all question. A jury of twenty-five peers unanimously passed sentence upon him. The trial was quite regular, even according to the strict rules observed at present in these matters; except that the witnesses gave not their evidence in court, and were not confronted with the prisoner: a laudable practice, which was not at that time observed in trials for high-treason.

HIS EXECUTION.

The queen still hesitated concerning Norfolk's execution, whether that she was really moved by friendship and compassion towards a peer of that rank and merit, or that, affecting the praise of clemency, she only put on the appearance of these sentiments. Twice she signed a warrant for his execution, and twice revoked the fatal sentence; and though her ministers and counsellors pushed her to rigour, she still appeared irresolute and undetermined. After four months' hesitation, a parliament was assembled, (8th May,) and the commons addressed her in strong terms for the execution of the duke; a sanction which, when added to the greatness and certainty of his guilt, would, she thought, justify, in the eyes of all mankind, her severity against that nobleman. Norfolk died with calmness and constancy; (2d June;) and though he cleared himself of any disloyal intentions against the queen's authority, he acknowledged the justice of the sentence by which he suffered. That we may relate together affairs of a similar nature, we shall mention, that the earl of Northumberland, being delivered up to the queen by the regent of Scotland, was also, a few months after, brought to the scaffold for his rebellion.

The queen of Scots was either the occasion or the cause of all these disturbances; but as she was a sovereign princess, and might reasonably, from the harsh treatment which she had met with, think herself entitled to use any expedient for her relief, Elizabeth durst not, as yet, form any resolution of proceeding to extremities against her. She only sent lord Delawar, sir Ralph Sadler, sir Thomas Bromley, and Dr. Wilson, to expostulate with her, and to demand satisfaction for all those parts of her conduct, which, from the beginning of her life, had given displeasure to Elizabeth: her assuming the arms of England, refusing to ratify the treaty of Edinburgh, intending to marry Norfolk without the queen's consent, concurring in the northern rebellion, practising with Rodolphi to engage the king of Spain in an invasion of England, procuring the pope's bull of excommunication, and allowing her friends abroad to give her the title of queen of England. Mary justified herself from the several articles of the charge, either by denying the facts imputed to her, or by throwing the blame on others. But the queen was little satisfied with her apology, and the parliament was so enraged against her, that the commons made a direct application for her immediate trial and execution. They employed some topics derived from practice and reason, and the laws of nations; but the chief stress was laid on passages and examples from the Old Testament, which, if considered as a general rule of conduct, (an intention which it is unreasonable to suppose,) would lead to consequences destructive of all principles of humanity and morality. Matters were here carried further than Elizabeth intended; and that princess, satisfied with showing Mary the disposition of the nation, sent to the house her express commands not to deal any further at present in the affair of the Scottish queen. Nothing could be a stronger proof, that the puritanical interest prevailed in the house, than the intemperate use of authorities derived from scripture, especially from the Old Testament; and the queen was so little a lover of that sect, that she was not likely to make any concession merely in deference to their solicitation. She showed, this session, her disapprobation of their schemes in another remarkable instance. The commons had passed two bills for regulating ecclesiastical ceremonies; but she sent them a like imperious message with her former ones; and by the terror of her prerogative, she stopped all further proceeding in those matters.

SCOTCH AFFAIRS.

But though Elizabeth would not carry matters to such extremities against Mary, as were recommended by the parliament, she was alarmed at the great interest and the restless spirit of that princess, as well as her close connexions with Spain: and she thought it necessary both to increase the rigour and strictness of her confinement, and to follow maxims different from those which she had hitherto pursued in her management of Scotland. That kingdom remained still in a state of anarchy. The castle of Edinburgh, commanded by Kirkaldy of Grange, had declared for Mary: and the lords of that party, encouraged by his countenance, had taken possession of the capital, and carried on a vigorous war against the regent. By a sudden and unexpected inroad, they seized that nobleman at Stirling; but finding that his friends, sallying from the castle, were likely to rescue him, they instantly put him to death. The earl of Marre was chosen regent in his room; and found the same difficulties in the government of that divided country. He was therefore glad to accept of the mediation offered by the French and English ambassadors; and to conclude on equal terms a truce with the queen's party. He was a man of a free and generous spirit, and scorned to submit to any dependence on England; and for this reason, Elizabeth, who had then formed intimate connexions with France, yielded with less reluctance to the solicitations of that court, still maintained the appearance of neutrality between the parties, and allowed matters to remain on a balance in Scotland. But affairs soon after took a new turn: Marre died of melancholy, with which the distracted state of the country affected him: Morton was chosen regent; and as this nobleman had secretly taken all his measures with Elizabeth, who no longer relied on the friendship of the French court, she resolved to exert herself more effectually for the support of the party which she had always favoured. She sent sir Henry Killegrew ambassador to Scotland, who found Mary's partisans so discouraged by the discovery and punishment of Norfolk's conspiracy, that they were glad to submit to the king's authority, and accept of an indemnity from all past offences. The duke of Chatelrault and the earl of Huntley, with the most considerable of Mary's friends, laid down their arms on these conditions. The garrison alone of the castle of Edinburgh continued refractory. Kirkaldy's fortunes were desperate; and he flattered himself with the hopes of receiving assistance from the kings of France and Spain, who encouraged his obstinacy, in the view of being able, from that quarter, to give disturbance to England. Elizabeth was alarmed with the danger; she no more apprehended making an entire breach with the queen of Scots, who she found, would not any longer be amused by her artifices; she had an implicit reliance on Morton; and she saw that by the submission of all the considerable nobility, the pacification of Scotland would be an easy, as well as a most important undertaking. She ordered, therefore, sir William Drury, governor of Berwick, to march with some troops and artillery to Edinburgh, and to besiege the castle. The garrison surrendered at discretion: Kirkaldy was delivered into the hands of his countrymen, by whom he was tried, condemned, and executed: secretary Lidington, who had taken part with him, died soon after a voluntary death, as is supposed; and Scotland, submitting entirely to the regent, gave not, during a long time, any further inquietude to Elizabeth

FRENCH AFFAIRS.

The events which happened in France were not so agreeable to the queen's interests and inclinations. The fallacious pacifications, which had been so often made with the hugonots, gave them reason to suspect the present intentions of the court; and, after all the other leaders of that party were deceived into a dangerous credulity, the sagacious admiral still remained doubtful and uncertain. But his suspicions were at last overcome, partly by the profound dissimulation of Charles, partly by his own earnest desire to end the miseries of France, and return again to the performance of his duty towards his prince and country. He considered besides, that as the former violent conduct of the court had ever met with such fatal success, it was not unlikely, that a prince, who had newly come to years of discretion, had appeared not to be riveted in any dangerous animosities or prejudicies, would be induced to govern himself by more moderate maxims. And as Charles was young, was of a passionate, hasty temper, and addicted to pleasure, such deep perfidy seemed either remote from his character, or difficult, and almost impossible, to be so uniformly supported by him. Moved by these considerations, the admiral, the queen of Navarre, and all the hugonots, began to repose themselves in full security, and gave credit to the treacherous caresses and professions of the French court. Elizabeth herself, notwithstanding her great experience and penetration, entertained not the least distrust of Charles's sincerity; and being pleased to find her enemies of the house of Guise removed from all authority, and to observe an animosity every day growing between the French and Spanish monarchs, she concluded a defensive league with the former, (11th April,) and regarded this alliance as an invincible barrier to her throne. Walsingham, her ambassador, sent her over, by every courier, the most satisfactory accounts of the honour, and plain-dealing, and fidelity of that perfidious prince.

MASSACRE OF PARIS.

The better to blind the jealous hugonots, and draw their leaders into the snare prepared for them, Charles offered his sister Margaret in marriage to the prince of Navarre; and the admiral, with all the considerable nobility of the party, had come to Paris, in order to assist at the celebration of these nuptials, which, it was hoped, would finally, if not compose the differences, at least appease the bloody animosity of the two religions. The queen of Navarre was poisoned by orders from the court; the admiral was dangerously wounded by an assassin: yet Charles, redoubling his dissimulation, was still able to retain the hugonots in their security; till, on the evening of St. Bartholomew, (24th August,) a few days after the marriage, the signal was given for a general massacre of those religionists, and the king himself, in person, led the way to these assassinations. The hatred long entertained by the Parisians against the protestants, made them second, without any preparation, the fury of the court; and persons of every condition, age, and sex, suspected of any propensity to that religion, were involved in an undistinguished ruin. The admiral, his son-in-law, Teligni, Soubize, Rochefoucault, Pardaillon, Piles, Lavardin, men who, during the late wars, had signalized themselves by the most heroic actions, were miserably butchered, without resistance; the streets of Paris flowed with blood; and the people, more enraged than satiated with their cruelty, as if repining that death had saved the victims from further insult, exercised on their dead bodies all the rage of the most licentious brutality. About five hundred gentlemen and men of rank perished in this massacre, and near ten thousand of inferior condition. Orders were instantly dispatched to all the provinces for a like general execution of the protestants; and in Roüen, Lyons, and many other cities, the people emulated the fury of the capital. Even the murder of the king of Navarre, and prince of Condé, had been proposed by the duke of Guise; but Charles, softened by the amiable manners of the king of Navarre, and hoping that these young princes might easily be converted to the catholic faith, determined to spare their lives, though he obliged them to purchase their safety by a seeming change of their religion.

Charles, in order to cover this barbarous perfidy, pretended that a conspiracy of the hugonots to seize his person had been suddenly detected; and that he had been necessitated, for his own defence, to proceed to this severity against them. He sent orders to Fenelon, his ambassador in England, to ask an audience, and to give Elizabeth this account of the late transaction. That minister, a man of probity, abhorred the treachery and cruelty of his court; and even scrupled not to declare, that he was now ashamed to bear the name of Frenchman; yet he was obliged to obey his orders, and make use of the apology which had been prescribed to him. He met with that reception from all the courtiers, which he knew, the conduct of his master had so well merited. Nothing could be more awful and affecting than the solemnity of his audience. A melancholy sorrow sat on every face: silence, as in the dead of night, reigned through all the chambers of the royal apartment; the courtiers and ladies, clad in deep mourning, were ranged on each side, and allowed him to pass without affording him one salute or favourable look till he was admitted to the queen herself. That princess received him with a more easy, if not a more gracious countenance; and heard his apology, without discovering any visible symptoms of indignation. She then told him, that though on the first rumour of this dreadful intelligence, she had been astonished that so many brave men and loyal subjects, who rested secure on the faith of their sovereign, should have been suddenly butchered in so barbarous a manner, she had hitherto suspended her judgment, till further and more certain information should be brought her: that the account which he had given, even if founded on no mistake or bad information, though it might alleviate, would by no means remove the blame of the king's counsellors, or justify the strange irregularity of their proceedings: that the same force which, without resistance, had massacred so many defenceless men, could easily have secured their persons, and have reserved them for a trial, and for punishment, by a legal sentence, which would have distinguished the innocent from the guilty; that the admiral, in particular, being dangerously wounded, and environed by the guards of the king, on whose protection he seemed entirely to rely, had no means of escape, and might surely, before his death, have been convicted of the crimes imputed to him: that it was more worthy of a sovereign to reserve in his own hands the sword of justice, than to commit it to bloody murderers, who, being the declared and mortal enemies of the persons accused, employed it without mercy and without distinction: that if these sentiments were just, even supposing the conspiracy of the protestants to be real, how much more so, if that crime was a calumny of their enemies, invented for their destruction! That if, upon inquiry, the innocence of these unhappy victims should afterwards appear, it was the king's duty to turn his vengeance on their defamers, who had thus cruelly abused his confidence, had murdered so many of his brave subjects, and had done what in them lay to cover him with everlasting dishonour: and that, for her part, she should form her judgment of his intentions by his subsequent conduct; and in the mean time should act as desired by the ambassador, and rather pity than blame his master for the extremities to which he had been carried.

Elizabeth was fully sensible of the dangerous situation in which she now stood. In the massacre of Paris, she saw the result of that general conspiracy, formed for the extermination of the protestants; and

she knew that she herself, as the head and protectress of the new religion, was exposed to the utmost fury and resentment of the catholics. The violence and cruelty of the Spaniards in the Low Countries was another branch of the same conspiracy; and as Charles and Philip, two princes nearly allied in perfidy and barbarity as well as in bigotry, had now laid aside their pretended quarrel, and had avowed the most entire friendship, she had reason, as soon as they had appeased their domestic commotions, to dread the effects of their united counsels. The duke of Guise also and his family, whom Charles, in order to deceive the admiral, had hitherto kept at a distance, had now acquired an open and entire ascendant in the court of France; and she was sensible that these princes, from personal as well as political reasons, were her declared and implacable enemies. The queen of Scots, their near relation and close confederate, was the pretender to her throne; and, though detained in custody, was actuated by a restless spirit, and besides her foreign allies, possessed numerous and zealous partisans in the heart of the kingdom. For these reasons, Elizabeth thought it more prudent not to reject all commerce with the French monarch, but still to listen to the professions of friendship which he made her. She allowed even the negociations to be renewed for her marriage with the duke of Alençon, Charles's third brother: those with the duke of Anjou had already been broken off. She sent the earl of Worcester to assist in her name at the baptism of a young princess, born to Charles; but before she agreed to give him this last mark of condescension, she thought it becoming her dignity, to renew her expressions of blame, and even of detestation, against the cruelties exercised on his protestant subjects. Meanwhile, she prepared herself for that attack which seemed to threaten her from the combined power and violence of the Romanists: she fortified Portsmouth, put her fleet in order, exercised her militia, cultivated popularity with her subjects, acted with vigour for the further reduction of Scotland under obedience to the young king, and renewed her alliance with the German princes, who were no less alarmed than herself at these treacherous and sanguinary measures, so universally embraced by the catholics.

FRENCH AFFAIRS. 1573.

But though Elizabeth cautiously avoided coming to extremities with Charles, the greatest security that she possessed against his violence was derived from the difficulties which the obstinate resistance of the hugonots still created to him. Such of that sect as lived near the frontiers, immediately, on the first news of the massacres, fled into England, Germany, or Switzerland; where they excited the compassion and indignation of the protestants, and prepared themselves, with increased forces and redoubled zeal, to return into France, and avenge the treacherous slaughter of their brethren. Those who lived in the middle of the kingdom took shelter in the nearest garrisons occupied by the hugonots; and finding that they could repose no faith in capitulations, and expect no clemency, were determined to defend themselves to the last extremity. The sect, which Charles had hoped at one blow to exterminate, had now an army of eighteen thousand men on foot, and possessed in different parts of the kingdom above a hundred cities, castles, or fortresses; nor could that prince deem himself secure from the invasion threatened him by all the other protestants in Europe. The nobility and gentry of England were roused to such a pitch of resentment, that they offered to levy an army of twenty thousand foot and four thousand horse, to transport them into France, and to maintain them six months at their own charge: but Elizabeth, who was cautious in her measures, and who feared to inflame further the quarrel between the two religions by these dangerous crusades, refused her consent, and moderated the zeal of her subjects. The German princes, less political or more secure from the resentment of France, forwarded the levies made by the protestants; and the young prince of Condé, having escaped from court, put himself at the head of these troops, and prepared to invade the kingdom. The duke of Alençon, the king of Navarre, the family of Montmorency, and many considerable men even among the catholics, displeased, either on a private or public account, with the measures of the court, favoured the progress of the hugonots; and everything relapsed into confusion.....1574. The king, instead of repenting his violent counsels, which had brought matters to such extremities, called aloud for new violences; nor could even the mortal distemper under which he laboured, moderate the rage and animosity by which he was actuated. He died (30th May) without male issue, at the age of twenty-five years; a prince whose character, containing that unusual mixture of dissimulation and ferocity, of quick resentment and unrelenting vengeance, executed the greatest mischiefs and threatened still worse, both to his native country and to all Europe.

Henry, duke of Anjou, who had, some time before, been elected king of Poland, no sooner heard of his brother's death, than he hastened to take possession of the throne of France; and found the kingdom not only involved in the greatest present disorders, but exposed to infirmities, for which it was extremely difficult to provide any suitable remedy.....1575. The people were divided into two theological factions, furious from their zeal, and mutually enraged from the injuries which they had committed or suffered; and as all faith had been violated and moderation banished, it seemed impracticable to find any terms of composition between them. Each party had devoted itself to leaders, whose commands had more authority than the will of the sovereign; and even the catholics, to whom the king was attached, were entirely conducted by the counsels of Guise and his family. The religious connexions had, on both sides, superseded the civil; or rather, (for men will always be guided by present interest,) two empires being secretly formed in the kingdom, every individual was engaged by new views of interest to follow those leaders to whom, during the course of past convulsions, he had been indebted for his honours and preferment.

Henry, observing the low condition of the crown, had laid a scheme for restoring his own authority, by acting as umpire between the parties, by moderating their differences, and by reducing both to a dependence upon himself. He possessed all the talents of dissimulation requisite for the execution of this delicate plan; but being deficient in vigour, application, and sound judgment, instead of acquiring a superiority over both factions, he lost the confidence of both, and taught the partizans of each to adhere still more closely to their particular leaders, whom they found more cordial and sincere in the cause which they espoused. The hugonots were strengthened by the accession of a German army under the prince of Condé and prince Casimir; but much more by the credit and personal virtues of the king of Navarre, who, having fled from court, had placed himself at the head of that formidable party. Henry, in prosecution of his plan entered into a composition with them; and being desirous of preserving a balance between the sects, he granted them peace on the most advantageous conditions. This was the fifth general peace made with the hugonots; but though it was no more sincere on the part of the court than any of the former, it gave the highest disgust to the catholics; and afforded the duke of Guise the desired pretence of declaiming against the measures, and maxims, and conduct of the king.

That artful and bold leader took thence an occasion of reducing his party into a more formed and regular body; and he laid the first foundations of the famous

LEAGUE, which, without paying any regard to the royal authority, aimed at the entire suppression of the hugonots. Such was the unhappy condition of France, from the past severities and violent conduct of its princes, that toleration could no longer be admitted; and a concession for liberty of conscience, which would probably have appeased the reformers, excited the greatest resentment in the catholics.....1577. Henry, in order to divert the force of the league from himself, and even to elude its efforts against the hugonots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists. But his dilatory and feeble measures betrayed his reluctance to the undertaking; and after some unsuccessful attempts, he concluded a new peace which, though less favourable than the former to the protestants, gave no contentment to the catholics. Mutual diffidence still prevailed between the parties; the king's moderation was suspicious to both; each faction continued to fortify itself against that breach, which, they foresaw, must speedily ensue: theological controversy daily whetted the animosity of the sects; and every private injury became the ground of a public quarrel.

The king, hoping, by his artifice and subtlety, to allure the nation into a love of pleasure and repose, was himself caught in the snare; and, sinking into a dissolute indolence, wholly lost the esteem, and, in a great measure, the affections of his people. Instead of advancing such men of character and abilities as were neuters between these dangerous factions, he gave all his confidence to young agreeable favourites, who, unable to prop his falling authority, leaned entirely upon it, and inflamed the general odium against his administration. The public burdens, increased by his profuse liberality, and felt more heavy on a disordered kingdom, became another ground of complaint; and the uncontrolled animosity of parties, joined to the multiplicity of taxes, rendered peace more calamitous than any open state of foreign, or even domestic hostility .....1579. The artifices of the king were too refined to succeed, and too frequent to be concealed; and the plain, direct, and avowed conduct of the duke of Guise on one side, and that of the king of Navarre on the other, drew by degrees the generality of the nation to devote themselves without reserve to one or the other of those great leaders.

The civil commotions of France were of too general importance to be overlooked by the other princes of Europe; and Elizabeth's foresight and vigilance, though somewhat restrained by her frugality, led her to take secretly some part in them. Besides employing on all occasions her good offices in favour of the hugonots, she had expended no inconsiderable sums in levying that army of Germans which the prince of Condé and prince Casimir conducted into France; and notwithstanding her negociations with the court, and her professions of amity, she always considered her own interest as connected with the prosperity of the French protestants, and the depression of the house of Guise. Philip, on the other hand, had declared himself protector of the league; had entered into the closest correspondence with Guise; and had employed all his authority in supporting the credit of that factious leader. The sympathy of religion, which of itself begat a connexion of interests, was one considerable inducement; but that monarch had also in view, the subduing of his rebellious subjects in the Netherlands; who, as they received great encouragement from the French protestants, would, he hoped, finally despair of success, after the entire suppression of their friends and confederates.

CIVIL WARS OF THE LOW COUNTRIES

The same political views which engaged Elizabeth to support the hugonots, would have led her to assist the distressed protestants in the Low Countries; but the mighty power of Philip, the tranquillity of all his other dominions, and the great force which he maintained in these mutinous provinces, kept her in awe, and obliged her, notwithstanding all temptations and all provocations, to preserve some terms of amity with that monarch. The Spanish ambassador represented to her, that many of the Flemish exiles, who infested the seas and preyed on his master's subjects, were received into the harbours of England, and were there allowed to dispose of their prizes; and by these remonstrances the queen found herself under a necessity of denying them all entrance into her dominions. But this measure proved in the issue extremely prejudicial to the interests of Philip. These desperate exiles, finding no longer any possibility of subsistence, were forced to attempt the most perilous enterprises; and they made an assault on the Brille, a seaport town in Holland, where there met with success, and, after a short resistance, became masters of the place. The duke of Alva was alarmed at the danger; and, stopping those bloody executions which he was making on the defenceless Flemings, he hastened with his army to extinguish the flame, which, falling on materials so well prepared for combustion, seemed to menace a general conflagration. His fears soon appeared to be well-grounded. The people in the neighbourhood of the Brille, enraged by that complication of cruelty, oppression, insolence, usurpation, and persecution, under which they and all their countrymen laboured, flew to arms; and in a few days almost the whole province of Holland and that of Zealand had revolted from the Spaniards, and had openly declared against the tyranny of Alva. This event happened in the year 1572.

William, prince of Orange, descended from a sovereign family of great lustre and antiquity in Germany, inheriting the possessions of a sovereign family in France, had fixed his residence in the Low Countries; and on account of his noble birth and immense riches, as well as of his personal merit, was universally regarded as the greatest subject which lived in those provinces. He had opposed, by all regular and dutiful means, the progress of the Spanish usurpations; and when Alva conducted his army into the Netherlands, and assumed the government, this prince, well acquainted with the violent character of the man, and the tyrannical spirit of the court of Madrid, wisely fled from the danger which threatened him, and retired to his paternal estate and dominions in Germany. He was cited to appear before Alva's tribunal, was condemned in absence, was declared a rebel, and his ample possessions in the Low Countries were confiscated. In revenge he had levied an army of protestants in the empire, and had made some attempts to restore the Flemings to liberty; but was still repulsed with loss by the vigilance and military conduct of Alva, and by the great bravery, as well as discipline of those veteran Spaniards who served under that general.

The revolt of Holland and Zealand, provinces which the prince of Orange had formerly commanded, and where he was much beloved, called him anew from his retreat; and he added conduct, no less than spirit, to that obstinate resistance which was here made to the Spanish dominion. By uniting the revolted cities in a league, he laid the foundation of that illustrious commonwealth, the offspring of industry and liberty, whose arms and policy have long made so signal a figure in every transaction of Europe. He inflamed the inhabitants by every motive which religious zeal, resentment, or love of freedom could inspire. Though the present greatness of the Spanish monarchy might deprive them of all courage, he still flattered them with the concurrence of the other provinces, and with assistance from neighbouring states; and he exhorted them, in defence of their religion, their liberties, their lives, to endure the utmost extremities of war. From this spirit proceeded the desperate defence of Harlem; a defence which nothing but the most consuming famine

could overcome, and which the Spaniards revenged by the execution of more than two thousand of the inhabitants. This extreme severity, instead of striking terror into the Hollanders, animated them by despair; and the vigorous resistance made at Alcmaer, where Alva was finally repulsed, showed them that their insolent enemies were not invincible. The duke, finding at last the pernicious effects of his violent counsels, solicited to be recalled: Medinaceli, who was appointed his successor, refused to accept the government: Requesens, commendator of Castile, was sent from Italy to replace Alva; and this tyrant departed from the Netherlands in 1574; leaving his name in execration to the inhabitants, and boasting, in his turn, that, during the course of five years, he had delivered above eighteen thousand of those rebellious heretics into the hands of the executioner.

Requesens, though a man of milder dispositions, could not appease the violent hatred which the revolted Hollanders had conceived against the Spanish government; and the war continued as obstinate as ever. In the siege of Leyden, undertaken by the Spaniards, the Dutch opened the dykes and sluices, in order to drive them from the enterprise; and the very peasants were active in ruining their fields by an inundation, rather than fall again under the hated tyranny of Spain. But notwithstanding this repulse, the governor still pursued the war; and the contest seemed too unequal between so mighty a monarchy and two small provinces, however fortified by nature, and however defended by the desperate resolution of the inhabitants. The prince of Orange, therefore, in 1575, was resolved to sue for foreign succour, and to make applications to one or other of his great neighbours, Henry or Elizabeth. The court of France was not exempt from the same spirit of tyranny and persecution which prevailed among the Spaniards; and that kingdom, torn by domestic dissensions, seemed not to enjoy at present, either leisure or ability to pay regard to foreign interests. But England, long connected, both by commerce and alliance, with the Netherlands, and now more concerned in the fate of the revolted provinces by sympathy in religion, seemed naturally interested in their defence; and as Elizabeth had justly entertained great jealousy of Philip, and governed her kingdom in perfect tranquillity, hopes were entertained, that her policy, her ambition, or her generosity, would engage her to support them under their present calamities. They sent therefore a solemn embassy to London, consisting of St. Aldegonde, Douza, Nivelle, Buys, and Melsen; and after employing the most humble supplications to the queen, they offered her the possession and sovereignty of their provinces, if she would exert her power in their defence.

There were many strong motives which might impel Elizabeth to accept of so liberal an offer. She was apprised of the injuries which Philip had done her, by his intrigues with the malcontents in England and Ireland: she foresaw the danger which she must incur from a total prevalence of the catholics in the Low Countries: and the maritime situation of those provinces, as well as their command over the great rivers, was an inviting circumstance to a nation like the English, who were beginning to cultivate commerce and naval power. But this princess, though magnanimous, had never entertained the ambition of making conquests, or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces; and after taking the inhabitants under her protection, she could never afterwards abandon them, but, however desperate their defence might become, she must embrace it, even further than her convenience or interest would permit. For these reasons, she refused, in positive terms, the sovereignty proferred her; but told the ambassadors, that, in return for the goodwill which the prince of Orange and the States had shown her, she would endeavour to mediate an agreement for them, on the most reasonable terms that could be obtained. She sent accordingly sir Henry Cobham to Philip; and represented to him the danger which he would incur of losing entirely the Low Countries, if France could obtain the least interval from her intestine disorders, and find leisure to offer her protection to those mutinous and discontented provinces. Philip seemed to take this remonstrance in good part; but no accord ensued, and war in the Netherlands continued with the same rage and violence as before.

It was an accident that delivered the Hollanders from their present desperate situation. Requesens, the governor, dying suddenly, the Spanish troops, discontented for want of pay, and licentious for want of a proper authority to command them, broke into a furious mutiny, and threw everything into confusion. They sacked and pillaged the cities of Maestricht and Antwerp, and executed great slaughter on the inhabitants: they threatened the other cities with a like fate: and all the provinces, excepting Luxembourg, united for mutual defence against their violence, and called in the prince of Orange, and the Hollanders, as their protectors. A treaty, commonly called the Pacification of Ghent, was formed by common agreement; and the removal of foreign troops, with the restoration of their ancient liberties, was the object which the provinces mutually stipulated to pursue. Don John of Austria, natural brother to Philip, being appointed governor, found, on his arrival at Luxembourg, that the States had so fortified themselves, and that the Spanish troops were so divided by their situation, that there was no possibility of resistance; and he agreed to the terms required of him. The Spaniards evacuated the country; and these provinces seemed at last to breathe a little from their calamities.

But it was not easy to settle an entire peace, while the thirst of revenge and dominion governed the king of Spain, and while the Flemings were so strongly agitated with resentment of past, and fear of future injuries. The ambition of Don John, who coveted this great theatre for his military talents, engaged him rather to inflame than appease the quarrel; and as he found the States determined to impose very strict limitations on his authority, he broke all articles, seized Namur, and procured the recal of the Spanish army from Italy. This prince, endowed with a lofty genius, and elated by the prosperous successes of his youth, had opened his mind to vast undertakings; and looking much beyond the conquest of the revolted provinces, had projected to espouse the queen of Scots, and to acquire in her right the dominion of the British kingdoms. Elizabeth was aware of his intentions; and seeing now, from the union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, she no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with her own safety. After sending them a sum of money, about twenty thousand pounds, for the immediate pay of their troops, she concluded a treaty with them, in which she stipulated to assist them with five thousand foot, and a thousand horse, at the charge of the Flemings; and to lend them a hundred thousand pounds, on receiving the bonds of some of the most considerable towns of the Netherlands, for her repayment within the year. It was further agreed, that the commander of the English army should be admitted into the council of the States; and nothing be determined concerning war or peace, without previously informing the queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves, it should be referred to her arbitration; and that if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to

that which she had employed in their defence. This alliance was signed on the 7th of January, 1578.

One considerable inducement to the queen for entering into treaty with the States was, to prevent their throwing themselves into the arms of France; and she was desirous to make the king of Spain believe that it was her sole motive. She represented to him, by her ambassador, Thomas Wilkes, that hitherto she had religiously acted the part of a good neighbour and ally; had refused the sovereignty of Holland and Zealand when offered her; had advised the prince of Orange to submit to the king; and had even accompanied her counsel with menaces, in case of his refusal. She persevered, she said, in the same friendly intentions; and as a proof of it, would venture to interpose with her advice for the composure of the present differences. Let Don John, whom she could not but regard as her mortal enemy, be recalled; let some other prince more popular be substituted in his room; let the Spanish armies be withdrawn; let the Flemings be restored to their ancient liberties and privileges; and if, after these concessions, they were still obstinate not to return to their duty, she promised to join her arms with those of the king of Spain, and force them to compliance. Philip dissembled his resentment against the queen; and still continued to supply Don John with money and troops. That prince—though once repulsed at Rimenant by the valour of the English under Norris, and though opposed, as well by the army of the States as by prince Casimir, who had conducted to the Low Countries a great body of Germans, paid by the queen—gained a great advantage over the Flemings at Gembloux; but was cut off in the midst of his prosperity by poison, given him secretly, as was suspected, by orders from Philip, who dreaded his ambition. The prince of Parma succeeded to the command: who, uniting valour and clemency, negociation and military exploits, made great progress against the revolted Flemings, and advanced the progress of the Spaniards by his arts, as well as by his arms.

During these years, while Europe was almost everywhere in great commotion, England enjoyed a profound tranquillity; owing chiefly to the prudence and vigour of the queen's administration, and to the wise precautions which she employed in all her measures. By supporting the zealous protestants in Scotland, she had twice given them the superiority over their antagonists, had closely connected their interests with her own, and had procured herself entire security from that quarter whence the most dangerous invasions could be made upon her. She saw in France, her enemies, the Guises, though extremely powerful, yet counterbalanced by the hugonots, her zealous partisans; and even hated by the king, who was jealous of their restless and exorbitant ambition. The bigotry of Philip gave her just ground of anxiety; but the same bigotry had happily excited the most obstinate opposition among his own subjects, and had created him enemies, whom his arms and policy were not likely soon to subdue. The queen of Scots, her antagonist and rival, and the pretender to her throne, was a prisoner in her hands; and by her impatience and high spirit had been engaged in practices, which afforded the queen a pretence for rendering her confinement more rigorous, and for cutting off her communication with her partisans in England.

Religion was the capital point, on which depended all the political transactions of that age; and the queen's conduct in this particular, making allowance for the prevailing prejudices of the times, could scarcely be accused of severity or imprudence. She established no inquisition into men's bosoms: she imposed no oath of supremacy, except on those who received trust or emolument from the public; and though the exercise of every religion but the established was prohibited by statute, the violation of this law, by saying mass, and receiving the sacrament in private houses, was, in many instances, connived at; while, on the other hand, the catholics, in the beginning of her reign, showed little reluctance against going to church, or frequenting the ordinary duties of public worship. The pope, sensible that this practice would by degrees reconcile all his partisans to the reformed religion, hastened the publication of the bull which excommunicated the queen, and freed her subjects from their oaths of allegiance: and great pains were taken by the emissaries of Rome, to render the breach between the two religions as wide as possible, and to make the frequenting of protestant churches appear highly criminal in the catholics. These practices, with the rebellion which ensued, increased the vigilance and severity of the government; but the Romanists, if their condition were compared with that of the non-conformists in other countries, and with their own maxims where they domineered, could not justly complain of violence or persecution.

The queen appeared rather more anxious to keep a strict hand over the puritans; who, though their pretensions were not so immediately dangerous to her authority, seemed to be actuated by a more unreasonable obstinacy, and to retain claims, of which, both in civil and ecclesiastical matters, it was, as yet, difficult to discern the full scope and intention. Some secret attempts of that sect to establish a separate congregation and discipline had been carefully repressed in the beginning of this reign; and when any of the established clergy discovered a tendency to their principles, by omitting the legal habits or ceremonies, the queen had shown a determined resolution to punish them by fines and deprivation; though her orders to that purpose had been frequently eluded, by the secret protection which these sectaries received from some of her most considerable courtiers.

But what chiefly tended to gain Elizabeth the hearts of her subjects, was, her frugality, which, though carried sometimes to an extreme, led her not to amass treasures, but only to prevent impositions upon her people, who were at that time very little accustomed to bear the burdens of government. By means of her rigid economy, she paid all the debts which she found on the crown, with their full interest; though some of these debts had been contracted even during the reign of her father. Some loans, which she had exacted at the commencement of her reign, were repaid by her; a practice in that age somewhat unusual: and she established her credit on such a footing, that no sovereign in Europe could more readily command any sum, which the public exigencies might at any time require. During this peaceable and uniform government, England furnishes few materials for history; and except the small part which Elizabeth took in foreign transactions, there scarcely passed any occurrence which requires a particular detail.

A PARLIAMENT.

The most memorable event in this period was a session of parliament, held on the 8th of February, 1576; where debates were started, which may appear somewhat curious and singular. Peter Wentworth, a puritan, who had signalized himself in former parliaments by his free and undaunted spirit, opened this session with a premeditated harangue, which drew on him the indignation of the house, and gave great offence to the queen and the ministers. As it seems to contain a rude sketch of those principles of liberty which happily gained afterwards the ascendant in England, it may not be improper to give, in a few words, the substance of it. He premised, that the very name of liberty is sweet; but the thing itself is precious beyond the most inestimable treasure: and that it behoved them to be careful, lest, contenting themselves with the sweetness of the name, they forego the substance, and abandon what of all earthly possessions was of the highest value to the kingdom. He then proceeded to observe, that freedom of speech in that house, a privilege so

useful both to sovereign and subject, had been formerly infringed in many essential articles, and was at present exposed to the most imminent danger: that it was usual, when any subject of importance was handled, especially if it regarded religion, to surmise, that these topics were disagreeable to the queen, and that the further proceeding in them would draw down her indignation upon their temerity: that Solomon had justly affirmed the king's displeasure to be a messenger of death; and it was no wonder if men, even though urged by motives of conscience and duty, should be inclined to stop short, when they found themselves exposed to so severe a penalty: that, by the employing of this argument, the house was incapacitated from serving their country, and even from serving the queen herself; whose ears, besieged by pernicious flatterers, were thereby rendered inaccessible to the most salutary truths: that it was a mockery to call an assembly a parliament, yet deny it that privilege which was so essential to its being, and without which it must degenerate into an abject school of servility and dissimulation: that, as the parliament was the great guardian of the laws, they ought to have liberty to discharge their trust, and to maintain that authority whence even kings themselves derive their being: that a king was constituted such by law, and though he was not dependent on man, yet was he subordinate to God and the law, and was obliged to make their prescriptions, not his own will, the rule of his conduct: that even his commission, as God's vicegerent, enforced, instead of loosening this obligation; since he was thereby invested with authority to execute on earth the will of God, which is nothing but law and justice: that though these surmises of displeasing the queen by their proceedings had impeached, in a very essential point, all freedom of speech, a privilege granted them by a special law; yet was there a more express and more dangerous invasion made on their liberties, by frequent messages from the throne: that it had become a practice, when the house was entering on any question, either ecclesiastical or civil, to bring an order from the queen, inhibiting them absolutely from treating of such matters, and debarring them from all further discussion of these momentous articles: that the prelates, emboldened by her royal protection, had assumed a decisive power in all questions of religion, and required that every one should implicitly submit his faith to their arbitrary determinations: that the love which he bore his sovereign forbade him to be silent under such abuses, or to sacrifice, on this important occasion, his duty to servile flattery and complaisance: and that as no earthly creature was exempt from fault, so neither was the queen herself; but, in imposing this servitude on her faithful commons, had committed a great and even dangerous, fault against herself and the whole commonwealth.

It is easy to observe, from this speech, that, in this dawn of liberty, the parliamentary style was still crude and unformed; and that the proper decorum of attacking ministers and counsellors, without interesting the honour of the crown, or mentioning the person of the sovereign, was not yet entirely established. The commons expressed great displeasure at this unusual licence, they sequestered Wentworth from the house, and committed him prisoner to the serjeant-at-arms. They even ordered him to be examined by a committee, consisting of all those members who were also members of the privy-council; and a report to be next day made to the house. This committee met in the star-chamber, and wearing the aspect of that arbitrary court, summoned Wentworth to appear before them and answer for his behaviour. But though the commons had discovered so little delicacy or precaution, in thus confounding their own authority with that of the star-chamber, Wentworth better understood the principles of liberty, and refused to give these counsellors any account of his conduct in parliament, till he were satisfied that they acted, not as members of the privy-council, but as a committee of the house. He justified his liberty of speech, by pleading the rigour and hardship of the queen's messages: and notwithstanding that the committee showed him, by instances in other reigns, that the practice of sending such messages was not unprecedented, he would not agree to express any sorrow or repentance. The issue of the affair was, that, after a month's confinement, the queen sent to the commons, informing them, that, from her special grace and favour, she had restored him to his liberty, and to his place in the house. By this seeming lenity, she indirectly retained the power which she had assumed, of imprisoning the members, and obliging them to answer before her for their conduct in parliament. And sir Walter Mildmay endeavoured to make the house sensible of her majesty's goodness, in gently remitting the indignation which she might justly conceive at the temerity of their member; but he informed them, that they had not the liberty of speaking what and of whom they pleased: and that indiscreet freedoms used in that house had, both in the present and foregoing ages, met with a proper chastisement. He warned them, therefore, not to abuse further the queen's clemency; lest she be constrained, contrary to her inclination, to turn an unsuccessful lenity into a necessary severity.

The behaviour of the two houses was, in every other respect, equally tame and submissive. Instead of a bill, which was at first introduced, for the reformation of the church, they were contented to present a petition to her majesty for that purpose: and when she told them that she would give orders to her bishops to amend all abuses, and if they were negligent, she would herself, by her supreme power and authority over the church, give such redress as would entirely satisfy the nation, the parliament willingly acquiesced in this sovereign and peremptory decision.

Though the commons showed so little spirit in opposing the authority of the crown, they maintained, this session, their dignity against an encroachment of the peers, and would not agree to a conference which, they thought, was demanded of them in an irregular manner. They acknowledged, however, with all humbleness, (such is their expression,) the superiority of the lords: they only refused to give that house any reason for their proceedings; and asserted, that where they altered a bill sent them by the peers, it belonged to them to desire a conference, not to the upper house to require it.

The commons granted an aid of one subsidy and two fifteenths. Mildmay, in order to satisfy the house concerning the reasonableness of this grant, entered into a detail of the queen's past expenses in supporting the government, and of the increasing charges of the crown, from the daily increase in the price of all commodities. He did not, however, forget to admonish them, that they were to regard this detail as the pure effect of the queen's condescension, since she was not bound to give them any account how she employed her treasure.

CHAPTER XLI.

Affairs of Scotland——Spanish Affairs——Sir Francis Drake——A Parliament——Negociations of Marriage with the Duke of Anjou——Affairs of Scotland——Letter from Queen Mary to Elizabeth——Conspiracies in England——A Parliament——The Ecclesiastical Commission——Affairs of the Low Countries——Hostilities with Spain.

1580. THE greatest and most absolute security that Elizabeth enjoyed during her whole reign, never exempted her from vigilance and attention; but the scene began now to be more overcast, and dangers gradually multiplied on her from more than one quarter.

AFFAIRS OF SCOTLAND.

The earl of Morton had hitherto retained Scotland in strict alliance with the queen, and had also restored domestic tranquillity to that kingdom: but it was not to be expected that the factitious and legal authority of a regent would long maintain itself in a country unacquainted with law and order; where even the natural dominion of hereditary princes so often met with opposition and control. The nobility began anew to break into factions: the people were disgusted with some instances of Morton's avarice: and the clergy, who complained of further encroachments on their narrow revenue, joined and increased the discontent of the other orders. The regent was sensible of his dangerous situation; and having dropped some peevish expressions, as if he were willing or desirous to resign, the noblemen of the opposite party, favourites of the young king, laid hold of this concession, and required that demission which he seemed so frankly to offer them. James was at this time but eleven years of age; yet Morton, having secured himself, as he imagined, by a general pardon, resigned his authority into the hands of the king, who pretended to conduct, in his own name, the administration of the kingdom. The regent retired from the government; and seemed to employ himself entirely in the care of his domestic affairs; but, either tired with this tranquillity, which appeared insipid after the agitations of ambition, or thinking it time to throw off dissimulation, he came again to court; acquired an ascendant in the council; and though he resumed not the title of regent, governed with the same authority as before. The opposite party, after holding separate conventions, took to arms, on pretence of delivering their prince from captivity, and restoring him to the free exercise of his government: queen Elizabeth interposed by her ambassador, sir Robert Bowes, and mediated an agreement between the factions: Morton kept possession of the government; but his enemies were numerous and vigilant; and his authority seemed to become every day more precarious.

The count d'Aubigney, of the house of Lenox, cousin-german to the king's father, had been born and educated in France; and being a young man of good address and a sweet disposition, he appeared to the duke of Guise a proper instrument for detaching James from the English interest, and connecting him with his mother and her relations. He no sooner appeared at Stirling, where James resided, than he acquired the affections of the young monarch; and joining his interest with those of James Stuart, of the house of Ochiltree, a man of profligate manners, who had acquired the king's favour, he employed himself, under the appearance of play and amusement, in instilling into the tender mind of the prince new sentiments of politics and government. He represented to him the injustice which had been done to Mary in her deposition, and made him entertain thoughts either of resigning the crown into her hands, or of associating her with him in the administration. Elizabeth, alarmed at the danger which might ensue from the prevalence of this interest in Scotland, sent anew sir Robert Bowes to Stirling; and, accusing d'Aubigney, now created earl of Lenox, of an attachment to the French, warned James against entertaining such suspicious and dangerous connexions. The king excused himself, by sir Alexander Hume, his ambassador; and Lenox, finding that the queen had openly declared against him, was further confirmed in his intentions of overturning the English interest, and particularly ruining Morton, who was regarded as the head of it. That nobleman was arrested in council, accused as an accomplice in the late king's murder, committed to prison, brought to trial, and condemned to suffer as a traitor. He confessed that Bothwell had communicated to him the design, had pleaded Mary's consent, and had desired his concurrence; but he denied that he himself had ever expressed any approbation of the crime; and, in excuse for his concealing it, he alleged the danger of revealing the secret, either to Henry, who had no resolution nor constancy, or to Mary, who appeared to be an accomplice in the murder. Sir Thomas Randolph was sent by the queen to intercede in favour of Morton; and that ambassador, not content with discharging this duty of his function, engaged, by his persuasion, the earls of Argyle, Montrose, Angus, Marre, and Glencarne, to enter into a confederacy for protecting, even by force of arms, the life of the prisoner. The more to overawe that nobleman's enemies, Elizabeth ordered forces to be assembled on the borders of England: but this expedient served only to hasten his sentence and execution. Morton died with that constancy and resolution which had attended him through all the various events of his life; and left a reputation, which was less disputed with regard to abilities than probity and virtue. But this conclusion of the scene happened not till the subsequent year.

SPANISH AFFAIRS.

Elizabeth was, during this period, extremely anxious on account of every revolution in Scotland; both because that country alone, not being separated from England by sea, and bordering on all the catholic and malcontent counties, afforded her enemies a safe and easy method of attacking her; and because she was sensible, that Mary, thinking herself abandoned by the French monarch, had been engaged by the Guises to have recourse to the powerful protection of Philip, who, though he had not yet come to an open rupture with the queen, was every day, both by the injuries which he committed and suffered, more exasperated against her. That he might retaliate the assistance which she gave to his rebels in the Low Countries, he had sent, under the name of the pope, a body of seven hundred Spaniards and Italians into Ireland; where the inhabitants, always turbulent, and discontented with the English government, were now more alienated by religious prejudices, and were ready to join every invader. The Spanish general, San Josepho, built a fort in Kerry; and being there besieged by the earl of Ormond, president of Munster, who was soon after joined by lord Gray, the deputy, he made a weak and cowardly defence. After some assaults, feebly sustained, he surrendered at discretion; and Gray, who commanded but a small force, finding himself encumbered with so many prisoners, put all the Spaniards and Italians to the sword without mercy, and hanged about fifteen hundred of the Irish: a cruelty which gave great displeasure to Elizabeth.

SIR FRANCIS DRAKE.

When the English ambassador made complaints of this invasion, he was answered by like complaints of the piracies committed by Francis Drake, a bold seaman, who had assaulted the Spaniards in the place where they deemed themselves most secure, in the new world. This man, sprung from mean parents in the county of Devon, having acquired considerable riches by depredations made in the isthmus of Panama, and having there gotten a sight of the Pacific Ocean, was so stimulated by ambition and avarice, that he scrupled not to employ his whole fortune in a new adventure through those seas, so much unknown at that time to all the European nations. By means of sir Christopher Hatton, then vice-chamberlain, a great favourite of the queen's, he obtained her consent and approbation; and he set sail from Plymouth in 1577, with four ships and a pinnace, on board of which were one hundred and sixty-four able sailors. He passed into the South Sea by the Straits of Magellan, and attacking the Spaniards, who expected no enemy in those quarters, he took many rich prizes, and prepared to return with the booty which he had acquired. Apprehensive of being intercepted by the enemy, if he took the same way homewards, by which he had reached the Pacific

Ocean, he attempted to find a passage by the north of California; and failing in that enterprise, he set sail for the East Indies, and returned safely this year by the Cape of Good Hope. He was the first Englishman who sailed round the globe; and the first commander-in-chief: for Magellan, whose ship executed the same adventure, died in his passage. His name became celebrated on account of so bold and fortunate an attempt; but many, apprehending the resentment of the Spaniards, endeavoured to persuade the queen, that it would be more prudent to disavow the enterprise, to punish Drake, and to restore the treasure. But Elizabeth, who admired valour, and was allured by the prospect of sharing in the booty, determined to countenance that gallant sailor; she conferred on him the honour of knighthood, and accepted of a banquet from him at Deptford, on board the ship which had achieved so memorable a voyage. When Philip's ambassador, Mendoza, exclaimed against Drake's piracies, she told him, that the Spaniards, by arrogating a right to the whole new world, and excluding thence all other European nations who should sail thither, even with a view of exercising the most lawful commerce, naturally tempted others to make a violent irruption into those countries. To pacify, however, the catholic monarch, she caused part of the booty to be restored to Pedro Sebura, a Spaniard, who pretended to be agent for the merchants whom Drake had spoiled. Having learned afterwards, that Philip had seized the money, and had employed part of it against herself in Ireland, part of it in the pay of the prince of Parma's troops, she determined to make no more restitutions.

A PARLIAMENT. *January* 16, 1581.

There was another cause, which induced the queen to take this resolution: she was in such want of money, that she was obliged to assemble a parliament, a measure, which, as she herself openly declared, she never embraced, except when constrained by the necessity of her affairs. The parliament, besides granting her a supply of one subsidy and two fifteenths, enacted some statutes for the security of her government, chiefly against the attempts of the catholics. Whoever, in any way, reconciled any one to the church of Rome, or was himself reconciled, was declared to be guilty of treason; to say mass was subjected to the penalty of a year's imprisonment, and a fine of two hundred marks; the being present was punishable by a year's imprisonment, and a fine of one hundred marks: a fine of twenty pounds a month was imposed on every one who continued, during that time, absent from church. To utter slanderous or seditious words against the queen, was punishable, for the first offence, with the pillory and loss of ears; the second offence was declared felony: the writing or printing of such words was felony even on the first offence. The puritans prevailed so far as to have further applications made for reformation in religion: and Paul Wentworth, brother to the member of that name who had distinguished himself in the preceding session, moved, That the commons, from their own authority, should appoint a general fast and prayers: a motion to which the house unwarily assented. For this presumption, they were severely reprimanded by a message from the queen, as encroaching on the royal prerogative and supremacy; and they were obliged to submit, and ask forgiveness.

The queen and parliament were engaged to pass these severe laws against the catholics, by some late discoveries of the treasonable practices of their priests. When the ancient worship was suppressed, and the Reformation introduced into the universities, the king of Spain reflected, that, as some species of literature was necessary for supporting these doctrines and controversies, the Romish communion must decay in England, if no means were found to give erudition to the ecclesiastics: and for this reason, he founded a seminary at Douay, where the catholics sent their children, chiefly such as were intended for the priesthood, in order to receive the rudiments of their education. The cardinal of Lorraine imitated this example, by erecting a like seminary in his diocese of Rheims; and though Rome was somewhat distant, the pope would not neglect to adorn, by a foundation of the same nature, that capital of orthodoxy. These seminaries, founded with so hostile an intention, sent over every year a colony of priests, who maintained the catholic superstition in its full height of bigotry; and being educated with a view to the crown of martyrdom, were not deterred, either by danger or fatigue, from maintaining and propagating their principles. They infused into all their votaries an extreme hatred against the queen, whom they treated as an usurper, a schismatic, a heretic, a persecutor of the orthodox, and one solemnly and publicly anathematized by the holy father. Sedition, rebellion, sometimes assassination, were the expedients by which they intended to effect their purposes against her; and the severe restraint, not to say persecution, under which the catholics laboured, made them the more willingly receive, from their ghostly fathers, such violent doctrines.

These seminaries were all of them under the direction of the jesuits, a new order of regular priests erected in Europe, when the court of Rome perceived, that the lazy monks and beggarly friars, who sufficed in times of ignorance, were no longer able to defend the ramparts of the church, assailed on every side, and that the inquisitive spirit of the age required a society more active and more learned, to oppose its dangerous progress. These men, as they stood foremost in the contest against the protestants, drew on them the extreme animosity of that whole sect, and by assuming a superiority over the other more numerous and more ancient orders of their own communion, were even exposed to the envy of their brethren: so that it is no wonder, if the blame, to which their principles and conduct might be exposed, has, in many instances, been much exaggerated. This reproach, however, they must bear from posterity, that, by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity; and, as their erudition was chiefly of the ecclesiastical and scholastic kind, (though a few members have cultivated polite literature,) they were only the more enabled, by that acquisition, to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purpose, might be justified and defended.

The jesuits, as devoted servants to the court of Rome, exalted the prerogative of the sovereign pontiff above all earthly power; and, by maintaining his authority of deposing kings, set no bounds either to his spiritual or temporal jurisdiction. This doctrine became so prevalent among the zealous catholics in England, that the excommunication fulminated against Elizabeth excited many scruples of a singular kind, to which it behoved the holy father to provide a remedy. The bull of Pius, in absolving the subjects from their oaths of allegiance, commanded them to resist the queen's usurpation; and many Romanists were apprehensive, that, by this clause, they were obliged in conscience, even though no favourable opportunity offered, to rebel against her, and that no dangers or difficulties could free them from this indispensable duty. But Parsons and Campion, two jesuits, were sent over with a mitigation and explanation of the doctrine; and they taught their disciples, that though the bull was for ever binding on Elizabeth and her partisans; it did not oblige the catholics to obedience, except when the sovereign pontiff should think proper, by a new summons, to require it. Campion was afterwards de-

tected in treasonable practices; and being put to the rack, and confessing his guilt, he was publicly executed. His execution was ordered at the very time when the duke of Anjou was in England, and prosecuted, with the greatest appearance of success, his marriage with the queen; and this severity was probably intended to appease her protestant subjects, and to satisfy them, that whatever measures she might pursue, she never would depart from the principles of the Reformation.

NEGOCIATIONS OF MARRIAGE WITH THE DUKE OF ANJOU.

The duke of Alençon, now created duke of Anjou, had never entirely dropped his pretensions to Elizabeth; and that princess, though her suitor was near twenty-five years younger than herself, and had no knowledge of her person, but by pictures or descriptions, was still pleased with the image, which his addresses afforded her, of love and tenderness. The duke, in order to forward his suit, besides employing his brother's ambassador, sent over Simier, an agent of his own; an artful man, of an agreeable conversation, who, soon remarking the queen's humour, amused her with gay discourse, and instead of serious political reasonings, which, he found, only awakened her ambition, and hurt his master's interests, he introduced every moment all the topics of passion and of gallantry. The pleasure which she found in this man's company soon produced a familiarity between them; and amidst the greatest hurry of business, her most confidential ministers had not such ready access to her as had Simier, who, on pretence of negociation, entertained her with accounts of the tender attachment borne her by the duke of Anjou. The earl of Leicester, who had never before been alarmed with any courtship paid her, and who always trusted, that her love of dominion would prevail over her inclination to marriage, began to apprehend that she was at last caught in her own snare, and that the artful encouragement which she had given to this young suitor had unawares engaged her affections. To render Simier odious, he availed himself of the credulity of the times, and spread reports, that that minister had gained an ascendant over the queen, not by any natural principles of her constitution, but by incantations and love potions. Simier, in revenge, endeavoured to discredit Leicester with the queen: and he revealed to her a secret, which none of her courtiers dared to disclose, that this nobleman was secretly, without her consent, married to the widow of the earl of Essex; an action which the queen interpreted either to proceed from want of respect to her, or as a violation of their mutual attachment; and which so provoked her, that she threatened to send him to the Tower. The quarrel went so far between Leicester and the French agent, that the former was suspected of having employed one Tudor, a bravo, to take away the life of his enemy; and the queen thought it necessary, by proclamation, to take Simier under her immediate protection. It happened, that while Elizabeth was rowed in her barge on the Thames, attended by Simier, and some of her courtiers, a shot was fired which wounded one of the bargemen: but the queen finding, upon inquiry, that the piece had been discharged by accident, gave the person his liberty, without further punishment. So far was she from entertaining any suspicion against her people, that she was often heard to say, "That she would lend credit to nothing against them, which parents would not believe of their own children."

The duke of Anjou, encouraged by the accounts sent him of the queen's prepossessions in his favour, paid her secretly a visit at Greenwich; and after some conference with her, the purport of which is not known, he departed. It appeared that, though his figure was not advantageous, he had lost no ground by being personally known to her; and soon after, she commanded Burleigh, now treasurer, Sussex, Leicester, Bedford, Lincoln, Hatton, and secretary Walsingham, to concert with the French ambassadors the terms of the intended contract of marriage. Henry had sent over on this occasion a splendid embassy, consisting of Francis de Bourbon, prince dauphin, and many considerable noblemen; and as the queen had in a manner the power of prescribing what terms she pleased, the articles were soon settled with the English commissioners. It was agreed that the marriage should be celebrated within six weeks after the ratification of the articles; that the duke and his retinue should have the exercise of their religion; that after the marriage he should bear the title of king, but the administration remain solely in the queen; that their children, male or female, should succeed to the crown of England; that if there be two males, the elder, in case of Henry's death without issue, should be king of France, the younger of England; that if there be but one male, and he succeed to the crown of France, he should be obliged to reside in England eight months every two years; that the laws and customs of England should be preserved inviolate; and that no foreigner should be promoted by the duke to any office in England.

These articles, providing for the security of England, in case of its annexation to the crown of France, opened but a dismal prospect to the English; had not the age of Elizabeth, who was now in her forty-ninth year, contributed very much to allay their apprehensions of this nature. The queen also, as a proof of her still remaining uncertainty, added a clause, that she was not bound to complete the marriage till further articles, which were not specified, should be agreed on between the parties, and till the king of France be certified of this agreement. Soon after, the queen sent over Walsingham, as ambassador to France, in order to form closer connexions with Henry, and enter into a league offensive and defensive against the increasing power and dangerous usurpations of Spain. The French king, who had been extremely disturbed with the unquiet spirit, the restless ambition, the enterprising yet timid and inconstant disposition of Anjou, had already sought to free the kingdom from his intrigues, by opening a scene for his activity in Flanders; and having allowed him to embrace the protection of the States, had secretly supplied him with men and money for the undertaking. The prospect of settling him in England, was for a like reason very agreeable to that monarch; and he was desirous to cultivate, by every expedient, the favourable sentiments which Elizabeth seemed to entertain towards him. But this princess, though she had gone further in her amorous dalliance than could be justified or accounted for by any principles of policy, was not yet determined to carry matters to a final conclusion; and she confined Walsingham in his instructions to negociating conditions of a mutual alliance between France and England. Henry with reluctance submitted to hold conferences on the subject: but no sooner had Walsingham begun to settle the terms of alliance, than he was informed that the queen, foreseeing hostility with Spain to be the result of this confederacy, had declared that she would prefer the marriage with the war, before the war without the marriage. The French court, pleased with this change of resolution, broke off the conferences concerning the league, and opened a negociation for the marriage. But matters had not long proceeded in this train before the queen again declared for the league in preference to the marriage, and ordered Walsingham to renew the conferences for that purpose. Before he had leisure to bring this point to maturity, he was interrupted by a new change of resolution: and not only the court of France, but Walsingham himself, Burleigh, and all the wisest ministers of Elizabeth, were in amazement, doubtful

where this contest between inclination and reason, love and ambition, would at last terminate. [*See note* 4 A, *at the end of this Vol.*]

In the course of this affair, Elizabeth felt another variety of intentions, from a new contest between reason and her ruling passions. The duke of Anjou expected from her some money, by which he might be enabled to open the campaign in Flanders; and the queen herself, though her frugality made her long reluctant, was sensible that this supply was necessary; and she was at last induced, after much hesitation, to comply with his request. She sent him a present of a hundred thousand crowns; by which, joined to his own demesnes, and the assistance of his brother and the queen-dowager, he levied an army, and took the field against the prince of Parma. He was successful in raising the siege of Cambray; and being chosen by the States governor of the Netherlands, he put his army into winter-quarters, and came over to England in order to prosecute his suit to the queen. The reception which he met with made him expect entire success, and gave him hopes that Elizabeth had surmounted all scruples, and was finally determined to make choice of him for her husband. In the midst of the pomp which attended the anniversary of her coronation, (17th November,) she was seen, after long and intimate discourse with him, to take a ring from her own finger, and to put it upon his; and all the spectators concluded, that in this ceremony she had given him a promise of marriage, and was even desirous of signifying her intentions to all the world. St. Aldegonde, ambassador from the States, dispatched immediately a letter to his masters, informing them of this great event; and the inhabitants of Antwerp, who as well as other Flemings regarded the queen as a kind of tutelar divinity, testified their joy by bonfires and the discharge of their great ordnance. A puritan of Lincoln's Inn had written a passionate book, which he intitled, "The Gulph in which England will be swallowed by the French marriage." He was apprehended and prosecuted by order of the queen, and was condemned to lose his right hand as a libeller. Such was the constancy and loyalty of the man, that immediately after the sentence was executed, he took off his hat with his other hand, and waving it over his head, cried, "God save the queen!"

But notwithstanding this attachment which Elizabeth so openly discovered to the duke of Anjou, the combat of her sentiments was not entirely over; and her ambition, as well as prudence, rousing itself by intervals, still filled her breast with doubt and hesitation. Almost all the courtiers whom she trusted and favoured, Leicester, Hatton, and Walsingham, discovered an extreme aversion to the marriage; and the ladies of her bedchamber made no scruple of opposing her resolution with the most zealous remonstrances. Among other enemies to the match, sir Philip, son of sir Henry Sidney, deputy of Ireland, and nephew of Leicester, a young man the most accomplished of the age, declared himself: and he used the freedom to write her a letter, in which he dissuaded her from her present resolution, with an unusual elegance of expression, as well as force of reasoning. He told her, that the security of her government depended entirely on the affections of her protestant subjects; and she could not, by any measure, more effectually disgust them, than by espousing a prince who was son of the perfidious Catherine, brother to the cruel and perfidious Charles, and who had himself imbrued his hands in the blood of the innocent and defenceless protestants: that the catholics were her mortal enemies, and believed either that she had usurped the crown, or was now lawfully deposed by the pope's bull of excommunication; and nothing had ever so much elevated their hopes as the prospect of her marriage with the duke of Anjou: that her chief security at present against the efforts of so numerous, rich, and united a faction, was, that they possessed no head who could conduct their dangerous enterprises; and she herself was rashly supplying that defect, by giving an interest in the kingdom to a prince whose education had zealously attached him to that communion: that though he was a stranger to the blood-royal of England, the dispositions of men were now such that they preferred the religious to the civil connexions; and were more influenced by sympathy in theological opinions, than by the principles of legal and hereditary government: that the duke himself had discovered a very restless and turbulent spirit; and having often violated his loyalty to his elder brother and his sovereign, there remained no hopes that he would passively submit to a woman whom he might in quality of a husband think himself entitled to command: that the French nation, so populous, so much abounding in soldiers, so full of nobility who were devoted to arms, and for some time accustomed to serve for plunder, would supply him with partisans dangerous to a people unwarlike and defenceless like the generality of her subjects: that the plain and honourable path which she had followed, of cultivating the affections of her people, had hitherto rendered her reign secure and happy; and however her enemies might seem to multiply upon her, the same invincible rampart was still able to protect and defend her: that so long as the throne of France was filled by Henry or his posterity, it was in vain to hope that the ties of blood would insure the amity of that kingdom, preferably to the maxims of policy or the prejudices of religion; and if ever the crown devolved on the duke of Anjou, the conjunction of France and England would prove rather a burden than a protection to the latter kingdom; that the example of her sister Mary was sufficient to instruct her in the danger of such connexions; and to prove that the affection and confidence of the English could never be maintained where they had such reason to apprehend that their interests would every moment be sacrificed to those of a foreign and hostile nation: that notwithstanding these great inconveniences, discovered by past experience, the house of Burgundy, it must be confessed, was more popular in the nation than the family of France; and, what was of chief moment, Philip was of the same communion with Mary, and was connected with her by this great band of interest and affection: and that however the queen might remain childless, even though old age should grow upon her, the singular felicity and glory of her reign would preserve her from contempt; the affections of her subjects, and those of all the protestants in Europe, would defend her from danger; and her own prudence, without other aid or assistance, would baffle all the efforts of her most malignant enemies.

1582. These reflections kept the queen in great anxiety and irresolution; and she was observed to pass several nights without any sleep or repose. At last her settled habits of prudence and ambition prevailed over her temporary inclination; and having sent for the duke of Anjou, she had a long conference with him in private, where she was supposed to have made him apologies for breaking her former engagements. He expressed great disgust on his leaving her; threw away the ring which she had given him; and uttered many curses on the mutability of women, and of islanders. Soon after, he went over to his government of the Netherlands; lost the confidence of the States by a rash and violent attempt on their liberties; was expelled that country; retired into France, and there died. The queen, by timely reflection, saved herself from the numerous mischiefs which must have attended so imprudent a marriage: and the distracted state of the French monarchy prevented her from feeling any effects of that resentment which she had reason to dread from the affront so wantonly put upon that royal family.

AFFAIRS OF SCOTLAND.

The anxiety of the queen from the attempts of the English catholics never ceased during the whole course

of her reign; but the variety of revolutions which happened in all the neighbouring kingdoms, was the source sometimes of her hopes, sometimes of her apprehensions. This year the affairs of Scotland strongly engaged her attention. The influence which the earl of Lenox, and James Stuart, who now assumed the title of earl of Arran, had acquired over the young king, was but a slender foundation of authority; while the generality of the nobles and all the preachers were so much discontented with their administration. The assembly of the church appointed a solemn fast; of which one of the avowed reasons was the danger to which the king was exposed from the company of wicked persons: and on that day the pulpits resounded with declamations against Lenox, Arran, and all the present counsellors. When the minds of the people were sufficiently prepared by these lectures, a conspiracy of the nobility was formed, probably with the concurrence of Elizabeth, for seizing the person of James at Ruthven, a seat of the earl of Gowry's; and the design, being kept secret, succeeded without any opposition. (23rd August.) The leaders in this enterprise were, the earl of Gowry himself, the earl of Marre, the lords Lindesey and Boyd, the masters of Glamis and Oliphant, the abbots of Dunfermline, Paisley, and Cambuskenneth. The king wept when he found himself detained a prisoner; but the master of Glamis said, "No matter for his tears: better that boys weep than bearded men:" an expression which James could never afterwards forgive. But notwithstanding his resentment, he found it necessary to submit to the present necessity. He pretended an entire acquiescence in the conduct of the associators; acknowledged the detention of his person to be acceptable service; and agreed to summon both an assembly of the church and a convention of estates, in order to ratify that enterprise.

The assembly, though they had established it as an inviolable rule, that the king on no account and on no pretence should ever intermeddle in ecclesiastical matters, made no scruple of taking civil affairs under their cognizance, and of deciding on this occasion, that the attempt of the conspirators was acceptable to all that feared God, or tendered the preservation of the king's person, and prosperous state of the realm. They even enjoined all the clergy to recommend these sentiments from the pulpit; and they threatened with ecclesiastical censures every man who should oppose the authority of the confederated lords. The convention, being composed chiefly of these lords themselves, added their sanction to these proceedings. Arran was confined a prisoner in his own house: Lenox, though he had power to resist, yet, rather than raise a civil war, or be the cause of bloodshed, chose to retire into France, where he soon after died. He persevered to the last in the protestant religion, to which James had converted him, but which the Scottish clergy could never be persuaded that he had sincerely embraced. The king sent for his family, restored his son to his paternal honours and estate, took care to establish the fortunes of all his other children; and to his last moments never forgot the early friendship which he had borne their father—a strong proof of the good dispositions of the prince.

No sooner was this revolution known in England than the queen sent sir Henry Cary and sir Robert Bowes to James, in order to congratulate him on his deliverance from the pernicious counsels of Lenox and Arran; to exhort him not to resent the seeming violence committed on him by the confederated lords; and to procure from him permission for the return of the earl of Angus, who ever since Morton's fall had lived in England. They easily prevailed in procuring the recal of Angus; and as James suspected that Elizabeth had not been entirely unacquainted with the project of his detention, he thought proper before the English ambassadors to dissemble his resentment against the authors of it.....1583. Soon after, La Mothe-Fenelon, and Menneville, appeared as ambassadors from France: their errand was to inquire concerning the situation of the king, make professions of their master's friendship, confirm the ancient league with France, and procure an accommodation between James and the queen of Scots. This last proposal gave great umbrage to the clergy; and the assembly voted the settling of terms between the mother and son to be a most wicked undertaking. The pulpits resounded with declamations against the French ambassadors; particularly Fenelon, whom they called the messenger of the bloody murderer, meaning the duke of Guise: and as that minister, being knight of the Holy Ghost, wore a white cross on his shoulder, they commonly denominated it in contempt, the badge of antichrist. The king endeavoured, though in vain, to repress these insolent reflections; but in order to make the ambassadors some compensation, he desired the magistrates of Edinburgh to give them a splendid dinner before their departure. To prevent this entertainment, the clergy appointed that very day for a public fast; and finding that their orders were not regarded, they employed their sermons in thundering curses on the magistrates, who, by the king's direction, had put this mark of respect on the ambassadors. They even pursued them afterwards with the censures of the church; and it was with difficulty they were prevented from issuing the sentence of excommunication against them, on account of their submission to royal, preferably to clerical, authority.

LETTER OF MARY TO ELIZABETH.

What increased their alarm with regard to an accommodation between James and Mary was, that the English ambassadors seemed to concur with the French in this proposal; and the clergy were so ignorant as to believe the sincerity of the professions made by the former. The queen of Scots had often made overtures to Elizabeth, which had been entirely neglected; but hearing of James's detention, she wrote a letter in a more pathetic and more spirited strain than usual; craving the assistance of that princess both for her own and her son's liberty. She said, that the account of the prince's captivity had excited her most tender concern; and the experience which she herself, during so many years, had of the extreme infelicity attending that situation, had made her the more apprehensive lest a like fate should pursue her unhappy offspring: that the long train of injustice which she had undergone, the calumnies to which she had been exposed, were so grievous, that finding no place for right or truth among men, she was reduced to make her last appeal to Heaven, the only competent tribunal between princes of equal jurisdiction, degree, and dignity: that after her rebellious subjects, secretly instigated by Elizabeth's ministers, had expelled her the throne, had confined her in prison, had pursued her with arms, she had voluntarily thrown herself under the protection of England; fatally allured by those reiterated professions of amity which had been made her, and by her confidence in the generosity of a friend, an ally, and a kinswoman: that, not content with excluding her from her presence, with supporting the usurpers of her throne, with contributing to the destruction of her faithful subjects, Elizabeth had reduced her to a worse captivity than that from which she had escaped, and had made her this cruel return for the unlimited confidence which she had reposed in her: that though her resentment of such severe usage had never carried her further than to use some disappointed efforts for her deliverance, unhappy for herself, and fatal to others, she found the rigours of confinement daily multiplied upon her; and at length carried to such a height that it surpassed the bounds of all human patience any longer to endure them: that she was cut off from all communication, not only with the rest of mankind, but with her only son; and her maternal fondness, which

was now more enlivened by their unhappy sympathy in situation, and was her sole remaining attachment to this world, deprived even of that melancholy solace which letters or messages could give: that the bitterness of her sorrows, still more than her close confinement, had preyed upon her health, and had added the insufferable weight of bodily infirmity to all those other calamities under which she laboured: that while the daily experience of her maladies opened to her the comfortable prospect of an approaching deliverance into a region where pain and sorrow are no more, her enemies envied her that last consolation; and having secluded her from every joy on earth, had done what in them lay to debar her from all hopes in her future and eternal existence: that the exercise of her religion was refused her; the use of those sacred rites in which she had been educated; the commerce with those holy ministers whom Heaven had appointed to receive the acknowledgment of our transgressions, and to seal our penitence by a solemn re-admission into heavenly favour and forgiveness; that it was in vain to complain of the rigours of persecution exercised in other kingdoms, when a queen and an innocent woman was excluded from an indulgence which never yet, in the most barbarous countries, had been denied to the meanest and most obnoxious malefactor: that could she ever be induced to descend from that royal dignity in which providence had placed her, or depart from her appeal to Heaven, there was only one other tribunal to which she would appeal from all her enemies; to the justice and humanity of Elizabeth's own breast, and to that lenity which, uninfluenced by malignant counsel, she would naturally be induced to exercise towards her; and that she finally entreated her to resume her natural disposition, and to reflect on the support, as well as comfort which she might receive from her son and herself, if, joining the obligations of gratitude to the ties of blood, she would deign to raise them from their present melancholy situation, and reinstate them in that liberty and authority to which they were entitled.

Elizabeth was engaged to obstruct Mary's restoration, chiefly because she foresaw an unhappy alternative attending that event. If this princess recovered any considerable share of authority in Scotland, her resentment, ambition, zeal, and connexions, both domestic and foreign, might render her a dangerous neighbour to England, and enable her, after suppressing the protestant party among her subjects, to revive those pretensions which she had formerly advanced to the crown, and which her partisans in both kingdoms still supported with great industry and assurance. If she were reinstated in power with such strict limitations as could not be broken, she might be disgusted with her situation; and flying abroad, form more desperate attempts than any sovereign who had a crown to hazard would willingly undertake. Mary herself, sensible of these difficulties, and convinced by experience that Elizabeth would for ever debar her the throne, was now become more humble in her wishes; and as age and infirmities had repressed those sentiments of ambition by which she had formerly been so much actuated, she was willing to sacrifice all her hopes of grandeur in order to obtain a little liberty; a blessing to which she naturally aspired with the fondest impatience. She proposed therefore, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain solely in him: and she was content to live in England in a private station, and even under a kind of restraint; but with some more liberty, both for exercise and company, than she had enjoyed since the first discovery of her intrigues with the duke of Norfolk. But Elizabeth, afraid lest such a loose method of guarding her would facilitate her escape into France or Spain, or at least would encourage and increase her partisans, and enable her to conduct those intrigues to which she had already discovered so strong a propensity, was secretly determined to deny her requests; and though she feigned to assent to them, she well knew how to disappoint the expectations of that unhappy princess. While Lenox maintained his authority in Scotland, she never gave any reply to all the applications made to her by the Scottish queen: at present, when her own creatures had acquired possession of the government, she was resolved to throw the odium of refusal upon them; and pretending that nothing further was required to a perfect accommodation than the concurrence of the council of state in Scotland, she ordered her ambassador, Bowes, to open the negociation for Mary's liberty, and her association with her son in the title to the crown. Though she seemed to make this concession to Mary, she refused her the liberty of sending any ambassador of her own; and that princess could easily conjecture from this circumstance what would be the result of the pretended negociation. The privy-council of Scotland, instigated by the clergy, rejected all treaty; and James, who was now a captive in their hands, affirmed that he had never agreed to an association with his mother, and that the matter had never gone further than some loose proposals for that purpose.

The affairs of Scotland remained not long in the present situation. James, impatient of restraint, made his escape from his keepers; and flying to St. Andrews, summoned his friends and partisans to attend him. The earls of Argyle, Marshal, Montrose, and Rothes, hastened to pay their duty to their sovereign; and the opposite party found themselves unable to resist so powerful a combination. They were offered a pardon upon their submission, and an acknowledgment of their fault in seizing the king's person, and restraining him from his liberty. Some of them accepted of the terms: the greater number, particularly Angus, Hamilton, Marre, Glamis, left the country, and took shelter in Ireland or England, where they were protected by Elizabeth. The earl of Arran was recalled to court; and the malcontents, who could not brook the authority of Lenox, a man of virtue and moderation, found that by their resistance, they had thrown all power into the hands of a person whose counsels were as violent as his manners were profligate.

Elizabeth wrote a letter to James; in which she quoted a moral sentence from Isocrates, and indirectly reproached him with inconstancy, and a breach of his engagements. James, in his reply, justified his measures; and retaliated by returning two passages of Isocrates against *her*. She next sent Walsingham on an embassy to him; and her chief purpose in employing that aged minister in an errand where so little business was to be transacted, was to learn from a man of so much penetration and experience, the real character of James. This young prince possessed good parts, though not accompanied with that vigour and industry which his station required; and as he excelled in general discourse and conversation, Walsingham entertained a higher idea of his talents than he was afterwards found, when real business was transacted, to have fully merited. The account which he gave his mistress induced her to treat James thenceforth with some more regard than she had hitherto been inclined to pay him.

1584. The king of Scots, persevering in his present views, summoned a parliament; where it was enacted, that no clergyman should presume in his sermons to utter false, untrue, or scandalous speeches against the king, the council, or the public measures, or to meddle in an improper manner with the affairs of his majesty and the states. The clergy, finding that the pulpit would be no longer a sanctuary for them, were extremely offended: they said that the king was become popish in his heart; and they gave their adversaries the epithets of gross libertines, belly gods, and infamous persons. The violent conduct of Arran soon brought over the popularity to their side. The earl of

Gowrie, though pardoned for the late attempt, was committed to prison, was tried on some new accusations, condemned and executed. Many innocent persons suffered from the tyranny of this favourite; and the banished lords, being assisted by Elizabeth, now found the time favourable for the recovery of their estates and authority. After they had been foiled in one attempt upon Stirling, they prevailed in another; and being admitted to the king's presence, were pardoned and restored to his favour.

Arran was degraded from authority; deprived of that estate and title which he had usurped; and the whole country seemed to be composed to tranquillity. Elizabeth, after opposing, during some time, the credit of the favourite, had found it more expedient before his fall to compound all differences with him by means of Davison, a minister whom she sent to Scotland: but having more confidence in the lords whom she had helped to restore, she was pleased with this alteration of affairs; and maintained a good correspondence with the new court and ministry of James.

CONSPIRACIES IN ENGLAND.

These revolutions in Scotland would have been regarded as of small importance to the repose and security of Elizabeth, had her own subjects been entirely united, and had not the zeal of the catholics, excited by constraint more properly than persecution, daily threatened her with some dangerous insurrection. The vigilance of the ministers, particularly of Burleigh and Walsingham, was raised in proportion to the activity of the malcontents; and many arts, which had been blameable in a more peaceful government, were employed in detecting conspiracies, and even discovering the secret inclinations of men. Counterfeit letters were written in the name of the queen of Scots, or of the English exiles, and privately conveyed to the houses of the catholics: spies were hired to observe the actions and discourse of suspected persons: informers were countenanced: and though the sagacity of these two great ministers helped them to distinguish the true from the false intelligence, many calumnies were, no doubt, hearkened to, and all the subjects, particularly the catholics, kept in the utmost anxiety and inquietude. Henry Piercy, earl of Northumberland, brother to the earl beheaded some years before, and Philip Howard, earl of Arundel, son of the unfortunate duke of Norfolk, fell under suspicion; and the latter was, by order of council, confined to his own house. Francis Throgmorton, a private gentleman, was committed to custody on account of a letter which he had written to the queen of Scots, and which was intercepted. Lord Paget and Charles Arundel, who had been engaged with him in treasonable designs, immediately drew beyond sea. Throgmorton confessed that a plan for an invasion and insurrection had been laid, and though on his trial, he was desirous of retracting this confession, and imputing it to the fear of torture, he was found guilty, and executed. Mendoza, the Spanish ambassador, having promoted this conspiracy, was ordered to depart the kingdom; and Wade was sent into Spain, to excuse his dismission, and to desire the king to send another ambassador in his place: but Philip would not so much as admit the English ambassador to his presence. Creighton, a Scottish jesuit, coming over on board a vessel which was seized, tore some papers, with an intention of throwing them into the sea; but the wind blowing them back upon the ship, they were pieced together, and discovered some dangerous secrets.

Many of these conspiracies were, with great appearance of reason, imputed to the intrigues of the queen of Scots; and as her name was employed in all of them, the council thought that they could not use too many precautions against the danger of her claims, and the restless activity of her temper. She was removed from under the care of the earl of Shrewsbury, who, though vigilant and faithful in that trust, had also been indulgent to his prisoner, particularly with regard to air and exercise: and she was committed to the custody of sir Amias Paulet and sir Drue Drury; men of honour, but inflexible in their care and attention. An association was also set on foot by the earl of Leicester and other courtiers; and as Elizabeth was beloved by the whole nation, except the more zealous catholics, men of all ranks willingly flocked to the subscription of it. The purport of this association was, to defend the queen, to revenge her death or any injury committed against her, and to exclude from the throne all claimants, what title soever they might possess, by whose suggestion or for whose behoof any violence should be offered to her majesty. The queen of Scots was sensible that this association was levelled against her; and to remove all suspicion from herself, she also desired leave to subscribe it.

A PARLIAMENT. *November* 23.

Elizabeth, that she might the more discourage malcontents, by showing them the concurrence of the nation in her favour, summoned a new parliament; and she met with that dutiful attachment which she expected: the association was confirmed by parliament; and a clause was added, by which the queen was empowered to name commissioners for the trial of any pretender to the crown who should attempt or imagine any invasion, insurrection, or assassination against her: upon condemnation pronounced by these commissioners, the guilty person was excluded from all claim to the succession, and was further punishable as her majesty should direct. And for the greater security, a council of regency, in case of the queen's violent death, was appointed to govern the kingdom, to settle the succession, and to take vengeance for that act of treason.

A severe law was also enacted against jesuits and popish priests: it was ordained that they should depart the kingdom within forty days; that those who should remain beyond that time or should afterwards return, should be guilty of treason; and those who harboured or relieved them should be guilty of felony; that those who were educated in seminaries, if they returned not in six months after notice given, and submitted not themselves to the queen, before a bishop or two justices, should be guilty of treason; and that if any, so submitting themselves, should within ten years approach the court, or come within ten miles of it, their submission should be void. By this law the exercise of the catholic religion, which had formerly been prohibited under lighter penalties, and which was in many instances connived at, was totally suppressed. In the subsequent part of the queen's reign, the law was sometimes executed by the capital punishment of priests; and though the partisans of that princess asserted that they were punished for their treason, not their religion, the apology must only be understood in this sense, that the law was enacted on account of the treasonable views and attempts of the sect, not that every individual who suffered the penalty of the law was convicted of treason.* The catholics, therefore, might now with justice complain of a violent persecution; which we may safely affirm, in spite of the rigid and bigoted maxims of that age, not to be the best method of converting them, or of reconciling them to the established government and religion.

The parliament, besides arming the queen with these powers, granted her a supply of one subsidy and two fifteenths. The only circumstance in which their proceedings were disagreeable to her, was an application made by the commons for a further reformation in ecclesiastical matters. Yet even in this attempt, which affected her as well as them in a delicate point,

* Some even of those who defend the queen's measures allow, that in ten years fifty priests were executed, and fifty-five banished. Camden, p. 610.

they discovered how much they were overawed by her authority. The majority of the house were puritans, or inclined to that sect;[a] but the severe reprimands which they had already in former sessions met with from the throne, deterred them from introducing any bill concerning religion; a proceeding which would have been interpreted as an encroachment on the prerogative: they were content to proceed by way of humble petition, and that not addressed to her majesty, which would have given offence, but to the house of lords, or rather the bishops, who had a seat in that house, and from whom alone they were willing to receive all advances towards reformation—a strange departure from what we now apprehend to be the dignity of the commons!

The commons desired, in their humble petition, that no bishop should exercise his function of ordination but with the consent and concurrence of six presbyters: but this demand, as it really introduced a change of ecclesiastical government, was firmly rejected by the prelates. They desired that no clergyman should be instituted into any benefice, without previous notice being given to the parish, that they might examine whether there lay any objection to his life or doctrine: an attempt towards a popular model, which naturally met with the same fate. In another article of the petition, they prayed that the bishops should not insist upon every ceremony, or deprive incumbents for omitting part of the service: as if uniformity in public worship had not been established by law; or as if the prelates had been endowed with a dispensing power. They complained of abuses which prevailed in pronouncing the sentence of excommunication, and they entreated the reverend fathers to think of some law for the remedy of these abuses: implying, that those matters were too high for the commons of themselves to attempt.

But the most material article which the commons touched upon in their petition, was the court of ecclesiastical commission, and the oath *ex officio*, as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

THE ECCLESIASTICAL COURT.

The first primate after the queen's accession was Parker; a man rigid in exacting conformity to the established worship, and in punishing, by fine or deprivation, all the puritanical clergymen who attempted to innovate anything in the habits, ceremonies, or liturgy of the church. He died in 1575; and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the nonconforming clergy. He declined obeying the queen's orders for the suppression of *prophesyings*, or the assemblies of the zealots in private houses, which she apprehended had become so many academies of fanaticism; and for this offence she had, by an order of the star-chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the same error in her next choice; and she named Whitgift, a zealous churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen, that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one, more arbitrary than any of the former, and conveying more unlimited authority. She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a quorum; the jurisdiction of the court extended over the whole kingdom, and over all orders of men; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms; in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make inquiry, not only by the legal method of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited to no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the Reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviours, and disorders in marriage: and the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real *inquisition*; attended with all the iniquities, as well as cruelties, inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess; and had no other foundation than a clause of a statute, restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason could limit and determine.

But though the commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs, which, for fear of offending her, they had pronounced so low as not directly to reach her royal ears. After giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them, that whoever found fault with the church threw a slander on her, since she was appointed *by God* supreme ruler over it, and no heresies or schisms could prevail in the kingdom but by her permission and negligence: that some abuses must necessarily have place in everything; but she warned the prelates to be watchful; for if she found them careless of their charge, she was fully determined to depose them: that she was commonly supposed to have employed herself in many studies, particularly philosophical, (by which I suppose she meant theological,) and she would confess that few, whose leisure had not allowed them to make profession of science, had read or reflected more: that as she could discern the presumption of many, in curiously canvassing the scriptures, and starting innovations, she would no longer endure this licentiousness; but meant to guide her people, by God's rule, in the just mean between the corruptions of Rome and the errors of modern sectaries: and that as the Romanists

[a] Besides the petition after mentioned, another proof of the prevalency of the puritans among the commons was their passing a bill for the reverent observance of Sunday, which they termed the Sabbath, and the depriving the people of those amusements which they were accustomed to take on that day. D'Ewes, p. 335. It was a strong symptom of a contrary spirit in the upper house, that they proposed to add Wednesday to the fast days, and to prohibit entirely the eating of flesh on that day. D'Ewes, p. 373.

were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government; and, under colour of preaching the word of God, presumed to exercise their private judgment, and to censure the actions of the prince. [*See note* 4 B, *at the end of this Vol.*]

From the whole of this transaction we may observe, that the commons, in making their general application to the prelates, as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty, and a legal constitution. And it may not be unworthy of remark, that Elizabeth, so far from yielding to the displeasure of the parliament against the ecclesiastical commission, granted, before the end of her reign, a new commission; in which she enlarged, rather than restrained, the powers of the commissioners.

During this session of parliament there was discovered a conspiracy, which much increased the general animosity against the catholics, and still further widened the breach between the religious parties. William Parry, a catholic gentleman, had received the queen's pardon for a crime by which he was exposed to capital punishment; and having obtained permission to travel, he retired to Milan, and made open profession of his religion, which he had concealed while he remained in England. He was here persuaded by Palmio, a jesuit, that he could not perform a more meritorious action than to take away the life of his sovereign and his benefactress: the nuncio Campeggio, when consulted, approved extremely of this pious undertaking: and Parry, though still agitated with doubts, came to Paris, with an intention of passing over to England, and executing his bloody purpose. He was here encouraged in the design by Thomas Morgan, a gentleman of great credit in the party; and though Watts and some other catholic priests told him that the enterprise was criminal and impious, he preferred the authority of Raggazzoni, the nuncio at Paris, and determined to persist in his resolution. He here wrote a letter to the pope, which was conveyed to cardinal Como: he communicated his intention to the holy father; and craved his absolution and paternal benediction. He received an answer from the cardinal, by which he found that his purpose was extremely applauded; and he came over to England with a full design of carrying it into execution. So deeply are the sentiments of morality engraved in the human breast, that it is difficult even for the prejudices of false religion totally to efface them; and this bigoted assassin resolved, before he came to extremities, to try every other expedient for alleviating the persecutions under which the catholics at that time laboured. He found means of being introduced to the queen; assured her that many conspiracies were formed against her; and exhorted her, as she tendered her life, to give the Romanists some more indulgence in the exercise of their religion; but, lest he should be tempted by the opportunity to assassinate her, he always came to court unprovided with every offensive weapon. He even found means to be elected member of parliament; and having made a vehement harangue against the severe laws enacted this last session, was committed to custody for his freedom, and sequestered from the house. His failure in these attempts confirmed him the more in his former resolution; and he communicated his intentions to Nevil, who entered zealously into the design, and was determined to have a share in the merits of its execution. A book, newly published by Dr. Allen, afterwards created a cardinal, served further to efface all their scruples with regard to the murder of an heretical prince; and having agreed to shoot the queen while she should be taking the air on horseback, they resolved, if they could not make their escape, to sacrifice their lives, in fulfilling a duty so agreeable, as they imagined, to the will of God and to true religion. But while they were watching an opportunity for the execution of their purpose, the earl of Westmoreland happened to die in exile; and as Nevil was next heir to that family, he began to entertain hopes, that by doing some acceptable service to the queen, he might recover the estates and honours which had been forfeited by the rebellion of the last earl. He betrayed the whole conspiracy to the ministers; and Parry, being thrown into prison, confessed the guilt, both to them and to the jury who tried him. The letter from cardinal Como, being produced in court, put Parry's narrative beyond all question; and that criminal, having received sentence of death, suffered the punishment which the law appointed for his treasonable conspiracy. [*See note* 4 C, *at the end of this Vol.*]

AFFAIRS OF THE LOW COUNTRIES.

These bloody designs now appeared everywhere as the result of that bigoted spirit by which the two religions, especially the catholic, were at this time actuated. Somerville, a gentleman of the county of Warwick, somewhat disordered in his understanding, had heard so much of the merit attending the assassination of heretics and persecutors, that he came to London with a view of murdering the queen; but having betrayed his designs by some extravagances, he was thrown into prison, and there perished by a voluntary death. About the same time Baltazar Gerard, a Burgundian, undertook and executed the same design against the prince of Orange; and that great man perished at Delft, by the hands of a desperate assassin, who, with a resolution worthy of a better cause, sacrificed his own life, in order to destroy the famous restorer and protector of religious liberty. The Flemings, who regarded that prince as their father, were filled with great sorrow, as well when they considered the miserable end of so brave a patriot, as their own forlorn condition from the loss of so powerful and prudent a leader, and from the rapid progress of the Spanish arms. The prince of Parma had made every year great advances upon them, had reduced several of the provinces to obedience, and had laid close siege to Antwerp, the richest and most populous city of the Netherlands, whose subjection, it was foreseen, would give a mortal blow to the already declining affairs of the revolted provinces. The only hopes which remained to them arose from the prospect of foreign succour. Being well acquainted with the cautious and frugal maxims of Elizabeth, they expected better success in France; and, in the view of engaging Henry to embrace their defence, they tendered him the sovereignty of their provinces.....1585. But the present condition of that monarchy obliged the king to reject so advantageous an offer. The duke of Anjou's death, which he thought would have tended to restore public tranquillity, by delivering him from the intrigues of that prince, plunged him into the deepest distress; and the king of Navarre, a professed hugonot, being next heir to the crown, the duke of Guise took thence occasion to revive the catholic league, and to urge Henry, by the most violent expedients, to seek the exclusion of that brave and virtuous prince. Henry himself, though a zealous catholic, yet, because he declined complying with their precipitate measures, became an object of aversion to the league; and as his zeal, in practising all the superstitious observances of the Romish church, was accompanied with a very licentious conduct in private life, the catholic faction, in contradiction to universal experience, embraced thence the pretext of representing his devotion as mere deceit and hypocrisy. Finding his authority to decline, he was obliged to declare war against the hugonots, and to put arms into the hands of the league, whom, both on account of their dangerous pretensions at home, and their close alliance with Philip, he secretly regarded as his more dangerous enemies. Constrained by the same policy, he dreaded the danger of associating himself with the revolted protestants in the Low

Countries, and was obliged to renounce that inviting opportunity of revenging himself for all the hostile intrigues and enterprises of Philip.

The States, reduced to this extremity, sent over a solemn embassy to London, and made anew an offer to the queen, of acknowledging her for their sovereign, on condition of obtaining her protection and assistance. Elizabeth's wisest counsellors were divided in opinion with regard to the conduct which she should hold in this critical and important emergence. Some advised her to reject the offer of the States, and represented the imminent dangers, as well as injustice, attending the acceptance of it. They said, that the suppression of rebellious subjects was the common cause of all sovereigns, and an encouragement given to the revolt of the Flemings, might prove the example of a like pernicious licence to the English: that though princes were bound by the laws of the Supreme Being not to oppress their subjects, the people never were entitled to forget all duty to their sovereign, or transfer, from every fancy or disgust, or even from the justest ground of complaint, their obedience to any other master: that the queen, in the succours hitherto afforded the Flemings, had considered them as labouring under oppression, not as entitled to freedom; and had intended only to admonish Philip not to persevere in his tyranny, without any view of ravishing from him these provinces which he enjoyed by hereditary right from his ancestors: that her situation in Ireland, and even in England, would afford that powerful monarch sufficient opportunity of retaliating upon her; and she must thenceforth expect that, instead of secretly fomenting faction, he would openly employ his whole force in the protection and defence of the catholics: that the pope would undoubtedly unite his spiritual arms to the temporal ones of Spain: and that the queen would soon repent her making so precarious an acquisition in foreign countries, by exposing her own dominions to the most imminent danger.

Other counsellors of Elizabeth maintained a contrary opinion. They asserted, that the queen had not, even from the beginning of her reign, but certainly had not at present, the choice whether she would embrace friendship or hostility with Philip: that by the whole tenor of that prince's conduct it appeared, that his sole aims were, the extending of his empire, and the entire subjection of the protestants, under the specious pretence of maintaining the catholic faith: that the provocations which she had already given him, joined to his general scheme of policy, would for ever render him her implacable enemy; and as soon as he had subdued his revolted subjects, he would undoubtedly fall, with the whole force of his united empire, on her defenceless state: that the only question was, whether she would maintain a war abroad, and supported by allies, or wait till the subjection of all the confederates of England should give her enemies leisure to begin their hostilities in the bowels of the kingdom: that the revolted provinces, though in a declining condition, possessed still considerable force; and by the assistance of England, by the advantages of their situation, and by their inveterate antipathy to Philip, might still be enabled to maintain the contest against the Spanish monarchy: that their maritime power, united to the queen's, would give her entire security on the side from which alone she could be assaulted, and would even enable her to make inroads on Philip's dominions, both in Europe and the Indies: that a war which was necessary could never be unjust; and self-defence was concerned, as well in preventing certain dangers at a distance, as in repelling any immediate invasion: and that, since hostility with Spain was the unavoidable consequence of the present interests and situations of the two monarchies, it were better to compensate that danger and loss by the acquisition of such important provinces to the English empire.

Amidst these opposite counsels, the queen, apprehensive of the consequences attending each extreme, was inclined to steer a middle course; and though such conduct is seldom prudent, she was not, in this resolution, guided by any prejudice or mistaken affection. She was determined not to permit, without opposition, the total subjection of the revolted provinces, whose interests she deemed so closely connected with her own: but foreseeing that the acceptance of their sovereignty would oblige her to employ her whole force in their defence, would give umbrage to her neighbours, and would expose her to the reproach of ambition and usurpation, imputations which hitherto she had carefully avoided, she immediately rejected this offer. She concluded a league with the States on the following conditions: that she should send over an army to their assistance, of five thousand foot and a thousand horse, and pay them during the war; that the general, and two others whom she should appoint, should be admitted into the council of the States; that neither party should make peace without the consent of the other; that her expenses should be refunded after the conclusion of the war; and that the towns of Flushing and the Brille, with the castle of Rammekins, should, in the meantime, be consigned into her hands by way of security.

The queen knew that this measure would immediately engage her in open hostilities with Philip; yet was not she terrified with the view of the present greatness of that monarch. The continent of Spain was at that time rich and populous; and the late addition of Portugal, besides securing internal tranquillity, had annexed an opulent kingdom to Philip's dominions, had made him master of many settlements in the East Indies, and of the whole commerce of those regions, and had much increased his naval power, in which he was before chiefly deficient. All the princes of Italy, even the pope and the court of Rome, were reduced to a kind of subjection under him, and seemed to possess their sovereignty on terms somewhat precarious. The Austrian branch in Germany, with their dependent principalities, was closely connected with him, and was ready to supply him with troops for every enterprise. All the treasures of the West Indies were in his possession; and the present scarcity of the precious metals in every country of Europe, rendered the influence of his riches the more forcible and extensive. The Netherlands seemed on the point of relapsing into servitude, and small hopes were entertained of their withstanding those numerous and veteran armies which, under the command of the most experienced generals, he employed against them. Even France, which was wont to counterbalance the Austrian greatness, had lost all her force from intestine commotions; and as the catholics, the ruling party, were closely connected with him, he rather expected thence an augmentation than a diminution of his power. Upon the whole, such prepossessions were everywhere entertained concerning the force of the Spanish monarchy, that the king of Sweden, when he heard that Elizabeth had openly embraced the defence of the revolted Flemings, scrupled not to say, that she had now taken the diadem from her head, and had ventured it upon the doubtful chance of war. Yet was this princess rather cautious than enterprising in her natural temper: she needed more to be impelled by the vigour, than restrained by the prudence of her ministers: but when she saw an evident necessity, she braved danger with magnanimous courage; and trusting to her own consummate wisdom, and to the affections, however divided, of her people, she prepared herself to resist and even to assault the whole force of the catholic monarch.

The earl of Leicester was sent over to Holland, at the head of the English auxiliary forces. He carried with him a splendid retinue; being accompanied by the young earl of Essex, his son-in-law, the lords Audley and North, sir William Russel, sir Thomas Shirley, sir Arthur Basset, sir Walter Waller, sir Gervase Clifton, and a select troop of five hundred gentlemen. He was received on his arrival at Flushing by his

nephew, sir Philip Sidney, the governor: and every town through which he passed expressed their joy by acclamations and triumphal arches, as if his presence and the queen's protection had brought them the most certain deliverance. The States, desirous of engaging Elizabeth still further in their defence, and knowing the interest which Leicester possessed with her, conferred on him the title of governor and captain general of the United Provinces, appointed a guard to attend him, and treated him in some respects as their sovereign. But this step had a contrary effect to what they expected. The queen was displeased with the artifice of the States, and the ambition of Leicester. She severely reprimanded both: and it was with some difficulty, that after many humble submissions they were able to appease her.

HOSTILITIES WITH SPAIN.

America was regarded as the chief source of Philip's power, as well as the most defenceless part of his dominions; and Elizabeth, finding that an open breach with that monarch was unavoidable, resolved not to leave him unmolested in that quarter. The great success of the Spaniards and Portuguese in both Indies had excited a spirit of emulation in England; and as the progress of commerce, still more that of colonies, is slow and gradual, it was happy that a war in this critical period had opened a more flattering prospect to the avarice and ambition of the English, and had tempted them, by the view of sudden and exorbitant profit, to engage in naval enterprises. A fleet of twenty sail was equipped to attack the Spaniards in the West Indies: two thousand three hundred volunteers, besides seamen, engaged on board it; sir Francis Drake was appointed admiral; Christopher Carlisle commander of the land forces. They took St. Jago, near Cape Verde, by surprise; and found in it plenty of provisions, but no riches. They sailed to Hispaniola; (January, 1586;) and easily making themselves masters of St. Domingo by assault, obliged the inhabitants to ransom their houses by a sum of money. Carthagena fell next into their hands after some more resistance, and was treated in the same manner. They burned St Anthony and St. Helens, two towns on the coast of Florida. Sailing along the coast of Virginia, they found the small remains of a colony which had been planted there by sir Walter Raleigh, and which had gone extremely to decay. This was the first attempt of the English to form such settlements; and though they have since surpassed all European nations, both in the situation of their colonies and in the noble principles of liberty and industry on which they are founded, they had here been so unsuccessful, that the miserable planters abandoned their settlements, and prevailed on Drake to carry them with him to England. He returned with so much riches as encouraged the volunteers, and with such accounts of the Spanish weakness in those countries, as served extremely to inflame the spirits of the nation to future enterprises. The great mortality which the climate had produced in his fleet was, as is usual, but a feeble restraint on the avidity and sanguine hopes of young adventurers. It is thought that Drake's fleet first introduced the use of tobacco into England.

The enterprises of Leicester were much less successful than those of Drake. This man possessed neither courage nor capacity equal to the trust reposed in him by the queen; and as he was the only bad choice she made for any considerable employment, men naturally believed that she had here been influenced by an affection still more partial than that of friendship. He gained at first some advantage in an action against the Spaniards; and threw succours into Grave, by which that place was enabled to make a vigorous defence: but the cowardice of the governor, Van Hemert, rendered all these efforts useless. He capitulated after a feeble resistance; and being tried for his conduct, suffered a capital punishment from the sentence of a court-martial. The prince of Parma next undertook the siege of Venlo, which was surrendered to him after some resistance. The fate of Nuys was more dismal; being taken by assault while the garrison was treating of a capitulation. Rhimberg, which was garrisoned by twelve hundred English, under the command of colone. Morgan, was afterwards besieged by the Spaniards; and Leicester, thinking himself too weak to attempt raising the siege, endeavoured to draw off the prince of Parma by forming another enterprise. He first attacked Doesburg, and succeeded; he then sat down before Zutphen, which the Spanish general thought so important a fortress that he hastened to its relief. He made the marquis of Guesto advance with a convoy, which he intended to throw into the place. They were favoured by a fog; but falling by accident on a body of English cavalry, a furious action ensued, in which the Spaniards were worsted, and the marquis of Gonzaga, an Italian nobleman of great reputation and family, was slain. The pursuit was stopped by the advance of the prince of Parma with the main body of the Spanish army; and the English cavalry, on their return from the field, found their advantage more than compensated by the loss of sir Philip Sidney, who, being mortally wounded in the action, was carried off by the soldiers, and soon after died. This person is described by the writers of that age as the most perfect model of an accomplished gentleman that could be formed even by the wanton imagination of poetry or fiction. Virtuous conduct, polite conversation, heroic valour, and elegant erudition, all concurred to render him the ornament and delight of the English court; and as the credit which he possessed with the queen and the earl of Leicester was wholly employed in the encouragement of genius and literature, his praises have been transmitted with advantage to posterity. No person was so low as not to become an object of his humanity. After this last action, while he was lying on the field mangled with wounds, a bottle of water was brought him, to relieve his thirst; but observing a soldier near him in a like miserable condition, he said, *This man's necessity is still greater than mine:* and resigned to him the bottle of water. The king of Scots, struck with admiration of Sidney's virtue, celebrated his memory in a copy of Latin verses, which he composed on the death of that young hero.

The English, though a long peace had deprived them of all experience, were strongly possessed of military genius; and the advantages gained by the prince of Parma were not attributed to the superior bravery and discipline of the Spaniards, but solely to the want of military abilities in Leicester. The States were much discontented with his management of the war; still more with his arbitrary and imperious conduct; and at the end of the campaign they applied to him for a redress of all their grievances. But Leicester, without giving them any satisfaction, departed soon after for England.

The queen, while she provoked so powerful an enemy as the king of Spain, was not forgetful to secure herself on the side of Scotland; and she endeavoured both to cultivate the friendship and alliance of her kinsman, James, and to remove all grounds of quarrel between them. An attempt which she had made some time before was not well calculated to gain the confidence of that prince. She had dispatched Wotton as her ambassador to Scotland; but though she gave him private instructions with regard to her affairs, she informed James, that when she had any political business to discuss with him, she would employ another minister; that this man was not fitted for serious negociations; and that her chief purpose in sending him was to entertain the king with witty and facetious conversation, and to partake without reserve of his pleasures and amusements. Wotton was master of profound dissimulation, and knew how to cover, under the appearance of a careless gaity, the deepest designs and most dangerous artifices.

When but a youth of twenty, he had been employed by his uncle, Dr. Wotton, ambassador in France during the reign of Mary, to ensnare the constable, Montmorency; and had not his purpose been frustrated by pure accident, his cunning had prevailed over all the caution and experience of that aged minister. It is no wonder that, after years had improved him in all the arts of deceit, he should gain an ascendant over a young prince of so open and unguarded a temper as James; especially when the queen's recommendation prepared the way for his reception. He was admitted into all the pleasures of the king; made himself master of his secrets; and had so much the more authority with him in political transactions, as he did not seem to pay the least attention to these matters. The Scottish ministers, who observed the growing interest of this man, endeavoured to acquire his friendship; and scrupled not to sacrifice to his intrigues the most essential interests of their master. Elizabeth's usual jealousies with regard to her heirs began now to be levelled against James; and as that prince had attained the years proper for marriage, she was apprehensive lest, by being strengthened with children and alliances, he should acquire the greater interest and authority with her English subjects. She directed Wotton to form a secret concert with some Scottish noblemen, and to procure their promise that James, during three years, should not on any account be permitted to marry. In consequence of this view, they endeavoured to embroil him with the king of Denmark, who had sent ambassadors to Scotland on pretence of demanding restitution of the Orkneys, but really with a view of opening a proposal of marriage between James and his daughter. Wotton is said to have employed his intrigues to purposes still more dangerous. He formed, it is pretended, a conspiracy with some malcontents, to seize the person of the king, and to deliver him into the hands of Elizabeth, who would probably have denied all concurrence in the design, but would have been sure to retain him in perpetual thraldom, if not captivity. The conspiracy was detected, and Wotton fled hastily from Scotland, without taking leave of the king.

James's situation obliged him to dissemble his resentment of this traitorous attempt, and his natural temper inclined him soon to forgive and forget it. The queen found no difficulty in renewing the negociations for a strict alliance between Scotland and England; and the more effectually to gain the prince's friendship, she granted him a pension equivalent to his claim on the inheritance of his grandmother, the countess of Lenox, lately deceased. A league was formed between Elizabeth and James, for the mutual defence of their dominions, and of their religion, now menaced by the open combination of all the catholics powers of Europe. It was stipulated, that if Elizabeth were invaded, James should aid her with a body of two thousand horse and five thousand foot; that Elizabeth, in a like case, should send to his assistance three thousand horse and six thousand foot; that the charge of these armies should be defrayed by the prince who demanded assistance; that if the invasion should be made upon England, within sixty miles of the frontiers of Scotland, this latter kingdom should march its whole force to the assistance of the former; and that the present league should supersede all former alliances of either state with any foreign kingdom, so far as religion was concerned.

By this league James secured himself against all attempts from abroad, opened a way for acquiring the confidence and affections of the English, and might entertain some prospect of domestic tranquillity, which, while he lived on bad terms with Elizabeth, he could never expect long to enjoy. Besides the turbulent disposition and inveterate feuds of the nobility, ancient maladies of the Scottish government, the spirit of fanaticism had introduced a new disorder; so much the more dangerous, as religion, when corrupted by false opinion, is not restrained by any rules of morality, and is even scarcely to be accounted for in its operations by any principles of ordinary conduct and policy. The insolence of the preachers, who triumphed in their dominion over the populace, had at this time reached an extreme height; and they carried their arrogance so far, not only against the king, but against the whole civil power, that they excommunicated the archbishop of St. Andrew's, because he had been active in parliament for promoting a law which restrained their seditious sermons: nor could that prelate save himself by any expedient from this terrible sentence, but by renouncing all pretensions to ecclesiastical authority. One Gibson said in the pulpit, that captain James Stuart (meaning the late earl of Arran) and his wife Jezebel had been deemed the chief persecutors of the church; but it was now seen that the king himself was the great offender: and for this crime the preacher denounced against him the curse which fell on Jeroboam, that he should die childless, and be the last of his race.

The secretary, Thirlstone, perceiving the king so much molested with ecclesiastical affairs, and with the refractory disposition of the clergy, advised him to leave them to their own courses: for that in a short time they would become so intolerable, that the people would rise against them, and drive them out of the country. "True," replied the king: "if I purposed to undo the church and religion, your counsel were good: but my intention is to maintain both; therefore cannot I suffer the clergy to follow such a conduct, as will in the end bring religion into contempt and derision."

CHAPTER XLII.

Zeal of the Catholics——Babington's Conspiracy——Mary assents to the Conspiracy——The Conspirators seized and executed——Resolution to try the Queen of Scots——The Commissioners prevail on her to submit to the Trial——The Trial——Sentence against Mary——Interposition of King James——Reasons for the Execution of Mary——The Execution——Mary's Character——The Queen's affected Sorrow——Drake destroys the Spanish Fleet at Cadiz——Philip projects the Invasion of England——The Invincible Armada——Preparations in England——The Armada arrives in the Channel——Defeated——A Parliament——Expedition against Portugal——Affairs of Scotland.

THE dangers which arose from the character, principles, and pretensions of the queen of Scots, had very early engaged Elizabeth to consult, in her treatment of that unfortunate princess, the dictates of jealousy and politics, rather than of friendship or generosity: resentment of this usage had pushed Mary into enterprises which had nearly threatened the repose and authority of Elizabeth: the rigour and restraint, thence redoubled upon the captive queen, still impelled her to attempt greater extremities; and while her impatience of confinement, her revenge, [*See note* 4 D, *at the end of this Vol.*,] and her high spirit, concurred with religious zeal, and the suggestions of desperate bigots, she was at last engaged in designs which afforded her enemies, who watched the opportunity, a pretence or reason for effecting her final ruin.

ZEAL OF THE CATHOLICS.

The English seminary at Rheims had wrought themselves up to a high pitch of rage and animosity against the queen. The recent persecutions from which they had escaped; the new rigours which they knew awaited them in the course of their missions; the liberty which at present they enjoyed of declaiming against that princess; and the contagion of that religious fury which everywhere surrounded them in France: all these causes had obliterated with them every maxim of common sense, and every principle of morals or humanity. Intoxicated with admiration of the divine power and infallibility of the pope, they revered his bull, by which he excommunicated and deposed the

queen; and some of them had gone to that height of extravagance as to assert, that that performance had been immediately dictated by the Holy Ghost. The assassination of heretical sovereigns, and of that princess in particular, was represented as the most meritorious of all enterprises; and they taught that whoever perished in such pious attempts, enjoyed without dispute the glorious and never-fading crown of martyrdom. By such doctrines they instigated John Savage, a man of desperate courage, who had served some years in the Low Counties under the prince of Parma, to attempt the life of Elizabeth; and this assassin, having made a vow to persevere in his design, was sent over to England and recommended to the confidence of the more zealous catholics.

About the same time, John Ballard, a priest of that seminary, had returned to Paris from his mission in England and Scotland; and as he had observed a spirit of mutiny and rebellion to be very prevalent among the catholic devotees in these countries, he had founded on that disposition the project of dethroning Elizabeth, and of restoring by force of arms the exercise of the ancient religion. The situation of affairs abroad seemed favourable to this enterprise: the pope, the Spaniard, the duke of Guise, concurring in interests, had formed a resolution to make some attempt against England: and Mendoza, the Spanish ambassador at Paris, strongly encouraged Ballard to hope for succours from these princes. Charles Paget alone, a zealous catholic, and a devoted partisan of the queen of Scots, being well acquainted with the prudence, vigour, and general popularity of Elizabeth, always maintained that so long as that princess was allowed to live, it was in vain to expect any success from an enterprise upon England. Ballard, persuaded of this truth, saw more clearly the necessity of executing the design formed at Rheims: he came over to England in the disguise of a soldier, and assumed the name of captain Fortescue: and he bent his endeavours to effect at once the project of an assassination, an insurrection, and an invasion.

BABINGTON'S CONSPIRACY.

The first person to whom he addressed himself was Anthony Babington, of Dethic, in the county of Derby. This young gentleman was of a good family, possessed a plentiful fortune, had discovered an excellent capacity, and was accomplished in literature beyond most of his years or station. Being zealously devoted to the catholic communion, he had secretly made a journey to Paris some time before; and had fallen into intimacy with Thomas Morgan, a bigoted fugitive from England, and with the bishop of Glasgow, Mary's ambassador at the court of France. By continually extolling the amiable accomplishments and heroical virtues of that princess, they impelled the sanguine and unguarded mind of young Babington to make some attempt for her service; and they employed every principle of ambition, gallantry, and religious zeal, to give him a contempt of those dangers which attended any enterprise against the vigilant government of Elizabeth. Finding him well disposed for their purpose, they sent him back to England, and secretly, unknown to himself, recommended him to the queen of Scots, as a person worth engaging in her service. She wrote him a letter full of friendship and confidence; and Babington, ardent in his temper, and zealous in his principles, thought that these advances now bound him in honour to devote himself entirely to the service of that unfortunate princess. During some time, he had found means of conveying to her all her foreign correspondence: but after she was put under the custody of sir Amias Paulet, and reduced to a more rigorous confinement, he experienced so much difficulty and danger in rendering her this service, that he had desisted from every attempt of that nature.

When Ballard began to open his intentions to Babington, he found his zeal suspended, not extinguished: his former ardour revived on the mention of any enterprise which seemed to promise success in the cause of Mary and of the catholic religion. He had entertained sentiments conformable to those of Paget, and represented the folly of all attempts which, during the lifetime of Elizabeth, could be formed against the established religion and government of England. Ballard, encouraged by this hint, proceeded to discover to him the design undertaken by Savage; and was pleased to observe, that, instead of being shocked with the project, Babington only thought it not secure enough, when intrusted to one single hand, and proposed to join five others with Savage in this desperate enterprise.

In prosecution of these views, Babington employed himself in increasing the number of his associates; and he secretly drew into the conspiracy many catholic gentlemen discontented with the present government. Barnwell, of a noble family in Ireland, Charnoc, a gentleman of Lancashire, and Abington, whose father had been cofferer to the household, readily undertook the assassination of the queen. Charles Tilney, the heir of an ancient family, and Tichborne of Southampton, when the design was proposed to them, expressed some scruples, which were removed by the arguments of Babington and Ballard. Savage alone refused, during some time, to share the glory of the enterprise with any others; he challenged the whole to himself; and it was with some difficulty he was induced to depart from this preposterous ambition.

The deliverance of the queen of Scots at the very same instant when Elizabeth should be assassinated, was requisite for effecting the purpose of the conspirators; and Babington undertook, with a party of a hundred horse, to attack her guards while she should be taking the air on horseback. In this enterprise he engaged Edward Windsor, brother to the lord of that name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Donne; most of them men of family and interest. The conspirators much wanted, but could not find, any nobleman of note whom they might place at the head of the enterprise; but they trusted that the great events of the queen's death and Mary's deliverance would rouse all the zealous catholics to arms; and that foreign forces, taking advantage of the general confusion, would easily fix the queen of Scots on the throne, and re-establish the ancient religion.

These desperate projects had not escaped the vigilance of Elizabeth's council, particularly of Walsingham, secretary of state. That artful minister had engaged Maud, a catholic priest, whom he retained in pay, to attend Ballard in his journey to France, and had thereby got a hint of the designs entertained by the fugitives. Polly, another of his spies, had found means to insinuate himself among the conspirators in England; and though not entirely trusted, had obtained some insight into their dangerous secrets. But the bottom of the conspiracy was never fully known till Gifford, a seminary priest, came over, and made a tender of his services to Walsingham. By his means the discovery became of the utmost importance, and involved the fate of Mary, as well as of those zealous partisans of that princess.

Babington and his associates, having laid such a plan as they thought promised infallible success, were impatient to communicate the design to the queen of Scots, and to obtain her approbation and concurrence. For this service they employed Gifford, who immediately applied to Walsingham, that the interest of that minister might forward his secret correspondence with Mary. Walsingham proposed the matter to Paulet, and desired him to connive at Gifford's corrupting one of his servants: but Paulet, averse to the introducing of such a pernicious precedent into his family, desired that they would rather think of some other expedient. Gifford found a brewer, who supplied the family with ale; and bribed him to convey letters to the captive

queen. The letters, by Paulet's contrivance, were thrust through a chink in the wall; and answers were returned by the same conveyance.

Ballard and Babington were first diffident of Gifford's fidelity; and to make trial of him, they gave him only blank papers made up like letters: but finding by the answers that these had been faithfully delivered, they laid aside all further scruple, and conveyed by his hands the most criminal and dangerous parts of their conspiracy.

MARY ASSENTS TO THE CONSPIRACY.

Babington informed Mary of the design laid for a foreign invasion, the plan of an insurrection at home, the scheme for her deliverance, and the conspiracy for assassinating the usurper, by six noble gentlemen, as he termed them, all of them his private friends; who, from the zeal which they bore to the catholic cause, and her majesty's service, would undertake the *tragical execution*. Mary replied, that she approved highly of the design; that the gentlemen might expect all the rewards which it should ever be in her power to confer; and that the death of Elizabeth was a necessary circumstance, before any attempts were made, either for her own deliverance or an insurrection. These letters, with others to Mendoza, Charles Paget, the archbishop of Glasgow, and sir Francis Inglefield, were carried by Gifford to secretary Walsingham; were deciphered by the art of Philips, his clerk, and copies taken of them. Walsingham employed another artifice, in order to obtain full insight into the plot: he subjoined to a letter of Mary's a postscript in the same cipher, in which he made her desire Babington to inform her of the names of the conspirators. The indiscretion of Babington furnished Walsingham with still another means of detection as well as of defence. That gentlemen had caused a picture to be drawn, where he himself was represented standing amidst the six assassins; and a motto was subjoined, expressing that their common perils were the band of their confederacy. A copy of this picture was brought to Elizabeth, that she might know the assassins, and guard herself against their approach to her person.

Meanwhile, Babington, anxious to ensure and hasten the foreign succours, resolved to dispatch Ballard into France; and he procured for him, under a feigned name, a licence to travel. In order to remove from himself all suspicion, he applied to Walsingham, pretended great zeal for the queen's service, offered to go abroad, and professed his intentions of employing the confidence which he had gained among the catholics, to the detection and disappointment of their conspiracies. Walsingham commended his loyal purposes; and promising his own council and assistance in the execution of them, still fed him with hopes, and maintained a close correspondence with him. A warrant, meanwhile, was issued for seizing Ballard; and this incident, joined to the consciousness of guilt, begat in all the conspirators the utmost anxiety and concern. Some advised that they should immediately make their escape: others proposed that Savage and Sharnoc should without delay execute their purpose against Elizabeth; and Babington, in prosecution of this scheme, furnished Savage with money, that he might buy good clothes, and thereby have more easy access to the queen's person. Next day they began to apprehend that they had taken the alarm too hastily; and Babington having renewed his correspondence with Walsingham, was persuaded by that subtle minister, that the seizure of Ballard had proceeded entirely from the usual diligence of informers in the detection of popish and seminary priests. He even consented to take lodgings secretly in Walsingham's house, that they might have more frequent conferences together, before his intended departure for France: but observing that he was watched and guarded, he made his escape, and gave the alarm to the other conspirators.

THE CONSPIRATORS SEIZED AND EXECUTED.

They all took to flight, covered themselves with several disguises, and lay concealed in woods or barns; but were soon discovered, and thrown into prison. In their examinations they contradicted each other; and the leaders were obliged to make a full confession of the truth. Fourteen were condemned and executed: of whom seven acknowledged the crime on their trial; the rest were convicted by evidence.

The lesser conspirators being dispatched, measures were taken for the trial and conviction of the queen of Scots, on whose account and with whose concurrence these attempts had been made against the life of the queen, and the tranquillity of the kingdom. Some of Elizabeth's counsellors were averse to this procedure; and thought, that the close confinement of a woman who was become very sickly, and who would probably put a speedy period to their anxiety by her natural death, might give sufficient security to the government, without attempting a measure, of which there scarcely remains any example in history. Leicester advised that Mary should be secretly dispatched by poison; and he sent a divine to convince Walsingham of the lawfulness of that action: but Walsingham declared his abhorrence of it; and still insisted, in conjunction with the majority of the counsellors, for the open trial of the queen of Scots. The situation of England, and of the English ministers, had, indeed, been hitherto not a little dangerous. No successor of the crown was declared; but the heir of blood, to whom the people in general were likely to adhere, was, by education, an enemy to the national religion; was, from multiplied provocations, an enemy to the ministers, and principal nobility; and their personal safety, as well as the safety of the public, seemed to depend alone on the queen's life, who was now somewhat advanced in years. No wonder, therefore, that Elizabeth's counsellors, knowing themselves to be so obnoxious to the queen of Scots, endeavoured to push every measure to extremities against her; and were even more anxious than the queen herself, to prevent her from ever mounting the throne of England.

Though all England was acquainted with the detection of Babington's conspiracy, every avenue to the queen of Scots had been so strictly guarded, that she remained in utter ignorance of the matter; and it was a great surprise to her, when sir Thomas Gorges, by Elizabeth's orders, informed her, that all her accomplices were discovered and arrested. He chose the time for giving her this intelligence when she was mounted on horseback to go a hunting; and she was not permitted to return to her former place of abode, but was conducted from one gentleman's house to another, till she was lodged in Fotheringay castle in the county of Northampton, which it was determined to make the last stage of her trial and sufferings. Her two secretaries, Nau, a Frenchman, and Curle, a Scot, were immediately arrested: all her papers were seized, and sent up to the council: above sixty different keys to ciphers were discovered: there were also found many letters from persons beyond sea, and several too from English noblemen, containing expressions of respect and attachment. The queen took no notice of this latter discovery; but the persons themselves, knowing their correspondence to be detected, thought that they had no other means of making atonement for their imprudence, than by declaring themselves thenceforth the most inveterate enemies of the queen of Scots.

RESOLUTION TO TRY THE QUEEN OF SCOTS.

It was resolved to try Mary, not by the common statute of treasons, but by the act which had passed the former year with a view to this very event; and the queen, in terms of that act appointed a commission.

consisting of forty noblemen and privy-counsellors, and empowered them to examine and pass sentence on Mary, whom she denominated the late queen of Scots, and heir to James V. of Scotland. The commissioners came to Fotheringay castle, and sent to her sir Walter Mildmay, sir Amias Paulet, and Edward Barker, who delivered her a letter from Elizabeth, informing her of the commission, and of the approaching trial. Mary received the intelligence without emotion or astonishment. She said, however, that it seemed strange to her, that the queen should command her, as a subject, to submit to a trial and examination before subjects: that she was an absolute independent princess, and would yield to nothing which might derogate either from her royal majesty, from the state of sovereign princes, or from the dignity and rank of her son: that, however oppressed by misfortunes, she was not yet so much broken in spirit as her enemies flattered themselvs; nor would she, on any account, be accessary to her own degradation and dishonour: that she was ignorant of the laws and statutes of England; was utterly destitute of counsel; and could not conceive who were entitled to be called her peers, or could legally sit as judges on her trial: that though she had lived in England for many years, she had lived in captivity; and not having received the protection of the laws, she could not, merely by her involuntary residence in the country, be supposed to have subjected herself to their jurisdiction: that notwithstanding the superiority of her rank, she was willing to give an account of her conduct before an English parliament; but could not view these commissioners in any other light than as men appointed to justify, by some colour of legal proceeding, her condemnation and execution; and that she warned them to look to their conscience and their character, in trying an innocent person; and to reflect, that these transactions would somewhere be subject to revisal, and that the theatre of the whole world was much wider than the kingdom of England.

THE COMMISSIONERS PREVAIL ON HER TO SUBMIT TO THE TRIAL.

In return, the commissioners sent a new deputation, informing her that her plea, either from her royal dignity, or from her imprisonment, could not be admitted; and that they were empowered to proceed to her trial, even though she should refuse to answer before them. Burleigh, the treasurer, and Bromley, the chancellor, employed much reasoning to make her submit; but the person whose arguments had the chief influence was sir Christopher Hatton, vice-chamberlain. His speech was to this purpose: "You are accused, madam," said he, "but not condemned, of having conspired the destruction of our lady and queen anointed. You say you are a queen: but in such a crime as this, and such a situation as yours, the royal dignity itself, neither by the civil or canon law, nor by the law of nature or of nations, is exempt from judgment. If you be innocent, you wrong your reputation in avoiding a trial. We have been present at your protestations of innocence: but queen Elizabeth thinks otherwise; and is heartily sorry for the appearances which lie against you. To examine, therefore, your cause, she has appointed commissioners; honourable persons, prudent and upright men, who are ready to hear you with equity, and even with favour, and will rejoice if you can clear yourself of the imputations which have been thrown upon you. Believe me, madam, the queen herself will rejoice, who affirmed to me at my departure, that nothing which ever befel her had given her so much uneasiness, as that you should be suspected of a concurrence in these criminal enterprises. Laying aside, therefore, the fruitless claim of privilege from you royal dignity, which can now avail you nothing, trust to the better defence of your innocence, make it appear in open trial, and leave not upon your memory that stain of infamy which must attend your obstinate silence on this occasion."

By this artful speech Mary was persuaded to answer before the court; and thereby gave an appearance of legal procedure to the trial, and prevented those difficulties which the commissioners must have fallen into, had she persevered in maintaining so specious a plea as that of her sovereign and independent character. Her conduct in this particular must be regarded as the more imprudent: because formerly, when Elizabeth's commissioners pretended not to exercise any jurisdiction over her, and only entered into her cause by her own consent and approbation, she declined justifying herself, when her honour, which ought to have been dearer to her than life, seemed absolutely to require it.

THE TRIAL.

On her first appearance before the commissioners, Mary, either sensible of her imprudence, or still unwilling to degrade herself by submitting to a trial, renewed her protestation against the authority of her judges: the chancellor answered her by pleading the supreme authority of the English laws over every one who resided in England: and the commissioners accommodated matters, by ordering both her protestation and his answer to be recorded.

The lawyers of the crown then opened the charge against the queen of Scots. They proved by intercepted letters, that she had allowed cardinal Allen and others to treat her as queen of England: and that she had kept a correspondence with lord Paget and Charles Paget, in view of engaging the Spaniards to invade the kingdom. Mary seemed not anxious to clear herself from either of these imputations. She only said, that she could not hinder others from using what style they pleased in writing to her; and that she might lawfully try very expedient for the recovery of her liberty.

An intercepted letter of hers to Mendoza was next produced; in which she promised to transfer to Philip her right to the kingdom of England, if her son should refuse to be converted to the catholic faith; an event, she there said, of which there was no expectation while he remained in the hands of his Scottish subjects. Even this part of the charge she took no pains to deny, or rather she seemed to acknowledge it. She said, that she had no kingdoms to dispose of; yet was it lawful for her to give at her pleasure what was her own, and she was not accountable to any for her actions. She added, that she had formerly rejected that proposal from Spain; but now, since all her hopes in England were gone, she was fully determined not to refuse foreign assistance. There was also produced evidence to prove, that Allen and Parsons were at that very time negociating by her orders at Rome the conditions of transferring her English crown to the king of Spain, and of disinheriting her heretical son. [*See note* 4 E, *at the end of this Vol.*]

It is remarkable that Mary's prejudices against her son were at this time carried so far, that she had even entered into a conspiracy against him, had appointed lord Claud Hamilton regent of Scotland, and had instigated her adherents to seize James's person, and deliver him into the hands of the pope, or the king of Spain; whence he was never to be delivered, but on condition of his becoming catholic. [*See note* 4 F, *at the end of this Vol.*]

The only part of the charge which Mary positively denied, was her concurrence in the design of assassinating Elizabeth. This article, indeed, was the most heavy, and the only one that could fully justify the queen in proceeding to extremities against her. In order to prove the accusation, there were produced the following evidence: copies taken in secretary Walsingham's office of the intercepted letters between her and

Babington, in which her approbation of the murder was clearly expressed; the evidence of her two secretaries, Nau and Curle, who had confessed, without being put to any torture, both that she received these letters from Babington, and that they had written the answers by her order; the confession of Babington, that he had written the letters and received the answers; and the confession of Ballard and Savage, that Babington had showed them these letters of Mary written in the cipher which had been settled between them.

It is evident, that this complication of evidence, though every circumstance corroborates the general conclusion, resolves itself finally into the testimony of the two secretaries, who alone were certainly acquainted with their mistress's concurrence in Babington's conspiracy, but who knew themselves exposed to all the rigours of imprisonment, torture, and death, if they refused to give any evidence which might be required of them. In the case of an ordinary criminal, this proof, with all its disadvantages, would be esteemed legal and even satisfactory, if not opposed by some other circumstances which shake the credit of the witnesses: but on the present trial, where the absolute power of the prosecutor concurred with such important interests, and such a violent inclination to have the princess condemned, the testimony of two witnesses, even though men of character, ought to be supported by strong probabilities, in order to remove all suspicion of tyranny and injustice. The proof against Mary, it must be confessed, is not destitute of this advantage; and it is difficult, if not impossible, to account for Babington's receiving an answer, written in her name, and in the cipher concerted between them, without allowing that the matter had been communicated to that princess. Such is the light in which this matter appears: even after time has discovered everything which could guide our judgment with regard to it: no wonder, therefore, that the queen of Scots, unassisted by counsel, and confounded by so extraordinary a trial, found herself incapable of making a satisfactory defence before the commissioners. Her reply consisted chiefly in her own denial: whatever force may be in that denial was much weakened, by her positively affirming, that she never had any correspondence of any kind with Babington; a fact, however, of which there remains not the least question. [*See note* 4 G, *at the end of this Vol.*] She asserted, that as Nau and Curle had taken an oath of secrecy and fidelity to her, their evidence against her ought not to be credited. She confessed, however, that Nau had been in the service of her uncle, the cardinal of Lorraine, and had been recommended to her by the king of France, as a man in whom she might safely confide. She also acknowledged Curle to be a very honest man, but simple, and easily imposed on by Nau. If these two men had received any letters, or had written any answers without her knowledge, the imputation, she said, could never lie on her. And she was the more inclined, she added, to entertain this suspicion against them, because Nau had, in other instances, been guilty of a like temerity, and had ventured to transact business in her name, without communicating the matter to her. [*See note* 4 H, *at the end of this Vol.*]

The sole circumstance of her defence, which to us may appear to have some force, was her requiring that Nau and Curle should be confronted with her, and her affirming, that they never would to her face persist in their evidence. But that demand, however equitable, was not then supported by law in trials of high-treason, and was often refused, even in other trials where the crown was prosecutor. The clause contained in an act of the 13th of the queen, was a novelty; that the species of treason there enumerated must be proved by two witnesses, confronted with the criminal. But Mary was not tried upon that act; and the ministers and crown lawyers of this reign were always sure to refuse every indulgence beyond what the strict letter of the law, and the settled practice of the courts of justice required of them. Not to mention, that these secretaries were not probably at Fotheringay castle during the time of the trial, and could not, upon Mary's demand, be produced before the commissioners.*

There passed two incidents in this trial which may be worth observing. A letter between Mary and Babington was read, in which mention was made of the earl of Arundel and his brothers; on hearing their names she broke into a sigh: "Alas!" said she, "what has the noble house of the Howards suffered for my sake?" She affirmed with regard to the same letter, that it was easy to forge the handwriting and cipher of another; she was afraid that this was too familiar a practice with Walsingham, who, she also heard, had frequently practised both against her life and her son's. Walsingham, who was one of the commissioners, rose up. He protested, that in his private capacity he had never acted anything against the queen of Scots: in his public capacity, he owned, that his concern for his sovereign's safety had made him very diligent in searching out, by every expedient, all designs against her sacred person, or her authority. For attaining that end, he would not only make use of the assistance of Ballard or any other conspirator; he would also reward them for betraying their companions. But if he had tampered in any manner unbefitting his character and office, why did none of the late criminals, either at their trial or execution, accuse him of such practices? Mary endeavoured to pacify him, by saying that she spoke from information; and she begged him to give thenceforth no more credit to such as slandered her, than she should to such as accused him. The great character, indeed, which sir Francis Walsingham bears for probity and honour, should remove from him all suspicion of such base arts as forgery and subornation; arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ.

SENTENCE AGAINST MARY. *Oct.* 25.

Having finished the trial, the commissioners adjourned from Fotheringay castle, and met in the star-chamber at London; where, after taking the oaths of Mary's two secretaries, who voluntarily, without hope or reward, vouched the authenticity of those letters before produced, they pronounced sentence of death upon the queen of Scots, and confirmed it by their seals and subscriptions. The same day a declaration was published by the commissioners and the judges, "that the sentence did nowise derogate from the title and honour of James, king of Scotland; but that he was in the same place, degree, and right, as if the sentence had never been pronounced."

The queen had now brought affairs with Mary to that situation which she had long ardently desired; and had found a plausible reason for executing vengeance on a competitor, whom from the beginning of her reign she had ever equally dreaded and hated. But she was restrained from instantly gratifying her resentment, by several important considerations. She foresaw the invidious colours in which this example of uncommon jurisdiction would be represented by the numerous partisans of Mary, and the reproach to which she herself might be exposed with all foreign princes, perhaps with all posterity. The rights of hospitality, of kindred, and of royal majesty, seemed, in one single instance, to be all violated; and this sacrifice of generosity to interest, of clemency to revenge, might appear equally unbecoming a sovereign and a woman. Elizabeth, therefore, who was an excellent hypocrite, pretended the utmost reluctance to proceed to the execution of the sentence; affected the most tender sympathy with her prisoner; displayed all her scruples and difficulties; rejected the solicitation of

* Queen Elizabeth was willing to have allowed Curle and Nau to be produced in the trial, and writes so to Burleigh and Walsingham, in her letter of the 7th of October, in Forbes's MS. collections. She only says, that she thinks it needless, though she was willing to agree to it. The not confronting the witnesses was not the result of design, but the practice of the age.

her courtiers and minister; and affirmed, that were she not moved by the deepest concern for her people's safety, she would not hesitate a moment in pardoning all the injuries which she herself had received from the queen of Scots.

That the voice of her people might be more audibly heard in the demand of justice upon Mary, she summoned a new parliament; (29th October;) and she knew, both from the usual dispositions of that assembly, and from the influence of her ministers over them, that she should not want the most earnest solicitation to consent to that measure, which was so agreeable to her secret inclinations. She did not open this assembly in person, but appointed for that purpose three commissioners, Bromley, the chancellor, Burleigh, the treasurer, and the earl of Derby. The reason assigned for this measure was, that the queen, foreseeing that the affair of the queen of Scots would be canvassed in parliament, found her tenderness and delicacy so much hurt by that melancholy incident, that she had not the courage to be present while it was under deliberation, but withdrew her eyes from what she could not behold without the utmost reluctance and uneasiness. She was also willing, that by this unusual precaution the people should see the danger to which her person was hourly exposed; and should thence be more strongly incited to take vengeance on the criminal, whose restless intrigues and bloody conspiracies had so long exposed her to the most imminent perils.

The parliament answered the queen's expectations; the sentence against Mary was unanimously ratified by both houses; and an application was voted to obtain Elizabeth's consent to its publication and execution. She gave an answer ambiguous, embarrassed; full of real artifice, and seeming irresolution. She mentioned the extreme danger to which her life was continually exposed; she declared her willingness to die, did she not foresee the great calamities which would thence fall upon the nation; she made professions of the greatest tenderness to her people; she displayed the clemency of her temper, and expressed her violent reluctance to execute the sentence against her unhappy kinswoman; she affirmed, that the late law, by which that princess was tried, so far from being made to ensnare her, was only intended to give her warning beforehand not to engage in such attempts as might expose her to the penalties with which she was thus openly menaced; and she begged them to think once again, whether it were possible to find any expedient, besides the death of the queen of Scots, for securing the public tranquillity. The parliament, in obedience to her commands, took the affair again under consideration; but could find no other possible expedient. They reiterated their solicitations, and entreaties, and arguments: they even remonstrated, that mercy to the queen of Scots was cruelty to them, her subjects and children: and they affirmed, that it were injustice to deny execution of the law to any individual; much more to the whole body of the people, now unanimously and earnestly suing for this pledge of her paternal care and tenderness. This second address set the pretended doubts and scruples of Elizabeth anew in agitation: she complained of her own unfortunate situation; expressed her uneasiness from their importunity; renewed the professions of affection to her people; and dismissed the committee of parliament in an uncertainty, what, after all this deliberation, might be her final resolution. [*See note* 41, *at the end of this Vol.*]

But though the queen affected reluctance to execute the sentence against Mary, she complied with the request of parliament in publishing it by proclamation; and this act seemed to be attended with the unanimous and hearty rejoicings of the people. Lord Buckhurst, and Beale, clerk of the council, were sent to the queen of Scots, and notified to her the sentence pronounced against her, its ratification by parliament, and the earnest applications made for its execution by that assembly, who thought that their religion could never, while she was alive, attain a full settlement and security. Mary was nowise dismayed at this intelligence: on the contrary, she joyfully laid hold of the last circumstance mentioned to her; and insisted, that since her death was demanded by the protestants for the establishment of their faith, she was really a martyr to her religion, and was entitled to all the merits attending that glorious character. She added, that the English had often embrued their hands in the blood of their sovereigns: no wonder they exercised cruelty against her, who derived her descent from these monarchs. Paulet, her keeper, received orders to take down her canopy, and to serve her no longer with the respect due to sovereign princes. He told her that she was now to be considered as a dead person; and incapable of any dignity. This harsh treatment produced not in her any seeming emotion. She only replied, that she received her royal character from the hands of the Almighty, and no earthly power was ever able to bereave her of it.

The queen of Scots wrote her last letter to Elizabeth; full of dignity, without departing from the spirit of meekness and of charity which appeared suitable to this concluding scene of her unfortunate life. She preferred no petition for averting the fatal sentence: on the contrary she expressed her gratitude to Heaven for thus bringing to a speedy period her sad and lamentable pilgrimage. She requested some favours of Elizabeth, and entreated her that she might be beholden for them to her own goodness alone, without making applications to those ministers who had discovered such an extreme malignity against her person and her religion. She desired, that after her enemies should be satiated with her innocent blood, her body, which it was determined should never enjoy rest while her soul was united to it, might be consigned to her servants, and be conveyed by them into France, there to repose in a catholic land, with the sacred relics of her mother. In Scotland, the said, the sepulchres of her ancestors were violated, and the churches either demolished or profaned; and in England, where she might be interred among the ancient kings, her own and Elizabeth's progenitors, she could entertain no hopes of being accompanied to the grave with those rites and ceremonies which her religion required. She requested that no one might have the power of inflicting a private death upon her, without Elizabeth's knowledge; but that her execution should be public, and attended by her ancient servants, who might bear testimony of her perseverance in the faith, and of her submission to the will of Heaven. She begged that these servants might afterwards be allowed to depart whithersoever they pleased, and might enjoy those legacies which she should bequeath them. And she conjured her to grant these favours, by their near kindred; by the soul and memory of Henry VII., the common ancestor of both; and by the royal dignity, of which they equally participated. Elizabeth made no answer to this letter; being unwilling to give Mary a refusal in her present situation, and foreseeing inconveniencies from granting some of her requests.

While the queen of Scots thus prepared herself to meet her fate, great efforts were made by foreign powers with Elizabeth, to prevent the execution of the sentence pronounced against her. Besides employing L'Aubespine, the French resident at London, a creature of the house of Guise, Henry sent over Bellievre, with a professed intention of interceding for the life of Mary. The duke of Guise and the league at that time threatened very nearly the king's authority; and Elizabeth knew, that though that monarch might, from decency and policy, think himself obliged to interpose publicly in behalf of the queen of Scots, he could not secretly be much displeased with the death of a princess on whose fortune and elevation his mortal enemies had always founded so many daring and ambitious projects. It is even pretended, that Bellievre had orders, after making public and vehement remon-

strances against the execution of Mary, to exhort privately the queen, in his master's name, not to defer an act of justice, so necessary for their common safety. But whether the French king's intercession were sincere or not, it had no weight with the queen; and she still persisted in her former resolution.

INTERPOSITION OF KING JAMES.

The interposition of the young king of Scots, though not able to change Elizabeth's determination, seemed, on every account, to merit more regard. As soon as James heard of the trial and condemnation of his mother, he sent sir William Keith, a gentleman of his bedchamber, to London; and wrote a letter to the queen, in which he remonstrated in very severe terms against the indignity of the procedure. He said, that he was astonished to hear of the presumption of English noblemen and counsellors, who had dared to sit in judgment and pass sentence upon a queen of Scotland, descended from the blood-royal of England; but he was still more astonished to hear, that thoughts were seriously entertained of putting that sentence in execution: that he entreated Elizabeth to reflect on the dishonour which she would draw on her name by imbruing her hands in the blood of her near kinswoman, a person of the same royal dignity, and of the same sex with herself: that in this unparalleled attempt she offered an affront to all diadems, and even to her own; and by reducing sovereigns to a level with other men, taught the people to neglect all duty towards those whom Providence had appointed to rule over them: that for his part, he must deem the injury and insult so enormous, as to be incapable of all atonement; nor was it possible for him thenceforward to remain in any terms of correspondence with a person who, without any pretence of legal authority, had deliberately inflicted an ignominious death upon his parent: and that even if the sentiments of nature and duty did not inspire him with this purpose of vengeance, his honour required it of him; nor could he ever acquit himself in the eyes of the world, if he did not use every effort and endure every hazard to revenge so great an indignity.

Soon after, James sent the master of Gray and sir Robert Melvil to enforce the remonstrances of Keith; and to employ with the queen every expedient of argument and menaces. Elizabeth was at first offended with the sharpness of these applications; and she replied in a like strain to the Scottish ambassadors. When she afterwards reflected that this earnestness was no more than what duty required of James, she was pacified; but still retained her resolution of executing the sentence against Mary. It is believed, that the master of Gray, gained by the enemies of that princess, secretly gave his advice not to spare her, and undertook, in all events, to pacify his master.

The queen also, from many considerations, was induced to pay small attention to the applications of James, and to disregard all the efforts which he could employ in behalf of his mother. She was well acquainted with his character and interests, the factions which prevailed among his people, and the inveterate hatred which the zealous protestants, particularly the preachers, bore to the queen of Scots. The present incidents set these dispositions of the clergy in a full light. James, observing the fixed purpose of Elizabeth, ordered prayers to be offered up for Mary in all the churches; and knowing the captious humour of the ecclesiastics, he took care that the form of the petition should be most cautious, as well as humane and charitable: "That it might please God to illuminate Mary with the light of his truth, and save her from the apparent danger with which she was threatened." But, excepting the king's own chaplains, and one clergyman more, all the preachers refused to pollute their churches by prayers for a papist, and would not so much as prefer a petition for her conversion. James, unwilling or unable to punish this disobedience, and desirous of giving the preachers an opportunity of amending their fault, appointed a new day when prayers should be said for his mother; and that he might at least secure himself from any insult in his own presence, he desired the archbishop of St. Andrews to officiate before him. In order to disappoint this purpose, the clergy instigated one Couper, a young man who had not yet received holy orders, to take possession of the pulpit early in the morning, and to exclude the prelate. When the king came to church, and saw the pulpit occupied by Couper, he called to him from his seat, and told him, that the place was destined for another; yet since he was there, if he would obey the charge given, and remember the queen in his prayers, he might proceed to divine service. The preacher replied, that he would do as the Spirit of God should direct him. This answer sufficiently instructed James in his purpose; and he commanded him to leave the pulpit. As Couper seemed not disposed to obey, the captain of the guard went to pull him from his place; upon which the young man cried aloud, That this day would be a witness against the king in the great day of the Lord; and he denounced a woe upon the inhabitants of Edinburgh for permitting him to be treated in that manner. The audience at first appeared desirous to take part with him; but the sermon of the prelate brought them over to a more dutiful and more humane disposition.

REASONS FOR THE EXECUTION OF MARY.

Elizabeth, when solicited, either by James or by foreign princes, to pardon the queen of Scots, seemed always determined to execute the sentence against her: but when her ministers urged her to interpose no more delays, her scruples and her hesitation returned; her humanity could not allow her to embrace such violent and sanguinary measures; and she was touched with compassion for the misfortunes, and with respect for the dignity, of the unhappy prisoner. The courtiers, sensible that they could do nothing more acceptable to her, than to employ persuasion on this head, failed not to enforce every motive for the punishment of Mary, and to combat all the objections urged against this act of justice. They said that the treatment of that princess in England had been, on her first reception, such as sound reason and policy required; and if she had been governed by principles of equity, she would not have refused willingly to acquiesce in it: that the obvious inconveniences either of allowing her to retire into France, or of restoring her by force to her throne, in opposition to the reformers and the English party in Scotland, had obliged the queen to detain her in England till time should offer some opportunity of serving her, without danger to the kingdom, or to the protestant religion: that her usage there had been such as became her rank; her own servants in considerable numbers had been permitted to attend her; exercise had been allowed her for health, and all access of company for amusement; and these indulgences would in time have been carried further, if by her subsequent conduct she had appeared worthy of them: that after she had instigated the rebellion of Northumberland, the conspiracy of Norfolk, the bull of excommunicatio of pope Pius, an invasion from Flanders; after she h seduced the queen's friends, and incited every ene foreign and domestic, against her; it became necess to treat her as a most dangerous rival, and to ren her confinement more strict and rigorous: that queen, notwithstanding these repeated provocati had, in her favour, rejected the importunity of her liaments, and the advice of her sagest ministers; was still, in hopes of her amendment, determine delay coming to the last extremities against her: t Mary, even in this forlorn condition, retained so hi and unconquerable a spirit, that she acted as compe titor to the crown, and allowed her partisans every where, and in their very letters, addressed to herself, to treat her as queen of England: that she had carried

her animosity so far as to encourage, in repeated instances, the atrocious design of assassinating the queen; and this crime was unquestionably proved upon her by her own letters, by the evidence of her secretaries, and by the dying confession of her accomplices: that she was but a titular queen, and at present possessed nowhere any right of sovereignty; much less in England, where the moment she set foot in the kingdom, she voluntarily became subject to the laws, and to Elizabeth, the only true sovereign: that even allowing her to be still the queen's equal in rank and dignity, self-defence was permitted by a law of nature, which could never be abrogated; and every one, still more a queen, had sufficient jurisdiction over an enemy, who by open violence, and still more, who by secret treachery, threatened the utmost danger against her life: that the general combination of the catholics to exterminate the protestants was no longer a secret; and as the sole resource of the latter persecuted sect lay in Elizabeth, so the chief hope which the former entertained of final success consisted in the person and in the title of the queen of Scots: that this very circumstance brought matters to extremity between these princesses; and, rendering the life of one the death of the other, pointed out to Elizabeth the path which either regard to self-preservation, or to the happiness of her people, should direct her to pursue: and that necessity, more powerful than policy, thus demanded of the queen that resolution which equity would authorize, and which duty prescribed.

1587. When Elizabeth thought, that as many importunities had been used, and as much delay interposed, as decency required, she at last determined to carry the sentence into execution: but even in this final resolution she could not proceed without displaying a new scene of duplicity and artifice. In order to alarm the vulgar, rumours were previously dispersed that the Spanish fleet was arrived at Milford Haven; that the Scots had made an irruption into England; that the duke of Guise was landed in Sussex with a strong army; that the queen of Scots was escaped from prison, and had raised an army; that the northern counties had begun an insurrection; that there was a new conspiracy on foot to assassinate the queen, and set the city of London on fire; nay, that the queen was actually assassinated. An attempt of this nature was even imputed to L'Aubespine, the French ambassador; and that minister was obliged to leave the kingdom. The queen, affecting to be in terror and perplexity, was observed to sit much alone, pensive and silent; and sometimes to mutter to herself half-sentences, importing the difficulty and distress to which she was reduced. She at last called Davison, a man of parts, but easy to be imposed on, and who had lately for that very reason been made secretary, and she ordered him privately to draw a warrant for the execution of the queen of Scots; which, she afterwards said, she intended to keep by her, in case any attempt should be made for the deliverance of that princess. She signed the warrant, and then commanded Davison to carry it to the chancellor, in order to have the great seal appended to it. Next day she sent Killigrew to Davison, enjoining him to forbear, some time, executing her former orders; and when Davison came and told her that the warrant had already passed the great seal, she seemed to be somewhat moved, and blamed him for his precipitation. Davison, being in a perplexity, acquainted the council with this whole transaction; and they endeavoured to persuade him to send off Beale with the warrant: if the queen should be displeased, they promised to justify his conduct, and to take on themselves the whole blame of this measure.* The secretary, not sufficiently aware of their intention, complied with the advice; and the warrant was dispatched to the earls of Shrewsbury and Kent, and some others, ordering them to see the sentence executed upon the queen of Scots.

* It appears by some letters published by Strype, vol. iii. book ii. c. i., that Elizabeth had not expressly communicated her intention to any of her ministers, not even to Burleigh: they were such experienced courtiers, that they knew they could not gratify her more than by serving her without waiting till she desired them.

THE EXECUTION. *February* 7.

The two earls came to Fotheringay castle, and being introduced to Mary, informed her of their commission, and desired her to prepare for death next morning at eight o'clock. She seemed nowise terrified, though somewhat surprised, with the intelligence. She said, with a cheerful, and even a smiling countenance, that she did not think the queen, her sister, would have consented to her death, or have executed the sentence against a person not subject to the laws and jurisdiction of England. "But as such is her will," said she, "death, which puts an end to all my miseries, shall be to me most welcome; nor can I esteem that soul worthy the felicities of heaven, which cannot support the body under the horrors of the last passage to these blissful mansions." She then requested the two noblemen, that they would permit some of her servants, and particularly her confessor, to attend her: but they told her, that compliance with this last demand was contrary to their conscience, and that Dr. Fletcher, dean of Peterborough, a man of great learning, should be present to instruct her in the principles of true religion. Her refusal to have any conference with this divine inflamed the zeal of the earl of Kent; and he bluntly told her, that her death would be the life of their religion; as, on the contrary, her life would have been the death of it. Mention being made of Babington, she constantly denied his conspiracy to have been at all known to her; and the revenge of her wrongs she resigned into the hands of the Almighty.

When the earls had left her, she ordered supper to be hastened, that she might have the more leisure after it, to finish the few affairs which remained to her in this world, and to prepare for her passage to another. It was necessary for her, she said, to take some sustenance, lest a failure of her bodily strength should depress her spirits on the morrow, and lest her behaviour should thereby betray a weakness unworthy of herself. She supped sparingly, as her manner usually was, and her wonted cheerfulness did not even desert her on this occasion. She comforted her servants under the affliction which overwhelmed them, and which was too violent for them to conceal it from her. Turning to Burgoin, her physician, she asked him, Whether he did not remark the great and invincible force of truth? "They pretend," said she, "that I must die because I conspired against their queen's life: but the earl of Kent avowed, that there was no other cause of my death, than the apprehensions which, if I should live, they entertain for their religion. My constancy in the faith is my real crime, the rest is only a colour, invented by interested and designing men." Towards the end of supper, she called in all her servants, and drank to them: they pledged her, in order, on their knees, and craved her pardon for any past neglect of their duty: she deigned, in return, to ask their pardon for her offences towards them: and a plentiful effusion of tears attended this last solemn farewell, and exchange of mutual forgiveness.

Mary's care of her servants was the sole remaining affair which employed her concern. She perused her will, in which she had provided for them by legacies: she ordered the inventory of her goods, clothes, and jewels to be brought her; and she wrote down the names of those to whom she bequeathed each particular: to some she distributed money with her own hands; and she adapted the recompense to their different degrees of rank and merit. She wrote also letters of recommendation for her servants to the French king, and to her cousin, the duke of Guise, whom she made the chief executor of her testament. At her wonted time she went to bed; slept some hours; and then rising, spent the rest of the night in prayer. Having foreseen the difficulty of exercising the rites of her

religion, she had had the precaution to obtain a consecrated hoste from the hands of pope Pius; and she had reserved the use of it for this last period of her life. By this expedient she supplied, as much as she could, the want of a priest and confessor, who was refused her.

Towards the morning, she dressed herself in a rich habit of silk and velvet, the only one which she had reserved to herself. She told her maids, that she would willingly have left to them this dress rather than the plain garb which she wore the day before; but it was necessary for her to appear at the ensuing solemnity in a decent habit.

Thomas Andrews, sheriff of the county, entered the room, and informed her that the hour was come, and that he must attend her to the place of execution. She replied, that she was ready; and bidding adieu to her servants, she leaned on two of sir Amias Paulet's guards, because of an infirmity in her limbs; and she followed the sheriff with a serene and composed countenance. In passing through a hall adjoining to her chamber, she was met by the earls of Shrewsbury and Kent, sir Amias Paulet, sir Drue Drury, and many other gentlemen of distinction. Here she also found sir Andrew Melvil, her steward, who flung himself on his knees before her; and wringing his hands cried aloud, "Ah, Madam! unhappy me! what man was ever before the messenger of such heavy tidings as I must carry, when I shall return to my native country, and shall report that I saw my gracious queen and mistress beheaded in England?" His tears prevented further speech; and Mary too felt herself moved more from sympathy than affliction. "Cease, my good servant," said she, "cease to lament; thou hast cause rather to rejoice than to mourn: for now shalt thou see the troubles of Mary Stuart receive their long-expected period and completion. Know," continued she, "good servant, that all the world at best is vanity, and subject still to more sorrow than a whole ocean of tears is able to bewail. But I pray thee carry this message from me, that I die a true woman to my religion, and unalterable in my affections to Scotland and to France. Heaven forgive them that have long desired my end, and have thirsted for my blood as the hart panteth after the water-brooks. O God," added she, "thou that art the Author of truth, and truth itself, thou knowest the inmost recesses of my heart: thou knowest that I was ever desirous to preserve an entire union between Scotland and England, and to obviate the source of all these fatal discords. But recommend me, Melvil, to my son, and tell him, that notwithstanding all my distresses, I have done nothing prejudicial to the state and kingdom of Scotland." After these words, reclining herself with weeping eyes, and face bedewed with tears, she kissed him. "And so," said she, "good Melvil, farewell: once again, farewell, good Melvil; and grant the assistance of thy prayers to thy queen and mistress."

She next turned to the noblemen who attended her, and made a petition in behalf of her servants, that they might be well treated, be allowed to enjoy the presents which she had made them, and be sent safely into their own country. Having received a favourable answer, she preferred another request, that they might be permitted to attend her at her death: in order said she, that their eyes may behold, and their hearts bear witness, how patiently their queen and mistress can submit to her execution, and how constantly she perseveres in her attachment to her religion. The earl of Kent opposed this desire, and told her, that they would be apt by their speeches and cries to disturb both herself and the spectators: he was also apprehensive lest they should practise some superstition not meet for him to suffer; such as dipping their handkerchiefs in her blood: for that was the instance which he made use of. "My lord," said the queen of Scots, "I will give my word (although it be but dead) that they shall not incur any blame in any of the actions which you have named. But, alas! poor souls! it would be a great consolation to them to bid their mistress farewell. And I hope," added she, "that your mistress, being a maiden queen, would vouchsafe in regard of womanhood, that I should have some of my own people about me at my death. I know that her majesty hath not given you any such strict command, but that you might grant me a request of far greater courtesy, even though I were a woman of inferior rank to that which I bear." Finding that the earl of Kent persisted still in his refusal, her mind, which had fortified itself against the terrors of death, was affected by this indignity, for which she was not prepared. "I am cousin to your queen," cried she, "and descended from the blood-royal of Henry VII., and a married queen of France, and an anointed queen of Scotland." The commissioners, perceiving how invidious their obstinacy would appear, conferred a little together, and agreed that she might carry a few of her servants along with her. She made choice of four men and two maidservants for that purpose.

She then passed into another hall, where was erected the scaffold, covered with black; and she saw with an undismayed countenance the executioners, and all the preparations of death. The room was crowded with spectators: and no one was so steeled against all sentiments of humanity as not to be moved when he reflected on her royal dignity, considered the surprising train of her misfortunes, beheld her mild but inflexible constancy, recalled her amiable accomplishments, or surveyed her beauties, which, though faded by years, and yet more by her afflictions, still discovered themselves in this fatal moment. Here the warrant for her execution was read to her; and during this ceremony she was silent, but showed in her behaviour an indifference and unconcern, as if the business had nowise regarded her. Before the executioners performed their office, the dean of Peterborough stepped forth; and though the queen frequently told him that he needed not concern himself about her, that she was settled in the ancient catholic and Roman religion, and that she meant to lay down her life in defence of that faith, he still thought it his duty to persist in his lectures and exhortations, and to endeavour her conversion. The terms which he employed were, under colour of pious instructions, cruel insults on her unfortunate situation; and besides their own absurdity, may be regarded as the most mortifying indignities to which she had ever yet been exposed. He told her that the queen of England had on this occasion shown a tender care of her; and notwithstanding the punishment justly to be inflicted on her for her manifold trespasses, was determined to use every expedient for saving her soul from that destruction with which it was so nearly threatened: that she was now standing upon the brink of eternity, and had no other means of escaping endless perdition, than by repenting her former wickedness, by justifying the sentence pronounced against her, by acknowledging the queen's favours, and by exerting a true and lively faith in Christ Jesus: that the scriptures were the only rule of doctrine, the merits of Christ the only means of salvation; and if she trusted in the inventions or devices of men, she must expect in an instant to fall into utter darkness, into a place where shall be weeping, howling, and gnashing of teeth: that the hand of death was upon her, the axe was laid to the root of the tree, the throne of the great Judge of heaven was erected, the book of her life was spread wide, and the particular sentence and judgment was ready to be pronounced upon her: and that it was now, during this important moment, in her choice, either to rise to the resurrection of life, and hear that joyful salutation, "Come, ye blessed of my Father;" or to share the resurrection of condemnation, replete with sorrow and anguish; and to suffer that dreadful denunciation, "Go, ye cursed, into everlasting fire."

During this discourse Mary could not sometimes forbear betraying her impatience, by interrupting the preacher: and the dean, finding that she had profited nothing by his lectures, at last bade her change her opinion, repent her of her former wickedness, and settle her faith upon this ground, that only in Christ Jesus could she hope to be saved. She answered again and again, with great earnestness: "Trouble not yourself any more about the matter; for I was born in this religion; I have lived in this religion; and in this religion I am resolved to die." Even the two earls perceived, that it was fruitless to harass her any further with theological disputes; and they ordered the dean to desist from his unseasonable exhortations, and to pray for her conversion. During the dean's prayer, she employed herself in private devotion from the office of the Virgin; and after he had finished, she pronounced aloud some petitions in English, for the afflicted church, for an end of her own troubles, for her son, and for queen Elizabeth; and prayed God, that that princess might long prosper, and be employed in his service. The earl of Kent observing that in her devotions she made frequent use of the crucifix, could not forbear reproving her for her attachment to that popish trumpery, as he termed it; and he exhorted her to have Christ in her heart, not in her hand. She replied with presence of mind, that it was difficult to hold such an object in her hand without feeling her heart touched with some compunction.

She now began, with the aid of her two women, to disrobe herself; and the executioner also lent his hand to assist them. She smiled, and said, that she was not accustomed to undress herself before so large a company, nor to be served by such valets. Her servants seeing her in this condition ready to lay her head upon the block, burst into tears and lamentations: she turned about to them; put her finger upon her lips, as a sign of imposing silence upon them; and having given them her blessing, desired them to pray for her. One of her maids, whom she had appointed for that purpose, covered her eyes with a handkerchief; she laid herself down without any sign of fear or trepidation; and her head was severed from her body at two strokes by the executioner. He instantly held it up to the spectators, streaming with blood, and agitated with the convulsions of death: the dean of Peterborough alone exclaimed, "So perish all queen Elizabeth's enemies!" The earl of Kent alone replied, "Amen!" The attention of all the other spectators was fixed on the melancholy scene before them; and zeal and flattery alike gave place to present pity and admiration of the expiring princess.

MARY'S CHARACTER.

Thus perished, in the forty-fifth year of her age, and nineteenth of her captivity in England, Mary queen of Scots; a woman of great accomplishments both of body and mind, natural as well as acquired; but unfortunate in her life, and during one period very unhappy in her conduct. The beauties of her person, and graces of her air, combined to make her the most amiable of women; and the charms of her address and conversation aided the impression which her lovely figure made on the hearts of all beholders. Ambitious and active in her temper, yet inclined to cheerfulness and society; of a lofty spirit, constant, and even vehement, in her purpose, yet polite, and gentle, and affable in her demeanor; she seemed to partake only so much of the male virtues as to render her estimable, without relinquishing those soft graces which compose the proper ornament of her sex. In order to form a just idea of her character, we must set aside one part of her conduct, while she abandoned herself to the guidance of a profligate man; and must consider these faults, whether we admit them to be imprudences or crimes, as the result of an inexplicable, though not uncommon, inconstancy in the human mind, of the frailty of our nature, of the violence of passion, and of the influence which situations, and sometimes momentary incidents, have on persons whose principles are not thoroughly confirmed by experience and reflection. Enraged by the ungrateful conduct of her husband, seduced by the treacherous counsels of one in whom she reposed confidence, transported by the violence of her own temper, which never lay sufficiently under the guidance of discretion, she was betrayed into actions which may with some difficulty be accounted for, but which admit of no apology nor even of alleviation. An enumeration of her qualities might carry the appearance of a panegyric; an account of her conduct must in some parts wear the aspect of severe satire and invective.

Her numerous misfortunes, the solitude of her long and tedious captivity, and the persecutions to which she had been exposed on account of her religion, had wrought her up to a degree of bigotry during her later years; and such were the prevalent spirit and principles of the age, that it is the less wonder if her zeal, her resentment, and her interest, uniting, induced her to give consent to a design which conspirators, actuated only by the first of these motives, had formed against the life of Elizabeth.

THE QUEEN'S AFFECTED SORROW.

When the queen was informed of Mary's execution, she affected the utmost surprise and indignation. Her countenance changed; her speech faltered and failed her; for a long time her sorrow was so deep that she could not express it, but stood fixed like a statue in silence and mute astonishment. After her grief was able to find vent, it burst out into loud wailings and lamentation; she put herself in deep mourning for this deplorable event; and she was seen perpetually bathed in tears, and surrounded only by her maids and women. None of her ministers or counsellors dared to approach her; or if any had such temerity, she chased them from her with the most violent expressions of rage and resentment: they had all of them been guilty of an unpardonable crime, in putting to death her dear sister and kinswoman, contrary to her fixed purpose, of which they were sufficiently apprized and acquainted.

No sooner was her sorrow so much abated as to leave room for reflection, than she wrote a letter of apology to the king of Scots, and sent it by sir Robert Cary, son of lord Hunsdon. She then told him, that she wished he knew, but not felt, the unutterable grief which she experienced, on account of that lamentable accident, which, without her knowledge, much less concurrence, had happened in England: that as her pen trembled when she attempted to write it, she found herself obliged to commit the relation of it to a messenger, her kinsman; who would likewise inform his majesty of every circumstance attending this dismal and unlooked-for misfortune: that she appealed to the supreme Judge of heaven and earth for her innocence; and was also so happy, amidst her other afflictions, as to find that many persons in her court could bear witness to her veracity in this protestation: that she abhorred dissimulation; deemed nothing more worthy of a prince than a sincere and open conduct; and could never surely be esteemed so base and poor spirited as that, if she had really given orders for this fatal execution, she could on any consideration be induced to deny them: that, though sensible of the justice of the sentence pronounced against the unhappy prisoner, she determined, from clemency, never to carry it into execution; and could not but resent the temerity of those who on this occasion had disappointed her intention: and that as no one loved him more dearly than herself, or bore a more anxious concern for his welfare, she hoped that he would consider every one as his enemy who en-

deavoured, on account of the present incident, to excite any animosity between them.

In order the better to appease James, she committed Davison to prison, and ordered him to be tried in the star-chamber for his misdemeanor. The secretary was confounded; and being sensible of the danger which must attend his entering into a contest with the queen, he expressed penitence for his error, and submitted very patiently to be railed at by those very counsellors whose persuasion had induced him to incur the guilt, and who had promised to countenance and protect him. He was condemned to imprisonment during the queen's pleasure, and to pay a fine of ten thousand pounds. He remained a long time in custody; and the fine, though it reduced him to beggary, was rigorously levied upon him. All the favour which he could obtain from the queen, was sending him small supplies from time to time to keep him from perishing in necessity. He privately wrote an apology to his friend Walsingham, which contains many curious particulars. The French and Scotch ambassadors, he said, had been remonstrating with the queen in Mary's behalf; and immediately after their departure she commanded him, of her own accord, to deliver her the warrant for the execution of that princess. She signed it readily, and ordered it to be sealed with the great seal of England. She appeared in such good humour on the occasion, that she said to him in a jocular manner, "Go, tell all this to Walsingham, who is now sick: though I fear he will die of sorrow when he hears of it." She added, that though she had so long delayed the execution, lest she should seem to be actuated by malice or cruelty, she was all along sensible of the necessity of it. In the same conversation she blamed Drury and Paulet, that they had not before eased her of this trouble; and she expressed a desire that Walsingham would bring them to compliance in that particular. She was so bent on this purpose, that some time after she asked Davison, whether any letter had come from Paulet with regard to the service expected of him? Davison showed her Paulet's letter, in which that gentleman positively refused to act anything inconsistent with the principles of honour and justice. The queen fell into a passion, and accused Paulet as well as Drury of perjury; because, having taken the oath of association, in which they had bound themselves to avenge her wrongs, they had yet refused to lend their hand on this occasion. "But others," she said, "will be found less scrupulous." Davison adds, that nothing but the consent and exhortations of the whole council could have engaged him to send off the warrant: he was well aware of his danger; and remembered that the queen, after having ordered the execution of the duke of Norfolk, had endeavoured, in a like manner, to throw the whole blame and odium of that action upon lord Burleigh.

Elizabeth's dissimulation was so gross that it could deceive nobody who was not previously resolved to be blinded; but as James's concern for his mother was certainly more sincere and cordial, he discovered the highest resentment, and refused to admit Cary into his presence. He recalled his ambassadors from England; and seemed to breathe nothing but war and vengeance. The states of Scotland being assembled, took part in his anger; and professed that they were ready to spend their lives and fortunes in revenge of his mother's death, and in defence of his title to the crown of England. Many of the nobility instigated him to take arms: lord Sinclair, when the courtiers appeared in deep mourning, presented himself to the king, arrayed in complete armour, and said, that this was the proper mourning for the queen. The catholics took the opportunity of exhorting James to make an alliance with the king of Spain, to lay immediate claim to the crown of England, and to prevent the ruin which, from his mother's example, he might conclude would certainly, if Elizabeth's power prevailed, overwhelm his person and his kingdom. The queen was sensible of the danger attending these counsels; and after allowing James some decent interval to vent his grief and anger, she employed her emissaries to pacify him, and to set before him every motive of hope or fear which might induce him to live in amity with her.

Walsingham wrote, (4th March,) to lord Thirlstone, James's secretary, a judicious letter to the same purpose. He said, That he was much surprised to hear of the violent resolutions taken in Scotland, and of the passion discovered by a prince of so much judgment and temper as James: that a war, founded merely on the principle of revenge, and that too on account of an act of justice which necessity had extorted, would for ever be exposed to censure, and could not be excused by any principles of equity or reason: that if these views were deemed less momentous among princes, policy and interest ought certainly to be attended to; and these motives did still more evidently oppose all thoughts of a rupture with Elizabeth, and all revival of exploded claims to the English throne: that the inequality between the two kingdoms deprived James of any hopes of success, if he trusted merely to the force of his own state, and had no recourse to foreign powers for assistance: that the objections attending the introduction of succours from a more potent monarch appeared so evident from all the transactions of history, that they could not escape a person of the king's extensive knowledge; but there were, in the present case, several peculiar circumstances, which ought for ever to deter him from having recourse to so dangerous an expedient: that the French monarch, the ancient ally of Scotland, might willingly use the assistance of that kingdom against England; but would be displeased to see the union of these two kingdoms in the person of James; a union which would ever after exclude him from practising that policy formerly so useful to the French, and so pernicious to the Scottish nation; that Henry, besides, infested with faction and domestic war, was not in a condition of supporting distant allies; much less would he expose himself to any hazard or expense, in order to aggrandize a near kinsman of the house of Guise, the most determined enemies of his repose and authority: that the extensive power and exorbitant ambition of the Spanish monarch rendered him a still more dangerous ally to Scotland; and as he evidently aspired to an universal monarchy in the west, and had in particular advanced some claims to England, as if he were descended from the house of Lancaster, he was at the same time the common enemy of all princes who wished to maintain their independence, and the immediate rival and competitor of the king of Scots: that the queen, by her own naval power and her alliance with the Hollanders, would probably intercept all succours which might be sent to James from abroad, and be enabled to decide the controversy in this island, with the superior forces of her own kingdom, opposed to those of Scotland: that if the king revived his mother's pretensions to the crown of England, he must also embrace her religion, by which alone they could be justified; and must thereby undergo the infamy of abandoning those principles in which he had been strictly educated, and to which he had hitherto religiously adhered: that as he would, by such an apostasy, totally alienate all the protestants in Scotland and England, he could never gain the confidence of the catholics, who would still entertain reasonable doubts of his sincerity: that by advancing a present claim to the crown, he forfeited the certain prospect of his succession, and revived that national animosity which the late peace and alliance between the kingdoms had happily extinguished: that the whole gentry and nobility of England had openly declared themselves for the execution of the queen of Scots; and if James showed such violent resentment against that act of justice, they would be obliged, for their own security, to prevent for ever so implacable a

prince from ruling over them: and that, however some persons might represent his honour as engaged to seek vengeance for the present affront and injury, the true honour of a prince consisted in wisdom and moderation and justice, not in following the dictates of blind passion, or in pursuing revenge at the expense of every motive and every interest. These considerations, joined to the peaceable, unambitious temper of the young prince, prevailed over his resentment; and he fell gradually into a good correspondence with the court of England. It is probable that the queen's chief object in her dissimulation with regard to the execution of Mary, was, that she might thereby afford James a decent pretence for renewing his amity with her, on which their mutual interest so much depended.

DRAKE DESTROYS THE FLEET AT CADIZ.

While Elizabeth ensured tranquillity from the attempts of her nearest neighbour, she was not negligent of more distant dangers. Hearing that Philip, though he seemed to dissemble the daily insults and injuries which he received from the English, was secretly preparing a great navy to attack her, she sent sir Francis Drake with a fleet to intercept his supplies, to pillage his coast, and to destroy his shipping. Drake carried out four capital ships of the queen's, and twenty-six great and small, with which the London merchants, in hopes of sharing in the plunder, had supplied him. Having learned from two Dutch ships, which he met with in his passage, that a Spanish fleet, richly laden, was lying at Cadiz, ready to set sail for Lisbon, the rendezvous of the intended Armada, he bent his course to the former harbour, and boldly, as well as fortunately, made an attack on the enemy. He obliged six galleys, which made head against him, to take shelter under the forts; he burned about a hundred vessels laden with ammunition and naval stores; and he destroyed a great ship of the marquis of Santa Croce. Thence he set sail for Cape St. Vincent, and took by assault the castle situated on that promontory, with three other fortresses. He next insulted Lisbon; and finding that the merchants, who had engaged entirely in expectation of profit, were discontented at these military enterprises, he set sail for the Terceras, with an intention of lying in wait for a rich carrack which was expected in those parts. He was so fortunate as to meet with his prize; and by this short expedition, in which the public bore so small a share, the adventurers were encouraged to attempt further enterprises, the English seamen learned to despise the great unwieldly ships of the enemy, the naval preparations of Spain were destroyed, the intended expedition against England was retarded a twelvemonth, and the queen thereby had leisure to take more secure measures against that formidable invasion.

This year, Thomas Cavendish, a gentleman of Devonshire, who had dissipated a good estate by living at court, being resolved to repair his fortune at the expense of the Spaniards, fitted out three ships at Plymouth, one of a hundred and twenty tons, another of sixty, and a third of forty; and with these small vessels he ventered into the South Sea, and committed great depredations on the Spaniards. He took nineteen vessels, some of which were richly laden; and returning by the Cape of Good Hope, he came to London, and entered the river in a kind of triumph. His mariners and soldiers were clothed in silk, his sails were of damask, his top-sail cloth of gold; and his prizes were esteemed the richest that had been brought into England.

The land enterprises of the English were not, during this campaign, so advantageous or honourable to the nation. The important place of Deventer was intrusted by Leicester to William Stanley, with a garrison of twelve hundred English; and this gentleman, being a catholic, was alarmed at the discovery of Babington's conspiracy, and became apprehensive lest every one of his religion should thenceforth be treated with distrust in England. He entered into a correspondence with the Spaniards, betrayed the city to them for a sum of money, and engaged the whole garrison to desert with him to the Spanish service. Roland York, who commanded a fort near Zutphen, imitated his example; and the Hollanders, formerly disgusted with Leicester, and suspicious of the English, broke out into loud complaints against the improvidence, if not the treachery, of his administration. Soon after he himself arrived in the Low Countries; but his conduct was nowise calculated to give them satisfaction, or to remove the suspicions which they had entertained against him. The prince of Parma having besieged Sluys, Leicester attempted to relieve the place; first by sea, then by land; but failed in both enterprises; and as he ascribed his bad success to the ill behaviour of the Hollanders, they were equally free in reflections upon his conduct. The breach between them became wider every day: they slighted his authority, opposed his measures, and neglected his counsels; while he endeavoured, by an imperious behaviour and by violence, to recover that influence which he had lost by his imprudent and ill-concerted measures. He was even suspected by the Dutch of a design to usurp upon their liberties; and the jealousy entertained against him began to extend towards the queen herself. That princess had made some advances towards a peace with Spain: a congress had been opened at Bourbourg, a village near Graveline: and though the two courts, especially that of Spain, had no other intention than to amuse each of them its enemy by negociation, and mutually relax the preparations for defence or attack, the Dutch, who were determined on no terms to return under the Spanish yoke, became apprehensive lest their liberty should be sacrificed to the political interests of England. But the queen, who knew the importance of her alliance with the States during the present conjuncture, was resolved to give them entire satisfaction, by recalling Leicester, and commanding him to resign his government. Maurice, son of the late prince of Orange, a youth of twenty years of age, was elected by the States governor in his place; and Peregrine lord Willoughby was appointed by the queen commander of the English forces. The measures of these two generals were much embarrassed by the malignity of Leicester, who had left a faction behind him, and who still attempted, by means of his emissaries, to disturb all the operations of the States. As soon as Elizabeth received intelligence of these disorders, she took care to redress them; and she obliged all the partisans of England to fall into unanimity with prince Maurice. But though her good sense so far prevailed over her partiality to Leicester, she never could be made fully sensible of his vices and incapacity: the submissions which he made her restored him to her wonted favour; and lord Buckhurst, who had accused him of misconduct in Holland, lost her confidence for some time, and was even committed to custody.

Sir Christopher Hatton was another favourite who at this time received some marks of her partiality. Though he had never followed the profession of the law, he was made chancellor in the place of Bromley, deceased; but, notwithstanding all the expectations and perhaps wishes of the lawyers, he behaved in a manner not unworthy of that high station: his good natural capacity supplied the place of experience and study; and his decisions were not found deficient either in point of equity or judgment. His enemies had contributed to this promotion, in hopes that his absence from court, while he attended the business of chancery, would gradually estrange the queen from him, and give them an opportunity of undermining him in her favour.

PHILIP PROJECTS THE INVASION OF ENGLAND. 1586.

These little intrigues and cabals of the court were

silenced by the account which came from all quarters, of the vast preparations made by the Spaniards for the invasion of England, and for the entire conquest of that kingdom. Philip, though he had not yet declared war, on account of the hostilities which Elizabeth everywhere committed upon him, had long harboured a secret and violent desire of revenge against her. His ambition also, and the hopes of extending his empire, were much encouraged by the present prosperous state of his affairs, by the conquest of Portugal, the acquisition of the East Indian commerce and settlements, and the yearly importation of vast treasures from America. The point on which he rested his highest glory, the perpetual object of his policy, was to support orthodoxy and exterminate heresy; and as the power and credit of Elizabeth were the chief bulwark of the protestants, he hoped, if he could subdue that princess, to acquire the eternal renown of re-uniting the whole Christian world in the catholic communion. Above all, his indignation against his revolted subjects in the Netherlands instigated him to attack the English, who had encouraged that insurrection, and who, by their vicinity, were so well enabled to support the Hollanders, that he could never hope to reduce these rebels while the power of that kingdom remained entire and unbroken. To subdue England seemed a necessary preparative to the re-establishment of his authority in the Netherlands; and notwithstanding appearances, the former was in itself, as a more important, so a more easy undertaking than the latter. That kingdom lay nearer Spain than the Low Countries, and was more exposed to invasion from that quarter; after an enemy had once obtained entrance, the difficulty seemed to be over, as it was neither fortified by art or nature; a long peace had deprived it of all military discipline and experience; and the catholics, in which it still abounded, would be ready, it was hoped, to join any invader who should free them from those persecutions under which they laboured, and should revenge the death of the queen of Scots, on whom they had fixed all their affections. The fate of England must be decided in one battle at sea, and another at land: and what comparison between the English and Spaniards, either in point of naval force, or in the numbers, reputation, and veteran bravery of their armies? Besides the acquisition of so great a kingdom, success against England ensured the immediate subjection of the Hollanders, who, attacked on every hand, and deprived of all support, must yield their stubborn necks to that yoke which they had so long resisted. Happily this conquest, as it was of the utmost importance to the grandeur of Spain, would not at present be opposed by the jealousy of other powers, naturally so much interested to prevent the success of the enterprise. A truce was lately concluded with the Turks; the empire was in the hands of a friend and near ally; and France, the perpetual rival of Spain, was so torn with intestine commotions, that she had no leisure to pay attention to her foreign interests. This favourable opportunity, therefore, which might never again present itself, must be seized, and one bold effort made for acquiring that ascendant in Europe, to which the present greatness and prosperity of the Spaniards seemed so fully to entitle them.

THE INVINCIBLE ARMADA.

These hopes and motives engaged Philip, notwithstanding his cautious temper, to undertake this hazardous enterprise; and though the prince, now created by the pope duke of Parma, when consulted, opposed the attempt, at least represented the necessity of previously getting possession of some sea-port town in the Netherlands, which might afford a retreat to the Spanish navy, it was determined by the catholic monarch to proceed immediately to the execution of this ambitious project. During some time he had been secretly making preparations; but as soon as the resolution was fully taken, every part of his vast empire resounded with the noise of armaments, and all his ministers, generals, and admirals, were employed in forwarding the design. The marquis of Santa Croce, a sea-officer of great reputation and experience, was destined to command the fleet; and by his counsels were the naval equipments conducted. In all the ports of Sicily, Naples, Spain, and Portugal, artisans were employed in building vessels of uncommon size and force; naval stores were bought at a great expense; provisions amassed; armies levied and quartered in the maritime towns of Spain; and plans laid for fitting out such a fleet and embarkation as had never before had its equal in Europe. The military preparations in Flanders were no less formidable. Troops from all quarters were every moment assembling, to re-enforce the duke of Parma. Capizuchi and Spinelli conducted forces from Italy: the marquis of Borgaut, a prince of the house of Austria, levied troops in Germany: the Walloon and Burgundian regiments were completed or augmented: the Spanish infantry was supplied with recruits; and an army of thirty-four thousand men was assembled in the Netherlands, and kept in readiness to be transported into England. The duke of Parma employed all the carpenters whom he could procure, either in Flanders or in Lower Germany, and the coasts of the Baltic: and he built at Dunkirk and Newport, but especially at Antwerp, a great number of boats and flat-bottomed vessels, for the transporting of his infantry and cavalry. The most renowned nobility and princes of Italy and Spain were ambitious of sharing in the honour of this great enterprise. Don Amadæus of Savoy, don John of Medicis, Vespasian Gonzaga, duke of Sabionetta, and the duke of Pastrana, hastened to join the army under the duke of Parma. About two thousand volunteers in Spain, many of them men of family, had enlisted in the service. No doubts were entertained, but such vast preparations conducted by officers of such consummate skill, must finally be successful. And the Spaniards, ostentatious of their power, and elated with vain hopes, had already denominated their navy the *Invincible Armada*.

PREPARATIONS IN ENGLAND.

News of these extraordinary preparations soon reached the court of London; and notwithstanding the secrecy of the Spanish council, and their pretending to employ this force in the Indies, it was easily concluded, that they meant to make some effort against England. The queen had foreseen the invasion; and finding that she must now contend for her crown with the whole force of Spain, she made preparations for resistance; nor was she dismayed with that power by which all Europe apprehended she must of necessity be overwhelmed. Her force indeed seemed very unequal to resist so potent an enemy. All the sailors in England amounted at that time to about fourteen thousand men. The size of the English shipping was in general so small, that, except a few of the queen's ships of war, there were not four vessels belonging to the merchants which exceeded four hundred tons. The royal navy consisted only of twenty-eight sail, many of which were of small size; none of them exceeded the bulk of our largest frigates, and most of them deserved rather the name of pinnaces than of ships. The only advantage of the English fleet consisted in the dexterity and courage of the seamen, who, being accustomed to sail in tempestuous seas, and expose themselves to all dangers, as much exceeded in this particular the Spanish mariners, as their vessels were inferior in size and force to those of that nation. All the commercial towns of England were required to furnish ships for re-enforcing this small navy; and they discovered on the present occasion great alacrity in defending their liberty and re-

ligion against those imminent perils with which they were menaced. The citizens of London, in order to show their zeal in the common cause, instead of fifteen vessels which they were commanded to equip, voluntarily fitted out double the number. The gentry and nobility hired, and armed, and manned, forty-three ships at their own charge; and all the loans which the queen demanded were frankly granted by the persons applied to. Lord Howard of Effingham, a man of courage and capacity, was admiral, and took on him the command of the navy: Drake, Hawkins, and Frobisher, the most renowned seamen in Europe, served under him. The principal fleet was stationed at Plymouth. A smaller squadron, consisting of forty vessels, English and Flemish, was commanded by lord Seymour, second son of protector Somerset; and lay off Dunkirk, in order to intercept the duke of Parma.

The land forces of England, compared to those of Spain, possessed contrary qualities to its naval power: they were more numerous than the enemy, but much inferior in discipline, reputation, and experience. An army of twenty thousand men was disposed in different bodies along the south coast; and orders were given them, if they could not prevent the landing of the Spaniards, to retire backwards, to waste the country around, and to wait for re-enforcement from the neighbouring counties, before they approached the enemy. A body of twenty-two thousand foot, and a thousand horse, under the command of the earl of Leicester, was stationed at Tilbury, in order to defend the capital. The principal army consisted of thirty-four thousand foot and two thousand horse, and was commanded by lord Hunsdon. These forces were reserved for guarding the queen's person, and were appointed to march whithersoever the enemy should appear. The fate of England, if all the Spanish armies should be able to land, seemed to depend on the issue of a single battle; and men of reflection entertained the most dismal apprehensions, when they considered the force of fifty thousand veteran Spaniards, commanded by experienced officers, under the duke of Parma, the most consummate general of the age; and compared this formidable armament with the military power, which England, not enervated by peace, but long disused to war, could muster up against it.

The chief support of the kingdom seemed to consist in the vigour and prudence of the queen's conduct; who, undismayed by the present dangers, issued all her orders with tranquillity, animated her people to a steady resistance, and employed every resource which either her domestic situation or her foreign alliances could afford her. She sent sir Robert Sidney into Scotland, and exhorted the king to remain attached to her, and to consider the danger which at present menaced his sovereignty no less than her own, from the ambition of the Spanish tyrant:* the ambassador found James well disposed to cultivate a union with England; and that prince even kept himself prepared to march with the force of his whole kingdom to the assistance of Elizabeth. Her authority with the king of Denmark, and the tie of their common religion, engaged this monarch, upon her application, to seize a squadron of ships which Philip had bought or hired in the Danish harbours: the Hanse Towns, though not at that time on good terms with Elizabeth, were induced by the same motives to retard so long the equipment of some vessels in their ports, that they became useless to the purpose of invading England. All the protestants throughout Europe regarded this enterprise as the critical event, which was to decide for ever the fate of their religion; and though unable, by reason of their distance, to join their force to that of Elizabeth, they kept their eyes fixed on her conduct and fortune, and beheld with anxiety, mixed with admiration, the intrepid countenance with which she encountered that dreadful tempest which was every moment advancing towards her.

The queen also was sensible that, next to the general popularity which she enjoyed, and the confidence which her subjects reposed in her prudent government, the firmest support of her throne consisted in the general zeal of the people for the protestant religion, and the strong prejudices which they had imbibed against popery. She took care, on the present occasion, to revive in the nation this attachment to their own sect, and this abhorrence of the opposite. The English were reminded of their former danger from the tyranny of Spain; all the barbarities exercised by Mary against the protestants were ascribed to the counsels of that bigoted and imperious nation: the bloody massacres in the Indies, the unrelenting executions in the Low Countries, the horrid cruelties and iniquities of the inquisition were set before men's eyes: a list and description was published, and pictures dispersed, of the several instruments of torture with which, it was pretended, the Spanish Armada was loaded: and every artifice, as well as reason, was employed to animate the people to a vigorous defence of their religion, their laws, and their liberties.

But while the queen, in this critical emergence, roused the animosity of the nation against popery, she treated the partisans of that sect with moderation, and gave not way to an undistinguishing fury against them. Though she knew that Sixtus Quintus, the present pope, famous for his capacity and his tyranny, had fulminated a new bull of excommunication against her, had deposed her, had absolved her subjects from their oaths of allegiance, had published a crusade against England, and had granted plenary indulgences to every one engaged in the present invasion; she would not believe that all her catholic subjects could be so blinded, as to sacrifice to bigotry their duty to their sovereign, and the liberty and independence of their native country. She rejected all violent counsels, by which she was urged to seek pretences for dispatching the leaders of that party: she would not even confine any considerable number of them: and the catholics, sensible of this good usage, generally expressed great zeal for the public service. Some gentlemen of that sect, conscious that they could not expect any trust or authority, entered themselves as volunteers in the fleet or army: some equipped ships at their own charge, and gave the command of them to protestants: others were active in animating their tenants, and vassals, and neighbours, to the defence of their country: and every rank of men, burying for the present all party distinctions, seemed to prepare themselves with order as well as vigour to resist the violence of these invaders.

The more to excite the martial spirit of the nation, the queen appeared on horseback in the camp at Tilbury; and riding through the lines, discovered a cheerful and animated countenance, exhorted the soldiers to remember their duty to their country and their religion, and professed her intention, though a woman, to lead them herself into the field against the enemy, and rather to perish in battle than survive the ruin and slavery of her people. [*See note* 4 K, *at the end of this Vol.*] By this spirited behaviour she revived the tenderness and admiration of the soldiery: an attachment to her person became a kind of enthusiasm among them: and they asked one another, Whether it were possible that Englishmen could abandon this glorious cause, could display less fortitude than appeared in the female sex, or could ever by any dangers be induced to relinquish the defence of their heroic princess?

The Spanish Armada was ready in the beginning of May: but the moment it was preparing to sail, the marquis of Santa Cruce, the admiral, was seized with a fever, of which he soon after died. The vice-admiral, the duke of Paliano, by a strange concurrence

* See [illegible] Sidney's letters.

of accidents, at the very same time suffered the same fate; and the king appointed for admiral the duke of Medina Sidonia, a nobleman of great family, but unexperienced in action, and entirely unacquainted with sea affairs. Alcarede was appointed vice-admiral. This misfortune, besides the loss of so great an officer as Santa Croce, retarded the sailing of the Armada, and gave the English more time for their preparations to oppose them. At last the Spanish fleet, full of hopes and alacrity, set sail from Lisbon; (29th May;) but next day met with a violent tempest, which scattered the ships, sunk some of the smallest, and forced the rest to take shelter in the Groine, where they waited till they could be refitted. When news of this event was carried to England, the queen concluded that the design of an invasion was disappointed for this summer; and being always ready to lay hold on every pretence for saving money, she made Walsingham write to the admiral, directing him to lay up some of the larger ships, and to discharge the seamen: but lord Effingham, who was not so sanguine in his hopes, used the freedom to disobey these orders; and he begged leave to retain all the ships in service, though it should be at his own expense. He took advantage of a north wind, and sailed towards the coast of Spain, with an intention of attacking the enemy in their harbours; but the wind changing to the south, he became apprehensive lest they might have set sail, and by passing him at sea, invade England, now exposed by the absence of the fleet. He returned, therefore, with the utmost expedition to Plymouth, and lay at anchor in that harbour.

Meanwhile, all the damages of the Armada were repaired; and the Spaniards with fresh hopes set out again to sea, in prosecution of their enterprise. The fleet consisted of a hundred and thirty vessels, of which near a hundred were galleons, and were of greater size than any ever used before in Europe. It carried on board nineteen thousand two hundred and ninety-five soldiers, eight thousand four hundred and fixty-six mariners, two thousand and eighty-eight galley-slaves, and two thousand six hundred and thirty great pieces of brass ordnance. It was victualled for six months; and was attended by twenty lesser ships, called caravals, and ten salves with six oars a-piece.

THE ARMADA ARRIVES IN THE CHANNEL.

July 19.

The plan formed by the king of Spain was, that the Armada should sail to the coast opposite to Dunkirk and Newport; and having chased away all English or Flemish vessels, which might obstruct the passage, (for it was never supposed they could make opposition,) should join themselves with the duke of Parma, should thence make sail to the Thames, and, having landed the whole Spanish army, thus complete at one blow the entire conquest of England. In prosecution of this scheme, Philip gave orders to the duke of Medina, that in passing along the Channel, he should sail as near the coast of France as he could with safety; that he should by this policy avoid meeting with the English fleet; and, keeping in view the main enterprise, should neglect all smaller successes, which might prove an obstacle, or even interpose a delay to the acquisition of a kingdom. After the Armada was under sail, they took a fisherman, who informed them that the English admiral had been lately at sea, had heard of the tempest which scattered the Armada, had retired back into Plymouth, and, no longer expecting an invasion this season, had laid up his ships, and discharged most of the seamen. From this false intelligence the duke of Medina conceived the great facility of attacking and destroying the English ships in harbour; and he was tempted by the prospect of so decisive an advantage to break his orders, and make sail directly for Plymouth a resolution which proved the safety of England. The Lizard was the first land made by the Armada, about sunset; and as the Spaniards took it for the Ram-head near Plymouth, they bore out to sea with an intention of returning next day, and attacking the English navy. They were descried by Fleming, a Scottish pirate, who was roving in those seas, and who immediately set sail to inform the English admiral of their approach: another fortunate event which contributed extremely to the safety of the fleet. Effingham had just time to get out of port, when he saw the Spanish Armada coming full sail towards him, disposed in the form of a crescent, and stretching the distance of seven miles from the extremity of one division to that of the other.

The writers of that age raise their style by a pompous description of this spectacle; the most magnificent that had ever appeared upon the ocean, infusing equal terror and admiration into the minds of all beholders. The lofty masts, the swelling sails, and the towering prows of the Spanish galleons, seem impossible to be justly painted, but by assuming the colours of poetry: and an eloquent historian of Italy, in imitation of Camden, has asserted, that the Armada, though the ships bore every sail, yet advanced with a slow motion; as if the ocean groaned with supporting, and the winds were tired with impelling, so enormous a weight. The truth, however, is, that the largest of the Spanish vessels would scarcely pass for third rates in the present navy of England; yet they were so ill framed, or so ill governed, that they were quite unweildy, and could not sail upon a wind, nor tack on occasion, nor be managed in stormy weather by the seamen. Neither the mechanics of ship-building, nor the experience of mariners, had attained so great perfection as could serve for the security and government of such bulky vessels; and the English, who had already had experience how unserviceable they commonly were, beheld without dismay their tremendous appearance.

Effingham gave orders not to come to close fight with the Spaniards; where the size of the ships, he suspected, and the numbers of the soldiers, would be a disadvantage to the English; but to cannonade them at a distance, and to wait the opportunity which winds, currents, or various accidents, must afford him, of intercepting some scattered vessels of the enemy. Nor was it long before the event answered expectation. A great ship of Biscay, on board of which was a considerable part of the Spanish money, took fire by accident; and while all hands were employed in extinguishing the flames, she fell behind the rest of the Armada: the great galleon of Andalusia was detained by the springing of her mast: and both these vessels were taken, after some resistance, by sir Francis Drake. As the Armada advanced up the Channel, the English hung upon its rear, and still infested it with skirmishes. Each trial abated the confidence of the Spaniards, and added courage to the English; and the latter soon found, that even in close fight the size of the Spanish ships was no advantage to them. Their bulk exposed them the more to the fire of the enemy; while their cannon, placed too high, shot over the heads of the English. The alarm having now reached the coast of England, the nobility and gentry hastened out with their vessels from every harbour, and re-enforced the admiral. The earls of Oxford, Northumberland, and Cumberland, sir Thomas Cecil, sir Robert Cecil, sir Walter Raleigh, sir Thomas Vavasor, sir Thomas Gerrard, sir Charles Blount, with many others, distinguished themselves by this generous and disinterested service of their county. The English fleet, after the conjunction of those ships, amounted to a hundred and forty sail.

The Armada had now reached Calais, and cast anchor before that place; in expectation that the duke of Parma, who had gotten intelligence of their approach, would put to sea and join his forces to them. The English admiral practised here a successful stra-

tagem upon the Spaniards. He took eight of his smaller ships, and filling them with all combustible materials, sent them one after another into the midst of the enemy. The Spaniards fancied that they were fireships of the same contrivance with a famous vessel which had lately done so much execution in the Schelde, near Antwerp; and they immediately cut their cables, and took to flight with the greatest disorder and precipitation. The English fell upon them next morning while in confusion; and besides doing great damage to other ships, they took or destroyed about twelve of the enemy.

By this time it was become apparent, that the intention for which these preparations were made by the Spaniards, was entirely frustrated. The vessels provided by the duke of Parma were made for transporting soldiers, not for fighting; and that general, when urged to leave the harbour, positively refused to expose his flourishing army to such apparent hazard; while the English not only were able to keep the sea, but seemed even to triumph over their enemy. The Spanish admiral found, in many rencounters, that while he lost so considerable a part of his own navy, he had destroyed only one small vessel of the English; and he foresaw, that by continuing so unequal a combat, he must draw inevitable destruction on all the remainder. He prepared therefore to return homewards; but as the wind was contrary to his passage through the Channel, he resolved to sail northwards, and making the tour of the island, reach the Spanish harbours by the ocean. The English fleet followed him during some time; and had not their ammunition fallen short, by the negligence of the officers in supplying them, they had obliged the whole Armada to surrender at discretion. The duke of Medina had once taken that resolution; but was diverted from it by the advice of his confessor. This conclusion of the enterprise would have been more glorious to the English; but the event proved almost equally fatal to the Spaniards. A violent tempest overtook the Armada after it passed the Orkneys: the ships had already lost their anchors, and were obliged to keep to sea: the mariners, unaccustomed to such hardships, and not able to govern such unweildy vessels, yielded to the fury of the storm, and allowed their ships to drive either on the western isles of Scotland, or on the coast of Ireland, where they were miserably wrecked. Not a half of the navy returned to Spain; and the seamen as well as soldiers who remained, were so overcome with hardships and fatigue, and so dispirited by their discomfiture, that they filled all Spain with accounts of the desperate valour of the English, and of the tempestuous violence of that ocean which surrounds them.

Such was the miserable and dishonourable conclusion of an enterprise which had been preparing for three years, which had exhausted the revenue and force of Spain, and which had long filled all Europe with anxiety or expectation. Philip, who was a slave to his ambition, but had an entire command over his countenance, no sooner heard of the mortifying event which blasted all his hopes, than he fell on his knees, and, rendering thanks for that gracious dispensation of Providence, expressed his joy that the calamity was not greater. The Spanish priests, who had so often blessed this holy crusade, and foretold its infallible success, were somewhat at a loss to account for the victory gained over the catholic monarch by excommunicated heretics and an execrable usurper: but they at last discovered, that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them. [*See note* 4 L, *at the end of this Vol.*]

1589. Soon after the defeat and dispersion of the Spanish Armada, the queen summoned a new parliament, (4th February,) and received from them a supply of two subsidies and four fifteenths, payable in four years. This is the first instance that subsidies were doubled in one supply; and so unusual a concession was probably obtained from the joy of the present success, and from the general sense of the queen's necessities. Some members objected to this heavy charge, on account of the great burden of loans which had lately been imposed upon the nation. [*See note* 4 M, *at the end of this Vol.*]

A PARLIAMENT.

Elizabeth foresaw, that this house of commons, like all the foregoing, would be governed by the puritans; and therefore, to obviate their enterprises, she renewed at the beginning of the session her usual injunction, that the parliament should not on any account presume to treat of matters ecclesiastical. Notwithstanding this strict inhibition, the zeal of one Damport moved him to present a bill to the commons for remedying spiritual grievances, and for restraining the tyranny of the ecclesiastical commission, which were certainly great: but when Mr. Secretary Woley reminded the house of her majesty's commands, no one durst second the motion; the bill was not so much as read; and the speaker returned it to Damport without taking the least notice of it. Some members of the house, notwithstanding the general submission, were even committed to custody on account of this attempt.

The imperious conduct of Elizabeth appeared still more clearly in another parliamentary transaction. The right of purveyance was an ancient prerogative, by which the officers of the crown could at pleasure take provisions for the household from all the neighbouring counties, and could make use of the carts and carriages of the farmers; and the price of these commodities and services was fixed and stated. The payment of the money was often distant and uncertain; and the rates, being fixed before the discovery of the West Indies, were much inferior to the present market price; so that purveyance, besides the slavery of it, was always regarded as a great burden; and being arbitrary and casual, was liable to great abuses. We may fairly presume, that the hungry courtiers of Elizabeth, supported by her unlimited power, would be sure to render this prerogative very oppressive to the people; and the commons had last session found it necessary to pass a bill for regulating these exactions; but the bill was lost in the house of peers. The continuance of the abuses begat a new attempt for redress; and the same bill was now revived, and again sent up to the house of peers, together with a bill for some new regulations in the court of exchequer. Soon after the commons received a message from the upper house, desiring them to appoint a committee for a conference. At this conference the peers informed them, that the queen, by a message delivered by lord Burleigh, had expressed her displeasure, that the commons should presume to touch on her prerogative. If there were any abuses, she said, either in imposing purveyance, or in the practice of the court of exchequer, her majesty was both able and willing to provide due reformation; but would not permit the parliament to intermeddle in these matters. The commons, alarmed at this intelligence, appointed another committee to attend the queen, and endeavour to satisfy her of their humble and dutiful intentions. Elizabeth gave a gracious reception to the committee: she expressed her great *inestimable loving care* towards her loving subjects; which she said, was greater than of her own self, or even than any of them could have of themselves. She told them, that she had already given orders for an inquiry into the abuses attending purveyance, but the danger of the Spanish invasion had retarded the progress of the design; that she had as much skill, will, and power to rule her household as any subjects whatsoever to govern theirs, and needed as little the assistance of her neighbours; that the exchequer was her chamber, consequently more near to her than even her household, and therefore the less

proper for them to intermeddle with; and that she would of herself, with advice of her council and the judges, redress every grievance in these matters, but would not permit the commons, by laws moved without her privity, to bereave her of the honour attending these regulations. The issue of this matter was the same that attended all contests between Elizabeth and her parliaments. She seems even to have been more imperious in this particular than her predecessors, at least her more remote ones; for they often permitted the abuses of purveyance [*See note 4 X, at the end of this Vol.*] to be redressed by law. Edward III., a very arbitrary prince, allowed ten several statutes to be enacted for that purpose.

In so great awe did the commons stand of every courtier, as well as of the crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the house his extreme grief, that by some great personage, not a member of the house, he had been sharply rebuked for speeches delivered in parliament: he craved the favour of the house, and desired that some of the members might inform that great personage of his true meaning and intention in these speeches. The commons, to obviate these inconveniences, passed a vote that no one should reveal the secrets of the house.*

EXPEDITION AGAINST PORTUGAL.

The discomfiture of the Armada had begotten in the nation a kind of enthusiastic passion for enterprises against Spain; and nothing seemed now impossible to be achieved by the valour and fortune of the English. Don Antonio, prior of Crato, a natural son of the royal family of Portugal, trusting to the aversion of his countrymen against the Castilians, had advanced a claim to the crown; and flying first to France, thence to England, had been encouraged, both by Henry and Elizabeth, in his pretensions. A design was formed by the people, not the court, of England, to conquer the kingdom for don Antonio: sir Francis Drake and sir John Norris were the leaders in this romantic enterprise: near twenty thousand volunteers† enlisted themselves in the service; and ships were hired, as well as arms provided, at the charge of the adventurers. The queen's frugality kept her from contributing more than sixty thousand pounds to the expense; and she only allowed six of her ships of war to attend the expedition. There was more spirit and bravery, than foresight or prudence, in the conduct of this enterprise. The small stock of the adventurers did not enable them to buy either provisions or ammunition sufficient for such an undertaking: they even wanted vessels to stow the numerous volunteers who crowded to them; and they were obliged to seize by force some ships of the Hanse Towns, which they met with at sea: an expedient which set them somewhat more at ease in point of room for their men, but remedied not the deficiency of their provisions. Had they sailed directly to Portugal, it is believed that the good-will of the people, joined to the defenceless state of the country, might have ensured them of success: but hearing that great preparations were making at the Groine for the invasion of England, they were induced to go thither, and destroy this new armament of Spain. They broke into the harbour, burned some ships of war, particularly one commanded by Recalde, vice-admiral of Spain; they defeated an army of four or five thousand men, which was assembled to oppose them; they assaulted the Groine, and took the lower town, which they pillaged; and they would have taken the higher, though well fortified, had they not found their ammunition and provisions beginning to fail them. The young earl of Essex, a nobleman of promising hopes, fired with the thirst of military honour, who had secretly, unknown to the queen, stolen from England, here joined the adventurers; and it was then agreed by common consent to make sail for Portugal, the main object of their enterprise.

The English landed at Paniche, a sea-port town, twelve leagues from Lisbon: and Norris led the army to that capital, while Drake undertook to sail up the river, and attack the city with united forces. By this time the court of Spain had gotten leisure to prepare against the invasion. Forces were thrown into Lisbon: the Portuguese were disarmed: all suspected persons were taken into custody: and thus, though the inhabitants bore great affection to don Antonio, none of them durst declare in favour of the invaders. The English army, however, made themselves masters of the suburbs, which abounded with riches of all kinds; but as they desired to conciliate the affections of the Portuguese, and were more intent on honour than profit, they observed a strict discipline, and abstained from all plunder. Meanwhile they found their ammunition and provision much exhausted; they had not a single cannon to make a breach in the walls; the admiral had not been able to pass some fortresses which guarded the river; there was no appearance of an insurrection in their favour; sickness, from fatigue, hunger, and intemperance in wine and fruits, had seized the army, so that it was found necessary to make all possible haste to re-embark. They were not pursued by the enemy; and finding at the mouth of the river sixty ships laden with naval stores, they seized them as lawful prize, though they belonged to the Hanse Towns, a neutral power. They sailed thence to Vigo, which they took and burned; and having ravaged the country around, they set sail and arrived in England. Above half of these gallant adventurers perished by sickness, famine, fatigue, and the sword; and England reaped more honour than profit from this extraordinary enterprise. It is computed that eleven hundred gentlemen embarked on board the fleet, and that only three hundred and fifty survived those multiplied disasters.

When these ships were on their voyage homewards, they met with the earl of Cumberland, who was outward bound with a fleet of seven sail, all equipped at his own charge, except one ship of war which the queen had lent him. That nobleman supplied sir Francis Drake with some provisions; a generosity which saved the lives of many of Drake's men, but for which the others afterwards suffered severely. Cumberland sailed towards the Terceras, and took several prizes from the enemy; but the richest, valued at a hundred thousand pounds, perished in her return, with all her cargo, near St. Michael's Mount in Cornwall. Many of these adventurers were killed in a rash attempt at the Terceras: a great mortality seized the rest; and it was with difficulty that the few hands which remained were able to steer the ships back into harbour.

AFFAIRS OF SCOTLAND.

Though the signal advantages gained over the Spaniards, and the spirit thence infused into the English, gave Elizabeth great security during the rest of her reign, she could not forbear keeping an anxious eye on Scotland, whose situation rendered its revolutions always of importance to her. It might have been expected, that this high-spirited princess, who knew so well to brave danger, would not have retained that malignant jealousy towards her heir, with which, during the lifetime of Mary, she had been so much agitated. James had indeed succeeded to all the claims of his mother; but he had not succeeded to the favour of the catholics, which could alone render these claims dangerous: and as the queen was now well advanced in

* An act was passed this session, enforcing the former statute, which imposed twenty pounds a month on every one absent from public worship: but the levy was restricted to two-thirds of the income of the recusant. 29 Elizabeth, cap. 6

† Birch's Memoirs of Queen Elizabeth, vol. i. p. 61. Monson, p. 267. says that there were only fourteen thousand soldiers and four thousand seamen in the whole of this expedition; but the account contained in Dr. Birch is given by one of the most considerable of the adventurers.

years, and enjoyed an uncontrolled authority over her subjects, it was not likely that the king of Scots, who was of an indolent, unambitious temper, would ever give her any disturbance in her possession of the throne. Yet all these circumstances could not remove her timorous suspicions: and, so far from satisfying the nation by a settlement of the succession, or a declaration of James's title, she was as anxious to prevent every incident which might anywise raise his credit, or procure him the regard of the English, as if he had been her immediate rival and competitor. Most of his ministers and favourites were her pensioners; and as she was desirous to hinder him from marrying and having children, she obliged them to throw obstacles in the way of every alliance, even the most reasonable, which could be offered him; and during some years she succeeded in this malignant policy. He had fixed on the elder daughter of the king of Denmark, who, being a remote prince, and not powerful, could give her no umbrage; yet did she so artfully cross this negociation, that the Danish monarch, impatient of delay, married his daughter to the duke of Brunswick. James then renewed his suit to the younger princess, and still found obstacles from the intrigues of Elizabeth, who, merely with a view of interposing delay, proposed to him the sister of the king of Navarre, a princess much older than himself, and entirely destitute of fortune. The young king, besides the desire of securing himself by the prospect of issue, from those traitorous attempts, too frequent among his subjects, had been so watched by the rigid austerity of the ecclesiastics, that he had another inducement to marry, which is not so usual with monarchs. His impatience therefore broke through all the politics of Elizabeth: the articles of marriage were settled: the ceremony was performed by proxy; and the princess embarked for Scotland; but was driven by a storm into a port of Norway. This tempest, and some others, which happened near the same time, were universally believed in Scotland and Denmark to have proceeded from a combination of the Scottish and Danish witches; and the dying confession of the criminals was supposed to put the accusation beyond all controversy. James, however, though a great believer in sorcery, was not deterred by this incident from taking a voyage in order to conduct his bride home; he arrived in Norway; carried the queen thence to Copenhagen; and having passed the winter in that city, he brought her next spring to Scotland, where they were joyfully received by the people. The clergy alone, who never neglected an opportunity of vexing their prince, made opposition to the queen's coronation, on account of the ceremony of anointing her, which they alleged was either a Jewish or a popish rite; and therefore utterly antichristian and unlawful. But James was as much bent on the ceremony as they were averse to it; and after much controversy, and many intrigues, his authority, which had not often happened, at last prevailed over their opposition.

CHAPTER XLIII.

French Affairs — Murder of the Duke of Guise — Murder of Henry III. — Progress of Henry IV. — Naval Enterprises against Spain — A Parliament — Henry IV. embraces the Catholic Religion — Scotch Affairs — Naval Enterprises — A Parliament — Peace of Vervins — The Earl of Essex.

1590. AFTER a state of great anxiety and many difficulties, Elizabeth had at length reached a situation where, though her affairs still required attention, and found employment for her active spirit, she was removed from all danger of any immediate revolution, and might regard the efforts of her enemies with some degree of confidence and security. Her successful and prudent administration had gained her, together with the admiration of foreigners, the affections of her own subjects; and after the death of the queen of Scots, even the catholics, however discontented, pretended not to dispute her title, or adhere to any other person as her competitor. James, curbed by his factious nobility and ecclesiastics, possessed at home very little authority; and was solicitous to remain on good terms with Elizabeth and the English nation, in hopes that time, aided by his patient tranquillity, would secure him that rich succession to which his birth entitled him. The Hollanders, though overmatched in their contest with Spain, still made an obstinate resistance; and such was their unconquerable antipathy to their old masters, and such the prudent conduct of young Maurice, their governor, that the subduing of that small territory, if at all possible, must be the work of years, and the result of many and great successes. Philip, who, in his powerful effort against England, had been transported by resentment and ambition beyond his usual cautious maxims, was now disabled, and still more discouraged, from adventuring again on such hazardous enterprises. The situation also of affairs in France began chiefly to employ his attention; but notwithstanding all his artifice, and force, and expense, the events in that kingdom proved every day more contrary to his expectations, and more favourable to the friends and confederates of England.

FRENCH AFFAIRS.

The violence of the league having constrained Henry to declare war against the hugonots, these religionists seemed exposed to the utmost danger; and Elizabeth, sensible of the intimate connexion between her own interests and those of that party, had supported the king of Navarre by her negociations in Germany, and by large sums of money, which she remitted for levying forces in that country. This great prince, not discouraged by the superiority of his enemies, took the field; and in the year 1587 gained, at Coutras, a complete victory over the army of the French king; but as his allies, the Germans, were at the same time discomfited by the army of the league, under the duke of Guise, his situation, notwithstanding his victory, seemed still as desperate as ever. The chief advantage which he reaped by this diversity of success arose from the dissensions which by that means took place among his enemies. The inhabitants of Paris, intoxicated with admiration of Guise, and strongly prejudiced against their king, whose intentions had become suspicious to them, took to arms, and obliged Henry to fly for his safety. That prince, dissembling his resentment, entered into a negociation with the league; and having conferred many high offices on Guise and his partisans, summoned an assembly of the states at Blois, on pretence of finding expedients to support the intended war against the hugonots. The various scenes of perfidy and cruelty, which had been exhibited in France, had justly begotten a mutual diffidence among all parties; yet Guise, trusting more to the timidity than honour of the king, rashly put himself into the hands of that monarch, and expected by the ascendant of his own genius, to make him submit to all his exorbitant pretensions. Henry, though of an easy disposition, not steady to his resolutions, or even to his promises, wanted neither courage nor capacity; and finding all his subtleties eluded by the vigour of Guise, and even his throne exposed to the most imminent danger, he embraced more violent counsels than were natural to him, and ordered that prince and his brother, the cardinal of Guise, to be assassinated in his palace.

This cruel execution, which the necessity of it alone could excuse, had nearly proved fatal to the author, and seemed at first to plunge him into greater dangers than those which he sought to avoid by taking vengeance on his enemy. The partisans of the league were inflamed with the utmost rage against him: the populace everywhere, particularly at Paris, renounced

allegiance to him: the ecclesiastics and the preacher filled all places with execrations against his name: and the most powerful cities and most opulent provinces appeared to combine in a resolution, either of renouncing monarchy, or of changing their monarch.

MURDER OF HENRY THE THIRD.

Henry, finding slender resources against his catholic subjects, was constrained to enter into a confederacy with the hugonots and the king of Navarre: he enlisted large bodies of Swiss infantry and German cavalry: and being still supported by his chief nobility, he assembled by all these means an army of near forty thousand men, and advanced to the gates of Paris, ready to crush the league, and subdue all his enemies. The desperate resolution of one man diverted the course of these great events. Jacques Clement, a Dominican friar, inflamed by that bloody spirit of bigotry which distinguishes this century, and a great part of the following, beyond all ages of the world, embraced the resolution of sacrificing his own life, in order to save the church from the persecutions of an heretical tyrant; and, being admitted, under some pretext, to the king's presence, he gave that prince a mortal wound, and was immediately put to death by the courtiers, who hastily revenged the murder of their sovereign. This memorable incident happened on the first of August, 1589.

The king of Navarre, next heir to the crown, assumed the government by the title of Henry IV., but succeeded to much greater difficulties than those which surrounded his predecessor. The prejudices entertained against his religion, made a great part of the nobility immediately desert him; and it was only by his promise of hearkening to conferences and instruction, that he could engage any of the catholics to adhere to his undoubted title. The league, governed by the duke of Mayenne, brother to Guise, gathered a new force, and the king of Spain entertained views, either of dismembering the French monarchy, or of annexing the whole to his own dominions. In these distressful circumstances Henry addressed himself to Elizabeth, and found her well-disposed to contribute to his assistance, and to oppose the progress of the catholic league and of Philip, her inveterate and dangerous enemies. To prevent the desertion of his Swiss and German auxiliaries, she made him a present of twenty-two thousand pounds, a greater sum than, as he declared, he had ever seen before: and she sent him a re-enforcement of four thousand men, under lord Willoughby, an officer of reputation, who joined the French at Dieppe. Strengthened by these supplies, Henry marched directly to Paris; and having taken the suburbs sword in hand, he abandoned them to be pillaged by his soldiers. He employed this body of English in many other enterprises; and still found reason to praise their courage and fidelity. The time of their service being elapsed, he dismissed them with many high commendations. Sir William Drury, sir Thomas Baskerville, and sir John Boroughs, acquired reputation in this campaign, and revived in France the ancient fame of English valour.

PROGRESS OF HENRY THE FOURTH.

The army, which Henry next campaign led into the field, was much inferior to that of the league; but as it was composed of the chief nobility of France, he feared not to encounter his enemies in a pitched battle at Yvrée, and he gained a complete victory over them. This success enabled him to blockade Paris, and he reduced that capital to the last extremity of famine: when the duke of Parma, in consequence of orders from Philip, marched to the relief of the league, and obliged Henry to raise the blockade. Having performed this important service, he retreated to the Low Countries; and, by his consummate skill in the art of war, performed these long marches in the face of the enemy, without affording the French monarch that opportunity which he sought, of giving him battle, or so much as once putting his army in disorder. The only loss which he sustained was in the Low Countries, where prince Maurice took advantage of his absence, and recovered some places which the duke of Parma had formerly conquered from the States. [*See note 4 O at the end of this Vol.*]

1591. The situation of Henry's affairs, though promising, was not so well advanced or established as to make the queen discontinue her succours; and she was still more confirmed in the resolution of supporting him by some advantages gained by the king of Spain. The duke of Mercœur, governor of Britanny, a prince of the house of Lorraine, had declared for the league; and finding himself hard pressed by Henry's forces, he had been obliged, in order to secure himself, to introduce some Spanish troops into the sea-port towns of that province. Elizabeth was alarmed at the danger; and foresaw that the Spaniards, besides infesting the English commerce by privateers, might employ these harbours as the seat of their naval preparations, and might more easily from that vicinity, than from Spain or Portugal, project an invasion of England. She concluded therefore a new treaty with Henry, in which she engaged to send over three thousand men, to be employed in the reduction of Britanny, and she stipulated that her charges should, in a twelvemonth, or as soon as the enemy was expelled, be refunded her. These forces were commanded by sir John Norris, and under him by his brother Henry, and by Anthony Shirley. Sir Roger Williams was at the head of a small body which garrisoned Dieppe: and a squadron of ships, under the command of sir Henry Palmer, lay upon the coast of France, and intercepted all the vessels belonging to the Spaniards, or the leaguers.

The operations of war can very little be regulated beforehand by any treaty or agreement; and Henry, who found it necessary to lay aside the projected enterprise against Britanny, persuaded the English commanders to join his army, and to take a share in the hostilities which he carried into Picardy. Notwithstanding the disgust which Elizabeth received from this disappointment, he laid before her a plan for expelling the leaguers from Normandy, and persuaded her to send over a new body of four thousand men to assist him in that enterprise. The earl of Essex was appointed general of these forces; a young nobleman, who, by many exterior accomplishments, and still more real merit, was daily advancing in favour with Elizabeth, and seemed to occupy that place in her affections which Leicester, now deceased, had so long enjoyed. Essex, impatient for military fame, was extremely uneasy to lie some time at Dieppe unemployed; and had not the orders which he received from his mistress been so positive, he would gladly have accepted of Henry's invitation, and have marched to join the French army, now in Champagne. This plan of operations was also proposed to Elizabeth by the French ambassador, but she rejected it with great displeasure; and she threatened immediately to recall her troops, if Henry should persevere any longer in his present practice, of breaking all concert with her, and attending to nothing but his own interests. Urged by these motives, the French king at last led his army into Normandy, and laid siege to Roüen, which he reduced to great difficulties. But the league, unable of themselves to take the field against him, had again recourse to the duke of Parma, who received orders to march to their relief. He executed this enterprise with his usual abilities and success; and, for the present, frustrated all the projects of Henry and Elizabeth. This princess, who kept still in view the interests of her own kingdom in all her foreign transactions, was impatient under these disappointments.

blamed Henry for his negligence in the execution of treaties, and complained that the English forces were thrust foremost in every hazardous enterprise. It is probable, however, that their own ardent courage, and their desire of distinguishing themselves in so celebrated a theatre of war, were the causes why they so often enjoyed this perilous honour.

Notwithstanding the indifferent success of former enterprises, the queen was sensible how necessary it was to support Henry against the league and the Spaniards; and she formed a new treaty with him, in which they agreed never to make peace with Philip, but by common consent; *she* promised to send him a new supply of four thousand men; and *he* stipulated to repay her charges in a twelvemonth, to employ these forces, joined to a body of French troops, in an expedition against Britanny, and to consign into her hands a sea-port town of that province, for a retreat to the English. Henry knew the impossibility of executing some of these articles, and the imprudence of fulfilling others; but finding them rigidly insisted on by Elizabeth, he accepted of her succours, and trusted that he might easily, on some pretence, be able to excuse his failure in executing his part of the treaty. This campaign was the least successful of all those which he had yet carried on against the league.

NAVAL ENTERPRISES AGAINST SPAIN.

During these military operations in France, Elizabeth employed her naval power against Philip, and endeavoured to intercept his West Indian treasures, the source of that greatness which rendered him so formidable to all his neighbours. She sent a squadron of seven ships, under the command of lord Thomas Howard, for this service; but the king of Spain, informed of her purpose, fitted out a great force of fifty-five sail, and despatched them to escort the Indian fleet. They fell in with the English squadron; and, by the courageous obstinacy of sir Richard Grenville, the vice-admiral, who refused to make his escape by flight, they took one vessel, the first English ship of war that had yet fallen into the hands of the Spaniards. [*See note* 4 P, *at the end of this Vol.*] The rest of the squadron returned safely into England; frustrated of their expectations, but pleasing themselves with the idea that their attempt had not been altogether fruitless in hurting the enemy. The Indian fleet had been so long detained in the Havanna from the fear of the English, that they were obliged at last to set sail in an improper season, and most of them perished by shipwreck ere they reached the Spanish harbours. The earl of Cumberland made a like unsuccessful enterprise against the Spanish trade. He carried out one ship of the queen's and seven others, equipped at his own expense; but the prizes which he made did not compensate the charges.

1592. The spirit of these expensive and hazardous adventurers was very prevalent in England. Sir Walter Raleigh, who had enjoyed great favour with the queen, finding his interest to decline, determined to recover her good graces by some important undertaking; and as his reputation was high among his countrymen, he persuaded great numbers to engage with him as volunteers in an attempt on the West Indies. The fleet was detained so long in the Channel by contrary winds, that the season was lost: Raleigh was recalled by the queen: sir Martin Frobisher succeeded to the command, and made a privateering voyage against the Spaniards. He took one rich carrack near the island of Flores, and destroyed another. About the same time Thomas White, a Londoner, took two Spanish ships, which, besides fourteen hundred chests of quicksilver, contained about two millions of bulls for indulgences; a commodity useless to the English, but which had cost the king of Spain three hundred thousand florins, and would have been sold by him in the Indies for five millions.

A PARLIAMENT. *February* 19, 1593.

This war did great damage to Spain; but it was attended with considerable expense to England; and Elizabeth's ministers computed, that since the commencement of it, she had spent in Flanders and France, and on her naval expeditions, above one million two hundred thousand pounds; a charge which, notwithstanding her extreme frugality, was too burdensome for her narrow revenues to support. She summoned therefore a parliament in order to obtain a supply: but she either thought her authority so established that she needed to make them no concessions in return, or she rated her power and prerogative above money: for there never was any parliament whom she treated in a more haughty manner, whom she made more sensible of their own weakness, or whose privileges she more openly violated. When the speaker, sir Edward Coke, made the three usual requests, of freedom from arrests, of access to her person, and of liberty of speech, she replied to him by the mouth of Puckering, lord-keeper, that liberty of speech was granted to the commons, but they must know what liberty they were entitled to; not a liberty for every one to speak what he listeth, or what cometh in his brain to utter; their privilege extended no further than a liberty of Aye or No: that she enjoined the speaker, if he perceived any idle heads so negligent of their own safety as to attempt reforming the church, or innovating in the commonwealth, that he should refuse the bills exhibited for that purpose, till they were examined by such as were fitter to consider of these things, and could better judge of them: that she would not impeach the freedom of their persons; but they must beware lest, under colour of this privilege, they imagined that any neglect of their duty could be covered or protected: and that she would not refuse them access to her person, provided it were upon urgent and weighty causes, and at times convenient, and when she might have leisure from other important affairs of the realm.

Notwithstanding the menacing and contemptuous air of this speech, the intrepid and indefatigable Peter Wentworth, not discouraged by his former ill success, ventured to transgress the imperial orders of Elizabeth. He presented to the lord-keeper a petition, in which he desired the upper house to join with the lower in a supplication to her majesty for entailing the succession of the crown; and he declared that he had a bill ready prepared for that purpose. This method of proceeding was sufficiently respectful and cautious; but the subject was always extremely disagreeable to the queen, and what she had expressly prohibited any one from meddling with: she sent Wentworth immediately to the Tower; committed sir Thomas Bromley, who had seconded him, to the Fleet prison, together with Stevens and Welsh, two members to whom sir Thomas had communicated his intention. About a fortnight after, a motion was made in the house, to petition the queen for the release of these members; but it was answered by all the privy-counsellors there present, that her majesty had committed them for causes best known to herself, and that to press her on that head would only tend to the prejudice of the gentlemen whom they meant to serve: she would release them whenever she thought proper, and would be better pleased to do it of her own proper motion, than from their suggestion. The house willingly acquiesced in this reasoning.

So arbitrary an act, at the commencement of the session, might well repress all further attempts for freedom: but the religious zeal of the puritans was not so easily restrained; and it inspired a courage which no human motive was able to surmount. Morrice, chancellor of the duchy, and attorney of the court of wards, made a motion for redressing the abuses in the bishops' courts, but above all, in the high commission; where subscriptions, he said, were exacted to articles at the pleasure of the prelates; where oaths were imposed, obliging persons to answer to all questions without dis-

tinction, even though they should tend to their own condemnation; and where every one who refused entire satisfaction to the commissioners was imprisoned, without relief or remedy. This motion was seconded by some members; but the ministers and privy-counsellors opposed it, and foretold the consequences which ensued. The queen sent for the speaker, and after requiring him to deliver to her Morrice's bill, she told him that it was in her power to call parliaments, in her power to dissolve them, in her power to give assent or dissent to any determination which they should form: that her purpose in summoning this parliament was twofold, to have laws enacted for the further enforcement of uniformity in religion, and to provide for the defence of the nation against the exorbitant power of Spain: that these two points ought, therefore, to be the object of their deliberations: she had enjoined them already, by the mouth of the lord-keeper, to meddle neither with matters of state nor religion; and she wondered how any one could be so assuming as to attempt a subject so expressly contrary to her prohibition: that she was highly offended with this presumption; and took the present opportunity to reiterate the commands given by the keeper, and to require that no bill, regarding either state affairs, or reformation in causes ecclesiastical, be exhibited in the house: and that, in particular, she charged the speaker upon his allegiance, if any such bills were offered, absolutely to refuse them a reading, and not so much as permit them to be debated by the members. This command from the queen was submitted to without further question. Morrice was seized in the house itself by a serjeant-at-arms, discharged from his office of chancellor of the duchy, incapacitated from any practice in his profession as a common lawyer, and kept some years prisoner in Tilbury castle.

The queen having thus expressly pointed out both what the house should and should not do, the commons were as obsequious to the one as to the other of her injunctions. They passed a law against recusants; such a law as was suited to the severe character of Elizabeth, and to the persecuting spirit of the age. It was intituled, *An act to retain her majesty's subjects in their due obedience;* and was meant, as the preamble declares, to obviate such inconveniences and perils as might grow from the wicked practices of seditious sectaries and disloyal persons: for these two species of criminals were always, at that time, confounded together, as equally dangerous to the peace of society. It was enacted, that any person above sixteen years of age, who obstinately refused during the space of a month to attend public worship, should be committed to prison; that if, after being condemned for this offence, he persist three months in his refusal, he must abjure the realm; and that if he either refuse this condition, or return after banishment, he should suffer capitally as a felon without benefit of clergy. This law bore equally hard upon the puritans and upon the catholics; and, had it not been imposed by the queen's authority, was certainly, in that respect, much contrary to the private sentiments and inclinations of the majority in the house of commons. Very little opposition, however, appears there to have been openly made to it.*

The expenses of the war with Spain having reduced the queen to great difficulties, the grant of subsidies seems to have been the most important business of this parliament; and it was a signal proof of the high spirit of Elizabeth that, while conscious of a present dependence on the commons, she opened the session with the most haughty treatment of them, and covered her weakness under such a lofty appearance of superiority. The commons readily voted two subsidies and four fifteenths; but this sum not appearing sufficient to the court, an unusual expedient was fallen upon to induce them to make an enlargement in their concessions. The peers informed the commons in a conference, that they could not give their consent to the supply voted, thinking it too small for the queen's occasions; they therefore proposed a grant of three subsidies and six fifteenths; and desired a further conference in order to persuade the commons to agree to this measure. The commons, who had acquired the privilege of beginning bills of subsidy, took offence at this procedure of the lords, and at first absolutely rejected the proposal: but being afraid, on reflection, that they had by this refusal given offence to their superiors, they both agreed to the conference, and afterwards voted the additional subsidy.

The queen, notwithstanding this unusual concession of the commons, ended the session with a speech, containing some reprimands to them, and full of the same high pretensions which she had assumed at the opening of the parliament. She took notice, by the mouth of the keeper, that certain members spent more time than was necessary, by indulging themselves in harangues and reasonings: and she expressed her displeasure on account of their not paying due reverence to privy-counsellors, "who," she told them, "were not to be accounted as common knights and burgesses of the house, who are counsellors but during the parliament: whereas the others are standing counsellors, and for their wisdom and great service are called to the council of the state." The queen also, in her own person, made the parliament a spirited harangue; in which she spoke of the justice and moderation of her government, expressed the small ambition she had ever entertained of making conquests, displayed the just grounds of her quarrel with the king of Spain, and discovered how little she apprehended the power of that monarch, even though he should make a greater effort against her than that of his Invincible Armada. "But I am informed," added she, "that when he attempted this last invasion, some upon the sea-coast forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance: but I swear unto you, by God, if I knew those persons, or may know of any that shall do so hereafter, I will make them feel what it is to be fearful in so urgent a cause." By this menace, she probably gave the people to understand, that she would execute martial law upon such cowards: for there was no statute by which a man could be punished for changing his place of abode.

The king of France, though he had hitherto made war on the league with great bravery and reputation, though he had this campaign gained considerable advantages over them, and though he was assisted by a considerable body of English under Norris, who carried hostilities into the heart of Britanny, was become sensible that he never could by force of arms alone render himself master of his kingdom. The nearer he seemed by his military successes to approach to a full possession of the throne, the more discontent and jealousy arose among those Romanists who adhered to him; and a party was formed in his own court to elect some catholic monarch of the royal blood, if Henry should any longer refuse to satisfy them by declaring his conversion. This excellent prince was far from being a bigot to his sect; and as he deemed these theological disputes entirely subordinate to the public good, he had secretly determined from the beginning, to come some time or other to the resolution required of him. He had found on the death of his predecessor, that the hugonots, who formed the bravest and most faithful part of his army, were such determined zealots, that if he had at that time abjured their faith, they would instantly have abandoned him to the pretensions and usurpations of the catholics. The more bigoted catholics, he knew, particularly those of the league, had entertained such an unsurmountable prejudice against his person, and diffidence of his sincerity that even his abjuration would not reconcile them to his

* After enacting this statute, the clergy, in order to remove the crime from themselves, often took care that recusants should be tried by the civil judges at the assizes rather than by the ecclesiastical commissioners. Strype's Ann. vol. iv. p. 264.

title; and he must either expect to be entirely excluded from the throne, or be admitted to it on such terms as would leave him little more than the mere shadow of royalty. In this delicate situation he had resolved to temporise; to retain the hugonots by continuing in the profession of their religion; to gain the moderate catholics by giving them hopes of his conversion, to attach both to his person by conduct and success; and he hoped either that the animosity arising from war against the league would make them drop gradually the question of religion, or that he might in time, after some victories over his enemies and some conferences with divines, make finally, with more decency and dignity, that abjuration, which must have appeared at first mean as well as suspicious to both parties.

HENRY IV. EMBRACES THE CATHOLIC RELIGION.

When the people are attached to any theological tenets, merely from a general persuasion or prepossession, they are easily induced by any motive or authority to change their faith in these mysterious subjects; as appears from the example of the English, who, during some reigns, usually embraced, without scruple, the still varying religion of their sovereigns. But the French nation, where principles had so long been displayed as the badges of faction, and where each party had fortified its belief by an animosity against the other, were not found so pliable or inconstant; and Henry was at last convinced, that the catholics of his party would entirely abandon him, if he gave them not immediate satisfaction in this particular. The hugonots also, taught by experience, clearly saw that his desertion of them was become absolutely necessary for the public settlement; and so general was this persuasion among them, that, as the duke of Sully pretends, even the divines of that party purposely allowed themselves to be worsted in the disputes and conferences, that the king might more readily be convinced of the weakness of their cause, and might more cordially and sincerely, at least more decently, embrace the religion which it was so much his interest to believe. If this self-denial in so tender a point should appear incredible and supernatural in theologians, it will at least be thought very natural, that a prince so little instructed in these matters as Henry, and desirous to preserve his sincerity, should insensibly bend his opinion to the necessity of his affairs, and should believe that party to have the best arguments who could alone put him in possession of a kingdom. All circumstances, therefore, being prepared for this great event, that monarch renounced the protestant religion, and was solemnly received by the French prelates of his party into the bosom of the church.

Elizabeth, who was herself attached to the protestants, chiefly by her interests and the circumstances of her birth, and who seems to have entertained some propensity during her whole life to the catholic superstition, at least to the ancient ceremonies, yet pretended to be extremely displeased with this abjuration of Henry; and she wrote him an angry letter, reproaching him with this interested change of his religion. Sensible, however, that the league and the king of Spain were still their common enemies, she hearkened to his apologies; continued her succours both of men and money; and formed a new treaty, in which they mutually stipulated never to make peace but by common agreement.

SCOTCH AFFAIRS

The intrigues of Spain were not limited to France and England: by means of the same prevailing pretence of religion, joined to the influence of money, Philip excited new disorders in Scotland, and gave fresh alarms to Elizabeth. George Ker, brother to lord Newbottle, had been taken, while he was passing secretly into Spain; and papers were found about him, by which a dangerous conspiracy of some catholic noblemen with Philip was discovered. The earls of Angus, Errol, and Huntley, the heads of three potent families, had entered into a confederacy with the Spanish monarch: and had stipulated to raise all their forces; to join them to a body of Spanish troops, which Philip promised to send into Scotland; and after re-establishing the catholic religion in that kingdom, to march with their united power in order to effect the same purpose in England. Graham of Fintry, who had also entered into this conspiracy, was taken, and arraigned, and executed. Elizabeth sent lord Borough ambassador into Scotland, and exhorted the king to exercise the same severity on the three earls, to confiscate their estates, and by annexing them to the crown, both increase his own demesnes, and set an example to all his subjects of the dangers attending treason and rebellion. The advice was certainly rational, but not easy to be executed by the small revenue and limited authority of James. He desired, therefore, some supply from her of men and money; but though she had reason to deem the prosecution of the three popish earls a common cause, she never could be prevailed on to grant him the least assistance. The tenth part of the expense which she bestowed in supporting the French king, and the States, would have sufficed to execute this purpose, more immediately essential to her security: but she seems ever to have borne some degree of malignity to James, whom she hated both as her heir and as the son of Mary, her hated rival and competitor.

So far from giving James assistance to prosecute the catholic conspirators, the queen rather contributed to increase his inquietude, by countenancing the turbulent disposition of the earl of Bothwel, a nobleman descended from a natural son of James V. Bothwel more than once attempted to render himself master of the king's person; and being expelled the kingdom for these traitorous enterprises, he took shelter in England, was secretly protected by the queen, and lurked near the borders, where his power lay, with a view of still committing some new violence. He succeeded at last in an attempt on the king, and, by the mediation of the English ambassador, imposed dishonourable terms upon that prince: but James, by the authority of the convention of states, annulled this agreement as extorted by violence, again expelled Bothwel; and obliged him to take shelter in England. Elizabeth, pretending ignorance of the place of his retreat, never executed the treaties, by which she was bound to deliver up all rebels and fugitives to the king of Scotland. During these disorders, increased by the refractory disposition of the ecclesiastics, the prosecution of the catholic earls remained in suspense; but at last the parliament passed an act of attainder against them, [1594,] and the king prepared himself to execute it by force of arms. The noblemen, though they obtained a victory over the earl of Argyle, who acted by the king's commission, found themselves hard pressed by James himself, and agreed on certain terms to leave the kingdom. Bothwel, being detected in a confederacy with them, forfeited the favour of Elizabeth; and was obliged to take shelter first in France, then in Italy, where he died some years after in great poverty.

The established authority of the queen secured her from all such attempts as James was exposed to from the mutinous disposition of his subjects; and her enemies found no other means of giving her domestic disturbance, than by such traitorous and perfidious machinations as ended in their own disgrace, and in the ruin of their criminal instruments. Roderigo Lopez, a Jew, domestic physician to the queen, being imprisoned on suspicion, confessed that he had received a bribe to poison her from Fuentes and Ibarra, who had succeeded Parma, lately deceased, in the government of the Netherlands; but he maintained that

he had no other intention than to cheat Philip of his money, and never meant to fulfil his engagement. He was, however, executed for the conspiracy; and the queen complained to Philip of these dishonourable attempts of his ministers, but could obtain no satisfaction. York and Williams, two English traitors, were afterwards executed for a conspiracy with Ibarra, equally atrocious.

Instead of avenging herself by retaliating in a like manner, Elizabeth sought a more honourable vengeance, by supporting the king of France, and assisting him in finally breaking the force of the league, which, after the conversion of that monarch, went daily to decay, and was threatened with speedy ruin and dissolution. Norris commanded the English forces in Britanny, and assisted at the taking of Morlaix, Quimpercorentin, and Brest, towns garrisoned by Spanish forces. In every action, the English, though they had so long enjoyed domestic peace, discovered a strong military disposition; and the queen, though herself a heroine, found more frequent occasion to reprove her generals for encouraging their temerity, than for countenancing their fear or caution: sir Martin Frobisher, her brave admiral, perished with many others before Brest. Morlaix had been promised to the English for a place of retreat; but the duke of d'Aumont, the French general, eluded this promise, by making it be inserted in the capitulation, that none but catholics should be admitted into that city.

1595. Next campaign, the French king, who had long carried on hostilities with Philip, was at last provoked, by the taking of Chatelet and Dourlens, and the attack of Cambray, to declare war against that monarch. Elizabeth being threatened with a new invasion in England, and with an insurrection in Ireland, recalled most of her forces, and sent Norris to command in this latter kingdom. Finding also, that the French league was almost entirely dissolved, and that the most considerable leaders had made an accommodation with their prince, she thought that he could well support himself by his own force and valour; and she began to be more sparing in his cause of the blood and treasure of her subjects.

Some disgust which she had received from the States, joined to the remonstrances of her frugal minister Burleigh, made her also inclined to diminish her charges on that side; and she even demanded, by her ambassador, sir Thomas Bodley, to be reimbursed all the money which she had expended in supporting them. The States, besides alleging the conditions of the treaty, by which they were not bound to repay her till the conclusion of a peace, pleaded their present poverty and distress, the great superiority of the Spaniards, in supporting the war; much more in saving money to discharge their incumbrances. After much negociation, a new treaty was formed; by which the States engaged to free the queen immediately from the charge of the English auxiliaries, computed at forty thousand pounds a-year; to pay her annually twenty thousand pounds for some years; to assist her with a certain number of ships; and to conclude no peace or treaty without her consent. They also bound themselves, on finishing a peace with Spain, to pay her annually the sum of a hundred thousand pounds for four years; but on this condition, that the payment should be in lieu of all demands, and that they should be supplied, though at their own charge, with a body of four thousand auxiliaries from England.

1596. The queen still retained in her hands the cautionary towns, which were a great check on the rising power of the States; and she committed the important trust of Flushing to sir Francis Vere, a brave officer, who had distinguished himself by his valour in the Low Countries. She gave him the preference to Essex, who expected so honourable a command; and though this nobleman was daily rising both in reputation with the people, and favour with herself, the queen, who was commonly reserved in the advancement of her courtiers, thought proper on this occasion to give him a refusal. Sir Thomas Baskerville was sent over to France at the head of two thousand English, with which Elizabeth, by a new treaty concluded with Henry, engaged to supply that prince. Some stipulations for mutual assistance were formed by the treaty; and all former engagements were renewed.

1597. This body of English were maintained at the expense of the French king; yet did Henry esteem the supply of considerable advantage, on account of the great reputation acquired by the English, in so many fortunate enterprises undertaken against the common enemy. In the great battle of Tournholt, gained this campaign by prince Maurice, the English auxiliaries, under Sir Francis Vere and sir Robert Sidney, had acquired honour; and the success of that day was universally ascribed to their discipline and valour.

NAVAL ENTERPRISES.

Though Elizabeth, at a considerable expense of blood and treasure, made war against Philip in France and the Low Countries, the most severe blows which she gave him were by those naval enterprises which either she or her subjects scarcely ever intermitted during one season. In 1594, Richard Hawkins, son of sir John, the famous navigator, procured the queen's commission, and sailed with three ships to the South Sea by the Straits of Magellan: but his voyage proved unfortunate, and he himself was taken prisoner on the coast of Chili. James Lancaster was supplied the same year with three ships and a pinnace by the merchants of London; and was more fortunate in his adventure. He took thirty-nine ships of the enemy; and not content with this success, he made an attack on Fernambouc in Brazil, where he knew great treasures were at that time lodged. As he approached the shore he saw it lined with great numbers of the enemy; but nowise daunted at this appearance, he placed the stoutest of his men in boats, and ordered them to row with such violence on the landing place as to split them in pieces. By this bold action he both deprived his men of all resource but in victory, and terrified the enemy, who fled after a short resistance. He returned home with the treasure which he had so bravely acquired. In 1595, sir Walter Raleigh, who had anew forfeited the queen's friendship by an intrigue with a maid of honour, and who had been thrown into prison for this misdemeanor, no sooner recovered his liberty, than he was pushed by his active and enterprising genius to attempt some great action. The success of the first Spanish adventurers against Mexico and Peru had begotten an extreme avidity in Europe; and a prepossession universally took place, that in the inland parts of South America, called Guiana, a country as yet undiscovered, there were mines and treasures far exceeding any which Cortes or Pizarro had met with. Raleigh, whose turn of mind was somewhat romantic and extravagant, undertook at his own charge the discovery of this wonderful country. Having taken the small town of St. Joseph in the isle of Trinidado, where he found no riches, he left his ship, and sailed up the river Oroonoko in pinnaces, but without meeting anything to answer his expectations. On his return, he published an account of the country, full of the grossest and most palpable lies that were ever attempted to be imposed on the credulity of mankind.

The same year, sir Francis Drake and sir John Hawkins undertook a more important expedition against the Spanish settlements in America; and they carried with them six ships of the queen's, and twenty more, which either were fitted out at their own charge, or were furnished them by private adventurers. Sir Thomas Baskerville was appointed commander of the land forces which they carried on

board. Their first design was to attempt Porto Rico, where, they knew, a rich carrack was at that time stationed; but as they had not preserved the requisite secrecy, a pinnace, having strayed from the fleet, was taken by the Spaniards, and betrayed the intentions of the English. Preparations were made in that island for their reception; and the English fleet, notwithstanding the brave assault which they made on the enemy, was repulsed with loss. Hawkins soon after died; and Drake pursued his voyage to Nombre di Dios, on the isthmus of Darien; where, having landed his men, he attempted to pass forward to Panama, with a view of plundering that place, or, if he found such a scheme practicable, of keeping and fortifying it. But he met not with the same facility which had attended his first enterprises in those parts. The Spaniards, taught by experience, had everywhere fortified the passes, and had stationed troops in the woods; who so infested the English by continual alarms and skirmishes, that they were obliged to return, without being able to effect anything. Drake himself, from the intemperance of the climate, the fatigues of his journey, and the vexation of his disappointment, was seized with a distemper, of which he soon after died. Sir Thomas Baskerville took the command of the fleet, which was in a weak condition; and after having fought a battle near Cuba with a Spanish fleet, of which the event was not decisive, he returned to England. The Spaniards suffered some loss from this enterprise; but the English reaped no profit.

The bad success of this enterprise in the Indies made the English rather attempt the Spanish dominions in Europe, where, they heard, Philip was making great preparations for a new invasion of England. A powerful fleet was equipped at Plymouth, consisting of a hundred and seventy vessels, seventeen of which were capital ships of war; the rest tenders and small vessels; twenty ships were added by the Hollanders. In this fleet there were computed to be embarked six thousand three hundred and sixty soldiers, a thousand volunteers, and six thousand seven hundred and seventy-two seamen, beside the Dutch. The land forces were commanded by the earl of Essex: the navy by lord Effingham, high-admiral. Both these commanders had expended great sums of their own in the armament: for such was the spirit of Elizabeth's reign. Lord Thomas Howard, sir Walter Raleigh, sir Francis Vere, sir George Carew, and sir Coniers Clifford had commands in this expedition, and were appointed council to the general and admiral.

The fleet set sail on the first of June, 1596; and meeting with a fair wind, bent its course to Cadiz, at which place, by sealed orders delivered to all the captains, the general rendezvous was appointed. They sent before them some armed tenders, which intercepted every ship that could carry intelligence to the enemy; and they themselves were so fortunate when they came near Cadiz, as to take an Irish vessel, by which they learned, that that port was full of merchant ships of great value, and that the Spaniards lived in perfect security, without any apprehensions of an enemy. This intelligence much encouraged the English fleet, and gave them the prospect of a fortunate issue to the enterprise.

After a fruitless attempt to land at St. Sebastian's on the western side of the island of Cadiz, it was, upon deliberation, resolved by the council of war to attack the ships and galleys in the bay. This attempt was deemed rash; and the admiral himself, who was cautious in his temper, had entertained great scruples with regard to it: but Essex strenuously recommended the enterprise; and when he found the resolution at last taken, he threw his hat into the sea, and gave symptoms of the most extravagant joy. He felt, however, a great mortification, when Effingham informed him, that the queen, anxious for his safety, and dreading the effects of his youthful ardour, had secretly given orders that he should not be permitted to command the van in the attack. That duty was performed by sir Walter Raleigh and lord Thomas Howard; but Essex no sooner came within reach of the enemy, than he forgot the promise which the admiral had exacted from him, to keep in the midst of the fleet; he broke through and pressed forward into the thickest of the fire. Emulation for glory, avidity of plunder, animosity against the Spaniards, proved incentives to every one; and the enemy was soon obliged to slip anchor and retreat further into the bay, where they ran many of their ships aground. Essex then landed his men at the fort of Puntal; and immediately marched to the attack of Cadiz, which the impetuous valour of the English soon carried sword in hand. The generosity of Essex, not inferior to his valour, made him stop the slaughter, and treat his prisoners with the greatest humanity, and even affability and kindness. The English made rich plunder in the city; but missed of a much richer by the resolution which the duke of Medina, the Spanish admiral, took of setting fire to the ships, in order to prevent their falling into the hands of the enemy. It was computed that the loss which the Spaniards sustained in this enterprise amounted to twenty millions of ducats: besides the indignity which that proud and ambitious people suffered from the sacking of one of their chief cities, and destroying in their harbour, a fleet of such force and value.

Essex, all on fire for glory, regarded this great success only as a step to future achievements: he insisted on keeping possession of Cadiz; and he undertook, with four hundred men and three months' provisions, to defend the place till succours should arrive from England: but all the other seamen and soldiers were satisfied with the honour which they had acquired; and were impatient to return home in order to secure their plunder. Every other proposal of Essex to annoy the enemy met with a like reception: his scheme for intercepting the carracks at the Azores, for assaulting the Groine, for taking St. Andero, and St. Sebastian: and the English, finding it so difficult to drag this impatient warrior from the enemy, at last left him on the Spanish coast, attended by a very few ships. He complained much to the queen of their want of spirit in this enterprise: nor was she pleased that they had returned without attempting to intercept the Indian fleet; but the great success in the enterprise of Cadiz had covered all their miscarriages: and that princess, though she admired the lofty genius of Essex, could not forbear expressing an esteem for the other officers. The admiral was created earl of Nottingham; and his promotion gave great disgust to Essex. In the preamble of the patent it was said, that the new dignity was conferred on him on account of his good services in taking Cadiz, and destroying the Spanish ships; a merit which Essex pretended to belong solely to himself: and he offered to maintain this plea by single combat against the earl of Nottingham, or his sons, or any of his kindred.

The achievements in the subsequent year proved not so fortunate; but as the Indian fleet very narrowly escaped the English, Philip had still reason to see the great hazard and disadvantages of that war in which he was engaged, and the superiority which the English, by their naval power, and their situation, had acquired over him. The queen having received intelligence that the Spaniards, though their fleets were so much shattered and destroyed by the expedition to Cadiz, were preparing a squadron at Ferrol and the Groine, and were marching troops thither with a view of making a descent in Ireland, was resolved to prevent their enterprise, and to destroy the shipping in these harbours. She prepared a large fleet of a hundred and twenty sail, of which seventeen were her own ships, forty-three were smaller vessels, and the rest tenders and victuallers: she embarked on board this fleet five thousand new levied soldiers, and added a thousand veteran



troops, whom sir Francis Vere brought from the Netherlands. The earl of Essex, commander-in-chief both of the land and sea forces, was at the head of one squadron; lord Thomas Howard was appointed vice-admiral of another; sir Walter Raleigh of the third: lord Mountjoy commanded the land forces under Essex; Vere was appointed marshal; sir George Carew lieutenant of the ordnance, and sir Christopher Blount first colonel. The earls of Rutland and Southampton, the lords Gray, Cromwel, and Rich, with several other persons of distinction, embarked as volunteers. Essex declared his resolution either to destroy the new Armada which threatened England, or to perish in the attempt.

This powerful fleet set sail from Plymouth; (9th July;) but were no sooner out of harbour than they met with a furious storm, which shattered and dispersed them; and before they could be refitted, Essex found that their provisions were so far spent, that it would not be safe to carry so numerous an army along with him. He dismissed therefore all the soldiers, except the thousand veterans under Vere; and laying aside all thoughts of attacking Ferrol or the Groine, he confined the object of his expedition to the interception of the Indian fleet; which had at first been considered only as the second enterprise which he was to attempt.

The Indian fleet in that age, by reason of the imperfection of navigation, had a stated course as well as season both on their going out and in their return; and there were certain islands at which, as at fixed stages, they always touched, and where they took in water and provisions. The Azores being one of these places where about this time the fleet was expected, Essex bent his course thither; and he informed Raleigh, that he, on his arrival, intended to attack Fayal, one of these islands. By some accident the squadrons were separated; and Raleigh arriving first before Fayal, thought it more prudent, after waiting some time for the general, to begin the attack alone, lest the inhabitants should by further delay have leisure to make preparations for their defence. He succeeded in the enterprise; but Essex, jealous of Raleigh, expressed great displeasure at his conduct, and construed it as an intention of robbing the general of the glory which attended that action: he cashiered therefore Sydney, Bret, Berry, and others, who had concurred in the attempt; and would have proceeded to inflict the same punishment on Raleigh himself, had not lord Thomas Howard interposed with his good offices, and persuaded Raleigh, though high-spirited, to make submissions to the general. Essex, who was placable as well as hasty and passionate, was soon appeased, and both received Raleigh into favour, and restored the other officers to their commands. This incident, however, though the quarrel was seemingly accommodated, laid the first foundation of that violent animosity which afterwards took place between these two gallant commanders.

Essex made next a disposition proper for intercepting the Indian galleons; and sir William Monson, whose station was the most remote of the fleet, having fallen in with them, made the signals which had been agreed on. That able officer, in his Memoirs, ascribes Essex's failure, when he was so near attaining so mighty an advantage, to his want of experience in seamanship; and the account which he gives of the errors committed by that nobleman appears very reasonable, as well as candid. The Spanish fleet, finding that the enemy was upon them, made all the sail possible to the Terceras, and got into the safe and well-fortified harbour of Angra, before the English fleet could overtake them. Essex intercepted only three ships; which, however, were so rich as to repay all the charges of the expedition.

The causes of the miscarriage in this enterprise were much canvassed in England, upon the return of the fleet; and though the courtiers took part differently, as they effected either Essex or Raleigh, the people in general, who bore an extreme regard to the gallantry, spirit, and generosity of the former, were inclined to justify every circumstance of his conduct. The queen, who loved the one as much as she esteemed the other, maintained a kind of neutrality, and endeavoured to share her favours with an impartial hand between the parties. Sir Robert Cecil, second son of lord Burleigh, was a courtier of promising hopes, much connected with Raleigh; and she made him secretary of state, preferably to sir Thomas Bodley, whom Essex recommended for that office. But not to disgust Essex, she promoted him to the dignity of earl-marshal of England; an office which had been vacant since the death of the earl of Shrewsbury. Essex might perceive from this conduct, that she never intended to give him the entire ascendant over his rivals, and might thence learn the necessity of moderation and caution. But his temper was too high for submission; his behaviour too open and candid to practise the arts of a court; and his free sallies, while they rendered him but more amiable in the eyes of good judges, gave his enemies many advantages against him.

The war with Spain, though successful, having exhausted the queen's exchequer, she was obliged to assemble a parliament; (24th October;) where Yelverton, a lawyer, was chosen speaker of the house of commons. [*See note* 4 Q, *at the end of this Vol.*] Elizabeth took care, by the mouth of sir Thomas Egerton, lord-keeper, to inform this assembly of the necessity of a supply. She said, That the wars formerly waged in Europe had commonly been conducted by the parties without further view than to gain a few towns, or at most a province, from each other; but the object of the present hostilities, on the part of Spain, was no other than utterly to bereave England of her religion, her liberty, and her independence: that these blessings, however, she herself had hitherto been able to preserve, in spite of the devil, the pope, and the Spanish tyrant, and all the mischievous designs of all her enemies: that in this contest she had disbursed a sum triple to all the parliamentary supplies granted her; and, besides expending her ordinary revenues, had been obliged to sell many of the crown lands: and that she could not doubt but her subjects, in a cause where their own honour and interest were so deeply concerned, would willingly contribute to such moderate taxations as should be found necessary for the common defence. The parliament granted her three subsidies and six fifteenths; the same supply which had been given four years before, but which had then appeared so unusual, that they had voted it should never afterwards be regarded as a precedent.

The commons, this session, ventured to engage in two controversies about forms with the house of peers; a prelude to those encroachments which, as they assumed more courage, they afterwards made upon the prerogatives of the crown. They complained, that the lords failed in civility to them, by receiving their messages sitting, with their hats on; and that the keeper returned an answer in the same negligent posture; but the upper house proved, to their full satisfaction, that they were not entitled by custom and the usage of parliament to any more respect. Some amendments had been made by the lords to a bill sent up by the commons; and these amendments were written on parchment, and returned with the bill to the commons. The lower house took umbrage at the novelty: they pretended that these amendments ought to have been written on paper, not on parchment; and they complained of this innovation to the peers. The peers replied, that they expected not such a frivolous objection from the gravity of the house; and that it was not material whether the amendments were written on parchment or on paper, nor whether the paper were white, black, or brown. The commons were offended with this reply, which seemed to contain a mockery of them; and they complained of it though without obtaining any satisfaction.

An application was made, by way of petition, to the queen from the lower house, gainst monopolies; an abuse which had arisen to an enormous height; and

they received a gracious, though a general answer, for which they returned their thankful acknowledgments. But not to give them too much encouragement in such applications, she told them, in the speech which she delivered at their dissolution, "That with regard to these patents, she hoped that her dutiful and loving subjects would not take away her prerogative, which is the chief flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave these matters to her disposal. The commons also took notice, this session, of some transactions in the court of high commission; but not till they had previously obtained permission from her majesty to that purpose.

1598. Elizabeth had reason to foresee that parliamentary supplies would now become more necessary to her than ever; and that the chief burden of the war with Spain would thenceforth lie upon England. Henry had received an overture for peace with Philip; but before he would proceed to a negociation, he gave intelligence of it to his allies, the queen, and the States, that if possible a general pacification might be made by common agreement. These two powers sent ambassadors to France in order to remonstrate against peace: the queen, sir Robert Cecil, and Henry Herbert; the States, Justin Nassau, and John Barnevelt. Henry said to these ministers, That his early education had been amidst war and danger, and he had passed the whole course of his life either in arms or in military preparations: that after the proofs which he had given of his alacrity in the field, no one could doubt but he would willingly, for his part, have continued in a course of life to which he was now habituated, till the common enemy were reduced to such a condition as no longer to give umbrage either to him or to his allies: that no private interests of his own, not even those of his people, nothing but the most invincible necessity, could ever induce him to think of a separate peace with Philip, or make him embrace measures not entirely conformable to the wishes of all his confederates: that his kingdom, torn with the convulsions and civil wars of near half a century, required some interval of repose, ere it could reach a condition in which it might sustain itself, much more support its allies: that after the minds of his subjects were composed to tranquillity, and accustomed to obedience, after his finances were brought into order, and after agriculture and the arts were restored, France, instead of being a burden, as at present, to her confederates, would be able to lend them effectual succour, and amply to repay them all the assistance which she had received during her calamities: and that, if the ambition of Spain would not at present grant them such terms as they should think reasonable, he hoped that in a little time he should attain such a situation as would enable him to mediate more effectually, and with more decisive authority, in their behalf.

PEACE OF VERVINS.

The ambassadors were sensible that these reasons were not feigned; and they therefore remonstrated with the less vehemence against the measures which they saw Henry was determined to pursue. The States knew that that monarch was interested never to permit their final ruin: and having received private assurances that he would still, notwithstanding the peace, give them assistance both of men and money, they were well pleased to remain on terms of amity with him. His greatest concern was to give satisfaction to Elizabeth for this breach of treaty. He had a cordial esteem for that princess, a sympathy of manners, and a gratitude for the extraordinary favours which he had received from her during his greatest difficulties: and he used every expedient to apologize and atone for that measure which necessity extorted from him. But as Spain refused to treat with the Dutch as a free state, and Elizabeth would not negociate without her ally, Henry found himself obliged to conclude at Vervins a separate peace, by which he recovered possession of all places seized by Spain during the course of the civil wars, and procured to himself leisure to pursue the domestic settlement of his kingdom. His capacity for the arts of peace was not inferior to his military talents; and, in a little time, by his frugality, order, and wise government, he raised France from the desolation and misery in which she was involved, to a more flourishing condition than she had ever before enjoyed.

The queen knew that she could also, whenever she pleased, finish the war on equitable terms; and that Philip, having no claims upon her, would be glad to free himself from an enemy who had foiled him in every contest, and who still had it so much in her power to make him feel the weight of her arms. Some of her wisest counsellors, particularly the treasurer, advised her to embrace pacific measures; and set before her the advantages of tranquillity, security, and frugality, as more considerable than any success which could attend the greatest victories. But this high-spirited princess, though at first adverse to war, seemed now to have attained such an ascendant over the enemy, that she was unwilling to stop the course of her prosperous fortune. She considered that her situation and her past victories had given her entire security against any dangerous invasion; and the war must thenceforth be conducted by sudden enterprises and naval expeditions, in which she possessed an undoubted superiority: that the weak condition of Philip in the Indies, opened to her the view of the most durable advantages; and the yearly return of his treasure by sea, afforded a continual prospect of important, though more temporary, successes: that, after his peace with France, if she also should consent to an accommodation, he would be able to turn his whole force against the revolted provinces of the Netherlands, which, though they had surprisingly increased their power by commerce and good government, were still unable, if not supported by their confederates, to maintain war against so potent a monarch: and that, as her defence of that commonwealth was the original ground of the quarrel, it was unsafe as well as dishonourable to abandon its cause, till she had placed it in a state of greater security.

THE EARL OF ESSEX.

These reasons were frequently inculcated on her by the earl of Essex, whose passion for glory, as well as his military talents, made him earnestly desire the continuance of war, from which he expected to reap so much advantage and distinction. The rivalship between this nobleman and lord Burleigh made each of them insist the more strenuously on his own counsel; but as Essex's person was agreeable to the queen, as well as his advice conformable to her inclinations, the favourite seemed daily to acquire an ascendant over the minister. Had he been endowed with caution and self-command equal to his shining qualities, he would have so rivetted himself in the queen's confidence, that none of his enemies had ever been able to impeach his credit. But his lofty spirit could ill submit to that implicit deference which her temper required, and which she had ever been accustomed to receive from all her subjects. Being once engaged in a dispute with her about the choice of a governor for Ireland, he was so heated in the argument, that he entirely forgot the rules both of duty and civility; and turned his back upon her in a contemptuous manner. Her anger, naturally prompt and violent, rose at this provocation; and she instantly gave him a box on the ear; adding a passionate expression suited to his impertinence. Instead of recollecting himself, and making the submissions due to her sex and station, he clapped his hand to his sword, and swore that he would not bear such usage, were it from Henry VIII. himself; and he immediately withdrew from court. Egerton the chancellor, who loved Essex, exhorted him to repair his indiscretion, by proper acknowledg

ments; and entreated him not to give that triumph to his enemies, that affliction to his friends, which must ensue from his supporting a contest with his sovereign, and deserting the service of his country: but Essex was deeply stung with the dishonour which he had received; and seemed to think that an insult which might be pardoned in a woman, was become a mortal affront when it came from his sovereign. "If the vilest of all indignities," said he, "is done me, does religion enforce me to sue for pardon? Doth God require it? Is it impiety not to do it? Why? Cannot princes err? Cannot subjects receive wrong? Is an earthly power infinite? Pardon me, my lord, I can never subscribe to these principles. Let Solomon's fool laugh when he is stricken: let those that mean to make their profit of princes, show no sense of princes' injuries: let *them* acknowledge an infinite absoluteness on earth, that do not believe an absolute infiniteness in heaven," (alluding probably to the character and conduct of sir Walter Raleigh, who lay under the reproach of impiety.) "As for me," continued he, "I have received wrong, I feel it: my cause is good, I know it; and, whatsoever happens, all the powers on earth can never exert more strength and constancy in oppressing, than I can show in suffering everything that can or shall be imposed upon me. Your lordship, in the beginning of your letter, makes me a player, and yourself a looker-on: and me a player of my own game, so you may see more than I: but give me leave to tell you, that since you do but see, and I do suffer, I must of necessity feel more than you." [*See note* 4 R, *at the end of this Vol.*]

This spirited letter was shown by Essex to his friends; and they were so imprudent as to disperse copies of it: yet notwithstanding this additional provocation, the queen's partiality was so prevalent, that she reinstated him in his former favour; and her kindness to him appeared rather to have acquired new force from this short interval of anger and resentment. The death of Burleigh, his antagonist, which happened about the same time, (4th August,) seemed to ensure him constant possession of the queen's confidence; and nothing indeed but his own indiscretion could thenceforth have shaken his well-established credit. Lord Burleigh died in an advanced age; and by a rare fortune was equally regretted by his sovereign and the people. He had risen gradually from small beginnings, by the mere force of merit; and though his authority was never entirely absolute or uncontrolled with the queen, he was still, during the course of near forty years, regarded as her principal minister. None of her other inclinations or affections could ever overcome her confidence in so useful a counsellor; and as he had had the generosity or good sense to pay assiduous court to her during her sister's reign, when it was dangerous to appear her friend, she thought herself bound in gratitude, when she mounted the throne, to persevere in her attachments to him. He seems not to have possessed any shining talents of address, eloquence, or imagination; and was chiefly distinguished by solidity of understanding, probity of manners, and indefatigable application in business: virtues which, if they do not always enable a man to attain high stations, do certainly qualify him for filling them. Of all the queen's ministers, he alone left a considerable fortune to his posterity; a fortune not acquired by rapine or oppression, but gained by the regular profits of his offices, and preserved by frugality.

The last act of this able minister was the concluding of a new treaty with the Dutch, (8th August,) who, after being in some measure deserted by the king of France, were glad to preserve the queen's alliance, by submitting to any terms which she pleased to require of them. The debt which they owed her was now settled at eight hundred thousand pounds: of this sum they agreed to pay, during the war, thirty thousand pounds a year; and these payments were to continue till four hundred thousand pounds of the debt should be extinguished. They engaged also, during the time that England should continue the war with Spain, to pay the garrisons of the cautionary towns. They stipulated, that if Spain should invade England, or the Isle of Wight, or Jersey, or Scilly, they should assist her with a body of five thousand foot, and five hundred horse; and that in case she undertook any naval armament against Spain, they should join an equal number of ships to hers. By this treaty the queen was eased of an annual charge of a hundred and twenty thousand pounds.

Soon after the death of Burleigh, the queen, who regretted extremely the loss of so wise and faithful a minister, was informed of the death of her capital enemy, Philip II., who, after languishing under many infirmities, expired in an advanced age at Madrid. This haughty prince, desirous of an accommodation with his revolted subjects in the Netherlands, but disdaining to make in his own name the concessions necessary for that purpose, had transferred to his daughter, married to archduke Albert, the title to the Low Country provinces; but as it was not expected that this princess could have any posterity, and as the reversion on failure of her issue was still reserved to the crown of Spain, the States considered this deed only as the change of a name, and they persisted with equal obstinacy in their resistance to the Spanish arms. The other powers also of Europe made no distinction between the courts of Brussels and Madrid; and the secret opposition of France, as well as the avowed efforts of England, continued to operate against the progress of Albert, as it had done against that of Philip.

CHAPTER XLIV.

State of Ireland——Tyrone's Rebellion——Essex sent over to Ireland——His ill Success——Returns to England——Is disgraced——His Intrigues——His Insurrection——His Trial and Execution——French Affairs——Mountjoy's Success in Ireland——Defeat of the Spanish and Irish——A Parliament——Tyrone's Submission——Queen's Sickness and Death——Character.

STATE OF IRELAND. 1599.

THOUGH the dominion of the English over Ireland had been seemingly established above four centuries, it may safely be affirmed, that their authority had hitherto been little more than nominal. The Irish princes and nobles, divided among themselves, readily paid the exterior marks of obeisance to a power which they were not able to resist; but as no durable force was ever kept on foot to retain them in their duty, they relapsed still into their former state of independence. Too weak to introduce order and obedience among the rude inhabitants, the English authority was yet sufficient to check the growth of any enterprising genius among the natives: and though it could bestow no true form of civil government, it was able to prevent the rise of any such form, from the internal combination or policy of the Irish.

Most of the English institutions likewise by which that island was governed, were to the last degree absurd, and such as no state before had ever thought of, for preserving dominion over its conquered provinces.

The English nation, all on fire for the project of subduing France, a project whose success was the most improbable, and would to them have proved the most pernicious, neglected all other enterprises, to which their situation so strongly invited them, and which in time would have brought them an accession of riches, grandeur, and security. The small army which they maintained in Ireland they never supplied regularly with pay; and as no money could be levied on the island, which possessed none, they gave their soldiers the privilege of free quarter upon the natives. Rapine

and insolence inflamed the hatred which prevailed between the conquerors and the conquered; want of security among the Irish, introducing despair, nourished still more the sloth natural to that uncultivated people.

But the English carried further their ill-judged tyranny. Instead of inviting the Irish to adopt the more civilized customs of their conquerors, they even refused, though earnestly solicited, to communicate to them the privilege of their laws; and everywhere marked them out as aliens and as enemies. Thrown out of the protection of justice, the natives could find no security but in force; and flying the neighbourhood of cities, which they could not approach with safety, they sheltered themselves in their marshes and forests from the insolence of their inhuman masters. Being treated like wild beasts, they became such; and joining the ardour of revenge to their yet untamed barbarity, they grew every day more intractable and more dangerous.

As the English princes deemed the conquest of the dispersed Irish to be more the object of time and patience than the source of military glory, they willingly delegated that office to private adventurers, who, enlisting soldiers at their own charge, reduced provinces of that island, which they converted to their own profit. Separate jurisdictions and principalities were established by these lordly conquerors: the power of peace and war was assumed: military law was exercised over the Irish, whom they subdued; and by degrees over the English, by whose assistance they conquered: and, after their authority had once taken root, deeming the English institutions less favourable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother country.

By all this imprudent conduct of England, the natives of its dependent state remained still in that abject condition into which the northern and western parts of Europe were sunk, before they received civility and slavery from the refined policy and irresistible bravery of Rome. Even at the end of the sixteenth century, when every Christian nation was cultivating with ardour every civil art of life, that island, lying in a temperate climate, enjoying a fertile soil, accessible in its situation, possessed of innumerable harbours, was still, notwithstanding these advantages, inhabited by a people whose customs and manners approached nearer those of savages than of barbarians.

As the rudeness and ignorance of the Irish were extreme, they were sunk below the reach of that curiosity and love of novelty, by which every other people in Europe had been seized at the beginning of that century, and which had engaged them in innovations and religious disputes, with which they were still so violently agitated. The ancient superstition, the practices and observances of their fathers, mingled and polluted with many wild opinions, still maintained an unshaken empire over them: and the example of the English alone was sufficient to render the Reformation odious to the prejudiced and discontented Irish. The old opposition of manners, laws, and interest was now inflamed by religious antipathy; and the subduing and civilizing of that country seemed to become every day more difficult and more impracticable.

The animosity against the English was carried so far by the Irish, that, in an insurrection raised by two sons of the earl of Clanricarde, they put to the sword all the inhabitants of the town of Athenry, though Irish, because they began to conform themselves to English customs, and had embraced a more civilized form of life than had been practised by their ancestors.

The usual revenue of Ireland amounted only to six thousand pounds a year: the queen, though with much repining, commonly added twenty thousand more, which she remitted from England: and with this small revenue a body of a thousand men was supported, which on extraordinary emergencies was augmented to two thousand. No wonder that a force so disproportioned to the object, instead of subduing a mutious kingdom, served rather to provoke the natives, and to excite those frequent insurrections, which still further inflamed the animosity between the two nations, and increased the disorders to which the Irish were naturally subject.

In 1560, Shan O'Neale, or the Great O'Neale, as the Irish called him, because head of that potent clan, raised a rebellion in Ulster; but after some skirmishes he was received into favour upon his submission, and his promise of a more dutiful behaviour for the future. This impunity tempted him to undertake a new insurrection in 1567; but being pushed by Sir Henry Sidney, lord-deputy, he retreated into Clandeboy, and rather than submit to the English, he put himself into the hands of some Scottish islanders, who commonly infested those parts by their incursions. The Scots, who retained a quarrel against him on account of former injuries, violated the laws of hospitality, and murdered him at a festival to which they had invited him. He was a man equally noted for his pride, his violence, his debaucheries, and his hatred to the English nation. He is said to have put some of his followers to death because they endeavoured to introduce the use of bread after the English fashion. Though so violent an enemy to luxury, he was extremely addicted to riot; and was accustomed, after his intemperance had thrown him into a fever, to plunge his body into mire, that he might allay the flame which he had raised by his former excesses. Such was the life led by this haughty barbarian, who scorned the title of the earl of Tyrone, which Elizabeth intended to have restored to him, and who assumed the rank and appellation of king of Ulster. He used also to say, that though the queen was his sovereign lady, he never made peace with her but at her seeking.

Sir Henry Sidney was one of the wisest and most active governors that Ireland had enjoyed for several reigns; and he possessed his authority eleven years, during which he struggled with many difficulties, and made some progress in repressing those disorders which had become inveterate among the people. The earl of Desmond, in 1569, gave him disturbance, from the hereditary animosity which prevailed between that nobleman and the earl of Ormond, descended from the only family established in Ireland, that had steadily maintained its loyalty to the English crown. The earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his designs were ripe for execution. Stukely, another fugitive, found such credit with the pope, Gregory XIII., that he flattered that pontiff with the prospect of making his nephew, Buon Compagno, king of Ireland; and, as if this project had already taken effect, he accepted the title of marquis of Leinster from the new sovereign. He passed next into Spain; and after having received much encouragement and great rewards from Philip, who intended to employ him as an instrument in disturbing Elizabeth, he was found to possess too little interest for executing those high promises which he had made to that monarch. He retired into Portugal; and following the fortunes of don Sebastian, he perished with that gallant prince in his bold but unfortunate expedition against the Moors.

Lord Gray, after some interval, succeeded to the government of Ireland; and in 1579, suppressed a new rebellion of the earl of Desmond, though supported by a body of Spaniards and Italians. The rebellion of the Bourks followed a few years after; occasioned by the strict and equitable administration of Sir Richard Bingham, governor of Connaught, who endeavoured to repress the tyranny of the chieftains over their vassals. The queen finding Ireland so burdensome to her, tried several expedients for reducing it to a state of greater order and submission. She encouraged the earl of Essex, father to that nobleman who was afterwards her favourite, to attempt the subduing and planting of



Clandeboy, Ferny, and other territories, part of some late forfeitures: but that enterprise proved unfortunate; and Essex died of a distemper occasioned, as is supposed, by the vexation which he had conceived from his disappointments. An university was founded in Dublin, with a view of introducing arts and learning into that kingdom, and civilizing the uncultivated manners of the inhabitants. But the most unhappy expedient employed in the government of Ireland was that made use of in 1585 by sir John Perrot, at that time lord-deputy: he put arms into the hands of the Irish inhabitants of Ulster, in order to enable them, without the assistance of the government, to repress the incursions of the Scottish islanders, by which these parts were much infested. At the same time, the invitations of Philip, joined to their zeal for the catholic religion, engaged many of the gentry to serve in the Low Country wars; and thus Ireland, being provided with officers and soldiers, with discipline and arms, became formidable to the English, and was thenceforth able to maintain a more regular war against her ancient masters.

TYRONE'S REBELLION.

Hugh O'Neale, nephew to Shan O'Neale, had been raised by the queen to the dignity of earl of Tyrone; but having murdered his cousin, son of that rebel, and being acknowledged head of his clan, he preferred the pride of barbarous licence and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders by which he hoped to weaken or overturn the English government. He was noted for the vices of perfidy and cruelty, so common among uncultivated nations; and was also eminent for courage, a virtue which their disorderly course of life requires, and which, notwithstanding, being less supported by the principle of honour, is commonly more precarious among them, than among a civilized people. Tyrone, actuated by this spirit, secretly fomented the discontents of the Maguires, O'Donnels, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of sir William Russel, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of sir Henry Bagnal, marshal of the army, he was dismissed; and returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain: he procured thence a supply of arms and ammunition: and having united all the Irish chieftains in a dependence upon himself, he began to be regarded as a formidable enemy. The native Irish were so poor that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expense requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses, to which they retreated. These motives rendered sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and after the war was spun out by these artifices for some years, that gallant Englishman, finding that he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Black-water, besieged by the rebels, he was surrounded in disadvantageous ground, his soldiers, discouraged by part of their powder's accidentally taking fire, were put to flight; and though the pursuit was stopped by Montacute, who commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to the Irish, roused their courage, supplied them with arms and ammunition, and raised the reputation of Tyrone, who assumed the character of the deliverer of his country, and patron of Irish liberty.

ESSEX SENT OVER TO IRELAND.

The English council were now sensible, that the rebellion of Ireland was come to a dangerous head, and that the former temporising arts of granting truces and pacifications to the rebels, and of allowing them to purchase pardons by resigning part of the plunder acquired during their insurrection, served only to encourage the spirit of mutiny and disorder among them. It was therefore resolved to push the war by more vigorous measures; and the queen cast her eye on Charles Blount, lord Mountjoy, as a man who, though hitherto less accustomed to arms than to books and literature, was endowed, she thought, with talents equal to the undertaking. But the young earl of Essex, ambitious of fame, and desirous of obtaining this government for himself, opposed the choice of Mountjoy; and represented the necessity of appointing for that important employment some person more experienced in war than this nobleman, more practised in business, and of higher quality and reputation. By this description, he was understood to mean himself; and no sooner was his desire known, than his enemies, even more zealously than his friends, conspired to gratify his wishes. Many of his friends thought that he never ought to consent, except for a short time, to accept of any employment which must remove him from court, and prevent him from cultivating that personal inclination which the queen so visibly bore him. His enemies hoped, that if by his absence she had once leisure to forget the charms of his person and conversation, his impatient and lofty demeanour would soon disgust a princess who usually exacted such profound submission and implicit obedience from all her servants. But Essex was incapable of entering into such cautious views; and even Elizabeth, who was extremely desirous of subduing the Irish rebels, and who was much prepossessed in favour of Essex's genius, readily agreed to appoint him governor of Ireland, by the title of lord-lieutenant. The more to encourage him in his undertaking, she granted him by his patent more extensive authority than had ever before been conferred on any lieutenant; the power of carrying on or finishing the war as he pleased, of pardoning the rebels, and of filling all the most considerable employments of the kingdom. And to ensure him of success, she levied a numerous army of sixteen thousand foot, and thirteen hundred horse, which she afterwards augmented to twenty thousand foot and two thousand horse: a force which, it was apprehended, would be able in one campaign to overwhelm the rebels, and make an entire conquest of Ireland. Nor did Essex's enemies, the earl of Nottingham, sir Robert Cecil, sir Walter Raleigh, and lord Cobham, throw any obstacles in the way of these preparations; but hoped that the higher the queen's expectations of success were raised, the more difficult it would be for the event to correspond to them. In a like view, they rather seconded than opposed those exalted encomiums, which Essex's numerous and sanguine friends dispersed, of his high genius, of his elegant endowments, his heroic courage, his unbounded generosity, and his noble birth; nor were they displeased to observe that passionate fondness which the people everywhere expressed for this nobleman. These artful politicians had studied his character; and finding that his open and undaunted spirit, if taught temper and reserve from opposition, must become invincible, they resolved rather to give full breath to those sails which were already too much expanded, and to push him upon dangers of which he

seemed to make such small account. And the better to make advantage of his indiscretions, spies were set upon all his actions, and even expressions; and his vehement spirit, which, while he was in the midst of the court and environed by his rivals, was unacquainted with disguise, could not fail after he thought himself surrounded by none but friends, to give a pretence for malignant suspicions and constructions.

Essex left London in the month of March, attended with the acclamations of the populace; and, what did him more honour, accompanied by a numerous train of nobility and gentry, who from affection to his person, had attached themselves to his fortunes, and sought fame and military experience under so renowned a commander. The first act of authority which he exercised after his arrival in Ireland, was an indiscretion, but of the generous kind; and in both these respects suitable to his character. He appointed his intimate friend, the earl of Southampton, general of the horse; a nobleman who had incurred the queen's displeasure, by secretly marrying without her consent, and whom she had therefore enjoined Essex not to employ in any command under him. She no sooner heard of this instance of disobedience, than she reprimanded him, and ordered him to recall his commission to Southampton. But Essex, who had imagined that some reasons which he opposed to her first injunctions, had satisfied her, had the imprudence to remonstrate against these second orders; and it was not till she reiterated her commands that he could be prevailed on to displace his friend.

HIS ILL SUCCESS.

Essex, on his landing at Dublin, deliberated with the Irish council concerning the proper methods of carrying on the war against the rebels; and here he was guilty of a capital error, which was the ruin of his enterprise. He had always, while in England, blamed the conduct of former commanders, who artfully protracted the war, who harassed their troops in small enterprises, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leisure to recruit their broken forces. In conformity to these views, he had ever insisted upon leading his forces immediately into Ulster against Tyrone, the chief enemy; and his instructions had been drawn agreeably to these his declared resolutions. But the Irish counsellors persuaded him that the season was too early for the enterprise, and that as the morasses in which the northern Irish usually sheltered themselves, would not as yet be passable to the English forces, it would be better to employ the present time in an expedition into Munster. Their secret reason for this advice was, that many of them possessed estates in that province, and were desirous to have the enemy dislodged from their neighbourhood: but the same selfish spirit which had induced them to give this counsel, made them soon after disown it, when they found the bad consequences with which it was attended.

Essex obliged all the rebels of Munster either to submit or to fly into the neighbouring provinces: but as the Irish, from the greatness of the queen's preparations, had concluded that she intended to reduce them to total subjection, or even utterly to exterminate them, they considered their defence as a common cause; and the English forces were no sooner withdrawn, than the inhabitants of Munster relapsed into rebellion, and renewed their confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become sickly; and on its return to Dublin, about the middle of July, was surprisingly diminished in number. The courage of the soldiers was even much abated: for though they had prevailed in some lesser enterprises against lord Cahir and others; yet had they sometimes met with more stout resistance than they expected from the Irish, whom they were wont to despise; and as they were raw troops and unexperienced, a considerable body of them had been put to flight at the Glins, by an inferior number of the enemy. Essex was so enraged at this misbehaviour, that he cashiered all the officers, and decimated the private men. But this act of severity, though necessary, had intimidated the soldiers, and increased their aversion to the service.

The queen was extremely disgusted when she heard that so considerable a part of the season was consumed in these frivolous enterprises; and was still more surprised that Essex persevered in the same practice which he had so much condemned in others, and which he knew to be so much contrary to her purpose and intention. That nobleman, in order to give his troops leisure to recruit from their sickness and fatigue, left the main army in quarters, and marched with a small body of fifteen hundred men into the county of Ophelie against the O'Connors and O'Mores, whom he forced to a submission: but, on his return to Dublin, he found the army so much diminished, that he wrote to the English council an account of its condition, and informed them, that if he did not immediately receive a re-enforcement of two thousand men, it would be impossible for him this season to attempt anything against Tyrone. That there might be no pretence for further inactivity, the queen immediately sent over the number demanded; and Essex began at last to assemble his forces for his expedition into Ulster. The army was so averse to this enterprise, and so terrified with the reputation of Tyrone, that many of them counterfeited sickness, many of them deserted; and Essex found, that after leaving the necessary garrisons, he could scarcely lead four thousand men against the rebels. He marched, however, with this small army; but was soon sensible, that in so advanced a season it would be impossible for him to effect anything against an enemy who, though superior in number, was determined to avoid every decisive action. He hearkened, therefore, to a message sent him by Tyrone, who desired a conference: and a place near the two camps was appointed for that purpose. The generals met without any of their attendants, and a river ran between them, in which Tyrone entered to the depth of his saddle; but Essex stood on the opposite bank. After half an hour's conference, where Tyrone behaved with great submission to the lord-lieutenant, a cessation of arms was concluded to the first of May, renewable from six weeks to six weeks; but which might be broken off by either party upon a fortnight's warning. Essex also received from Tyrone proposals for a peace, in which that rebel had inserted many unreasonable and exorbitant conditions: and there appeared afterwards some reason to suspect that he had here commenced a very unjustifiable correspondence with the enemy.

So unexpected an issue of an enterprise, the greatest and most expensive that Elizabeth had ever undertaken, provoked her extremely against Essex; and this disgust was much augmented by other circumstances of that nobleman's conduct. He wrote many letters to the queen and council, full of peevish and impatient expressions: complaining of his enemies, lamenting that their calumnies should be believed against him, and discovering symptoms of a mind equally haughty and discontented. She took care to inform him of her dissatisfaction; but commanded him remain in Ireland till further orders.

ESSEX RETURNS TO ENGLAND.

Essex heard at once of Elizabeth's anger, and of the promotion of his enemy, sir Robert Cecil, to the office of master of the wards, an office to which he himself aspired; and dreading that, if he remained any longer absent, the queen would be totally alienated from him, he hastily embraced a resolution which, he knew, had

once succeeded with the earl of Leicester, the former favourite of Elizabeth. Leicester being informed, while in the Low Countries, that his mistress was extremely displeased with his conduct, disobeyed her orders by coming over to England; and having pacified her by his presence, by his apologies, and by his flattery and insinuation, disappointed all the expectations of his enemies. Essex, therefore, weighing more the similarity of circumstances than the difference of character between himself and Leicester, immediately set out for England; and making speedy journeys, he arrived at court before any one was in the least apprized of his intentions. Though besmeared with dirt and sweat, he hastened up stairs to the presence-chamber, thence to the privy-chamber; nor stopped till he was in the queen's bedchamber, who was newly risen, and was sitting with her hair about her face. He threw himself on his knees, kissed her hand, and had some private conference with her; where he was so graciously received, that, on his departure, he was heard to express great satisfaction, and to thank God that though he had suffered much trouble and many storms abroad, he found a sweet calm at home.

ESSEX IS DISGRACED.

But this placability of Elizabeth was merely the result of her surprise, and of the momentary satisfaction which she felt on the sudden and unexpected appearance of her favourite: after she had leisure for recollection, all his faults recurred to her; and she thought it necessary, by some severe discipline, to subdue that haughty, imperious spirit, who, presuming on her partiality, had pretended to domineer in her councils, to engross all her favour, and to act, in the most important affairs, without regard to her orders and instructions. When Essex waited on her in the afternoon, he found her extremely altered in her carriage towards him: she ordered him to be confined to his chamber; to be twice examined by the council; and though his answers were calm and submissive, she committed him to the custody of lord-keeper Egerton, and held him sequestered from all company, even from that of his countess, nor was so much as the intercourse of letters permitted between them. Essex dropped many expressions of humiliation and sorrow, none of resentment: he professed an entire submission to the queen's will: declared his intention of retiring into the country, and of leading thenceforth a private life, remote from courts and business: but though he affected to be so entirely cured of his aspiring ambition, the vexation of this disappointment, and of the triumph gained by his enemies, preyed upon his haughty spirit, and he fell into a distemper which seemed to put his life in danger.

The queen had always declared to all the world, and even to the earl himself, that the purpose of her severity was to correct, not to ruin him; and when she heard of his sickness, she was not a little alarmed with his situation. She ordered eight physicians of the best reputation and experience to consult of his case; and being informed that the issue was much to be apprehended, she sent Dr. James to him with some broth, and desired that physician to deliver him a message, which she probably deemed of still greater virtue, that if she thought such a step consistent with her honour, she would herself pay him a visit. The bystanders, who carefully observed her countenance, remarked that in pronouncing these words, her eyes were suffused with tears.

When these symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh, in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution, that he was seized with sickness in his turn; and the queen was obliged to apply the same salve to his wound, and to send him a favourable message, expressing her desire of his recovery.

1600. The medicine which the queen administered to these aspiring rivals was successful with both; and Essex being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health, as to be thought past danger. A belief was instilled into Elizabeth, that his distemper had been entirely counterfeit, in order to move her compassion; and she relapsed into her former rigour against him. He wrote her a letter, and sent her a rich present on New-year's day, as was usual with the courtiers at that time: she read the letter, but rejected the present. After some interval, however, of severity, she allowed him to retire to his own house; and though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity, that he sent her a letter of thanks on the occasion. "This further degree of goodness," said he, "doth sound in my ears as if your majesty spake these words, *Die not, Essex; for though I punish thine offence, and humble thee for thy good, yet will I one day be served again by thee.* My prostrate soul makes this answer: I *hope for that blessed day.* And in expectation of it, all my afflictions of body and mind are humbly, patiently, and cheerfully borne by me." The countess of Essex, daughter of sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed during this period of anxiety and expectation, consisted in her company, and in reading with her those instructive and entertaining authors, which, even during the time of his greatest prosperity, he had never entirely neglected.

There were several incidents which kept alive the queen's anger against Essex. Every account which she received from Ireland convinced her more and more of his misconduct in that government, and of the insignificant purposes to which he had employed so much force and treasure. Tyrone, so far from being quelled, had thought proper, in less than three months, to break the truce; and joining with O'Donnel, and other rebels, had overrun almost the whole kingdom. He boasted that he was certain of receiving a supply of men, money, and arms from Spain: he pretended to be champion of the catholic religion: and he openly exulted in the present of a phœnix plume, which the pope, Clement VIII., in order to encourage him in the prosecution of so good a cause, had consecrated, and had conferred upon him. The queen, that she might check his progress, returned to her former intention of appointing Mountjoy lord-deputy: and though that nobleman, who was an intimate friend of Essex, and desired his return to the government of Ireland, did at first very earnestly excuse himself on account of his bad state of health, she obliged him to accept of the employment. Mountjoy found the island almost in a desperate condition; but being a man of capacity and vigour, he was so little discouraged, that he immediately advanced against Tyrone in Ulster. He penetrated into the heart of that country, the chief seat of the rebels; he fortified Derry and Mount-Norris, in order to bridle the Irish: he chased them from the field, and obliged them to take shelter in the woods and morasses: he employed, with equal success, sir George Carew in Munster: and by these promising enterprises, he gave new life to the queen's authority in that island.

As the comparison of Mountjoy's administration with that of Essex contributed to alienate Elizabeth from her favourite, she received additional disgust from the partiality of the people, who, prepossessed with an extravagant idea of Essex's merit, complained of the injustice done him by his removal from court, and by his confinement. Libels were secretly dispersed against Cecil and Raleigh, and all his enemies; and his popularity, which was always great, seemed rather to be increased than diminished by his misfortunes. Eliza-

beth, in order to justify to the public her conduct, with regard to him, had often expressed her intentions of having him tried in the star-chamber for his offences: but her tenderness for him prevailed at last over her severity; and she was contented to have him only examined by the privy-council. The attorney-general, Coke, opened the cause against him, and treated him with the cruelty and insolence which that great lawyer usually exercised against the unfortunate. He displayed in the strongest colours, all the faults committed by Essex in his administration of Ireland: his making Southampton general of the horse, contrary to the queen's injunctions; his deserting the enterprise against Tyrone, and marching to Leinster and Munster; his conferring knighthood on too many persons; his secret conference with Tyrone; and his sudden return from Ireland, in contempt of her majesty's commands. He also exaggerated the indignity of the conditions which Tyrone had been allowed to propose; odious and abominable conditions, said he; a public toleration of an idolatrous religion, pardon for himself and every traitor in Ireland, and full restitution of lands and possessions to all of them. The solicitor-general, Fleming, insisted upon the wretched situation in which the earl had left that kingdom; and Francis, son of sir Nicholas Bacon, who had been lord-keeper in the beginning of the present reign, closed the charge with displaying the undutiful expressions contained in some letters written by the earl.

Essex, when he came to plead in his own defence, renounced, with great submission and humility, all pretensions to an apology; and declared his resolution never, on this or any other occasion, to have any contest with his sovereign. He said, that, having severed himself from the world, and abjured all sentiments of ambition, he had no scruple to confess every failing or error, into which his youth, folly, or manifold infirmities might have betrayed him; that his inward sorrow for his offences against her majesty was so profound, that it exceeded all his outward crosses and afflictions, nor had he any scruple of submitting to a public confession of whatever she had been pleased to impute to him; that in his acknowledgments he retained only one reserve, which he never would relinquish but with his life, the assertion of a loyal and unpolluted heart, of an unfeigned affection, of an earnest desire ever to perform to her majesty the best service which his poor abilities would permit: and that if this sentiment were allowed by the council, he willingly acquiesced in any condemnation or sentence which they could pronounce against him. This submission was uttered with so much eloquence, and in so pathetic a manner, that it drew tears from many of the audience. All the privy-counsellors, in giving their judgment, made no scruple of doing the earl justice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with great regard and humanity. And the sentence pronounced by the lord-keeper (to which the council assented) was in these words: "If this cause," said he, "had been heard in the star-chamber, my sentence must have been for as great a fine as ever was set upon any man's head in that court, together with perpetual confinement in that prison which belongeth to a man of his quality, the Tower. But since we are now in another place, and in a course of favour, my censure is, that the earl of Essex is not to execute the office of a counsellor nor that of earl-marshal of England, nor of master of the ordnance; and to return to his own house, there to continue a prisoner till it shall please her majesty to release this and all the rest of his sentence." The earl of Cumberland made a slight opposition to this sentence: and said, that if he thought it would stand, he would have required a little more time to deliberate; that he deemed it somewhat severe; and that any commander-in-chief might easily incur a like penalty. But, however, added he, in confidence of her majesty's mercy, I agree with the rest. The earl of Worcester delivered his opinion in a couple of Latin verses; importing that, where the gods are offended, even misfortunes ought to be imputed as crimes, and that accident is no excuse for transgressions against the Divinity.

Bacon, so much distinguished afterwards by his high offices, and still more by his profound genius for the sciences, was nearly allied to the Cecil family, being nephew to lord Burleigh, and cousin-german to the secretary: but notwithstanding his extraordinary talents he had met with so little protection from his powerful relations, that he had not yet obtained any preferment in the law, which was his profession. But Essex, who could distinguish merit, and who passionately loved it, had entered into an intimate friendship with Bacon, had zealously attempted, though without success, to procure him the office of solicitor-general; and in order to comfort his friend under the disappointment, had conferred on him a present of land to the value of eighteen hundred pounds. The public could ill excuse Bacon's appearance before the council, against so munificent a benefactor; though he acted in obedience to the queen's commands: but she was so well pleased with his behaviour, that she imposed on him a new task, of drawing a narrative of that day's proceedings, in order to satisfy the public of the justice and lenity of her conduct. Bacon, who wanted firmness of character more than humanity, gave to the whole transaction the most favourable turn for Essex; and, in particular, pointed out, in elaborate expression, the dutiful submission which that nobleman discovered in the defence that he made for his conduct. When he read the paper to her, she smiled at that passage, and observed to Bacon, that old love, she saw, could not easily be forgotten. He replied, that he hoped she meant that of herself.

All the world indeed expected that Essex would soon be reinstated in his former credit; perhaps, as is usual in reconcilements founded on inclination, would acquire an additional ascendant over the queen, and after all his disgraces, would again appear more a favourite than ever. They were confirmed in this hope when they saw that, though he was still prohibited from appearing at court, he was continued in his office of master of horse, and was restored to his liberty, and that all his friends had access to him. Essex himself seemed determined to persevere in that conduct which had hitherto been so successful, and which the queen, by all this discipline, had endeavoured to render habitual to him: he wrote to her, that he kissed her majesty's hands, and the rod with which she had corrected him; but that he could never recover his wonted cheerfulness, till she deigned to admit him to that presence, which had ever been the chief source of his happiness and enjoyment: and that he had now resolved to make amends for his past errors, to retire into a country solitude, and say, with Nebuchadnezzar, "Let my dwelling be with the beasts of the field; let me eat grass as an ox, and be wet with the dew of heaven; till it shall please the queen to restore me to my understanding." The queen was much pleased with these sentiments, and replied, that she heartily wished his actions might correspond with his expressions; that he had tried her patience a long time, and it was but fitting she should now make some experiment of his submission; that her father would never have pardoned so much obstinacy; but that if the furnace of affliction produced such good effects, she should ever after have the better opinion of her chemistry.

The earl of Essex possessed a monopoly of sweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it, and he considered this event as the critical circumstance of his life, which would determine whether he could ever hope to be reinstated in credit and authority. But Elizabeth, though gracious in her deportment, was of a temper somewhat haughty and severe: and being

continually surrounded with Essex's enemies, means were found to persuade her that his lofty spirit was not yet sufficiently subdued, and that he must undergo this further trial, before he could again be safely received into favour. She therefore denied his request; and even added, in a contemptuous style, that an ungovernable beast must be stinted in his provender.

HIS INTRIGUES.

This rigour, pushed one step too far, proved the final ruin of this young nobleman, and was the source of infinite sorrow and vexation to the queen herself. Essex, who had with great difficulty so long subdued his proud spirit, and whose patience was now exhausted, imagining that the queen was entirely inexorable, burst at once all restraints of prudence, and determined to seek relief, by proceeding to the utmost extremities against his enemies. Even during his greatest favour he had ever been accustomed to carry matters with a high hand towards his sovereign; and as this practice gratified his own temper, and was sometimes successful, he had imprudently imagined that it was the only proper method of managing her. But being now reduced to despair, he gave entire reins to his violent disposition, and threw off all appearance of duty and respect. Intoxicated with the public favour, which he already possessed, he practised anew every art of popularity; and endeavoured to increase the general goodwill by a hospitable manner of life, little suited to his situation and circumstances. His former employments had given him great connexions with men of the military profession; and he now entertained, by additional caresses and civilities, a friendship with all desperate adventurers, whose attachment he hoped might, in his present views, prove serviceable to him. He secretly courted the confidence of the catholics; but his chief trust lay in the puritans, whom he openly caressed, and whose manners he seemed to have entirely adopted. He engaged the most celebrated preachers of that sect to resort to Essex-house; he had daily prayers and sermons in his family; and he invited all the zealots in London to attend those pious exercises. Such was the disposition now beginning to prevail among the English, that, instead of feasting and public spectacles, the methods anciently practised to gain the populace, nothing so effectually ingratiated an ambitious leader with the public, as these fanatical entertainments. And as the puritanical preachers frequently inculcated in their sermons the doctrine of resistance to the civil magistrate, they prepared the minds of their hearers for those seditious projects which Essex was secretly meditating.

But the greatest imprudence of this nobleman proceeded from the openness of his temper, by which he was ill qualified to succeed in such difficult and dangerous enterprises. He indulged himself in great liberties of speech, and was even heard to say of the queen, that she was now grown an old woman, and was become as crooked in her mind as in her body. Some court ladies, whose favours Essex had formerly neglected, carried her these stories, and incensed her to a high degree against him. Elizabeth was ever remarkably jealous on this head, and though she was now approaching to her seventieth year, she allowed her courtiers and even foreign ambassadors, to compliment her upon her beauty; nor had all her good sense been able to cure her of this preposterous vanity. [*See note 4 S, at the end of this Vol.*]

There was also an expedient employed by Essex, which, if possible, was more provoking to the queen, than those sarcasms on her age and deformity; and that was, his secret applications to the king of Scots, her heir and successor. That prince had this year very narrowly escaped a dangerous, though ill-formed, conspiracy of the earl of Gowry; and even his deliverance was attended with this disagreeable circumstance, that the obstinate ecclesiastics persisted, in spite of the most incontestable evidence, to maintain to his face, that there had been no such conspiracy. James, harassed with his turbulent and factious subjects, cast a wishful eye to the succession of England; and, in proportion as the queen advanced in years, his desire increased of mounting that throne, on which, besides acquiring a great addition of power and splendour, he hoped to govern a people so much more tractable and submissive. He negociated with all the courts of Europe, in order to ensure himself friends and partisans: he even neglected not the court of Rome and that of Spain; and though he engaged himself in no positive promise, he flattered the catholics with hopes that, in the event of his succession, they might expect some more liberty than was at present indulged them. Elizabeth was the only sovereign in Europe to whom he never dared to mention his right of succession: he knew that, though her advanced age might now invite her to think of fixing an heir to the crown, she never could bear the prospect of her own death without horror, and was determined still to retain him, and all other competitors, in an entire dependence upon her.

Essex was descended by females from the royal family; and some of his sanguine partisans had been so imprudent as to mention his name among those of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he secretly sent into Scotland, to assure James, that so far from entertaining such ambitious views, he was determined to use every expedient for extorting an immediate declaration in favour of that monarch's right of succession. James willingly hearkened to this proposal; but did not approve of the violent methods which Essex intended to employ. Essex had communicated his scheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a person of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the king of Scots her successor. And such was Essex's impatient ardour, that, though James declined this dangerous expedient, he still endeavoured to persuade Mountjoy not to desist from the project: but the deputy, who thought that such violence, though it might be prudent, and even justifiable, when supported by a sovereign prince, next heir to the crown, would be rash and criminal, if attempted by subjects, absolutely refused his concurrence. The correspondence, however, between Essex and the court of Scotland was still conducted with great secrecy and cordiality; and that nobleman, besides conciliating the favour of James, represented all his own adversaries as enemies to that prince's succession, and as men entirely devoted to the interests of Spain, and partisans of the chimerical title of the infanta.

The infanta and the archduke Albert had made some advances to the queen for peace; and Bolougne, as a neutral town, was chosen for the place of conference. Sir Henry Nevil, the English resident in France, Herbert, Edmondes, and Beale, were sent thither as ambassadors from England, and negociated with Zuniga, Carillo, Richardot, and Verheiken, ministers of Spain, and the archduke: (16th May:) but the conferences were soon broke off by disputes with regard to the ceremonial. Among the European states England had ever been allowed the precedency above Castile, Arragon, Portugal, and the other kingdoms of which the Spanish monarchy was composed; and Elizabeth insisted, that this ancient right was not lost on account of the junction of these states, and that that monarchy in its present situation, though it surpassed the English in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedency among kingdoms as well as noble families. That she might show, however, a pacific disposition, she was content to yield to an equality: but the Spanish ministers, as their nation had always disputed

precedency even with France, to which England yielded, would proceed no further in the conference till their superiority of rank were acknowledged. During the preparations for this abortive negociation the earl of Nottingham, the admiral, lord Buckhurst, treasurer, and secretary Cecil, had discovered their inclination to peace; but as the English nation, flushed with success, and sanguine in their hopes of plunder and conquest, were in general averse to that measure, it was easy for a person so popular as Essex to infuse into the multitude an opinion, that these ministers had sacrificed the interests of their country to Spain, and would even make no scruple of receiving a sovereign from that hostile nation.

HIS INSURRECTION. 1601.

But Essex, not content with these arts for decrying his adversaries, proceeded to concert more violent methods of ruining them, chiefly instigated by Cuffe, his secretary, a man of a bold and arrogant spirit, who had acquired a great ascendant over his patron. A select council of malcontents was formed, who commonly met at Drury-house, and were composed of sir Charles Davers, to whom the house belonged, the earl of Southampton, sir Ferdinando Gorges, sir Christopher Blount, sir John Davies, and John Littleton; and Essex, who boasted that he had a hundred and twenty barons, knights, and gentlemen of note at his devotion, and who trusted still more to his authority with the populace, communicated to his associates those secret designs with which his confidence in so powerful a party had inspired him. Among other criminal projects, the result of blind rage and despair, he deliberated with them concerning the method of taking arms; and asked their opinion whether he had best begin with seizing the palace or the Tower, or set out with making himself master at once of both places. The first enterprise being preferred, a method was concerted for executing it. It was agreed that sir Christopher Blount, with a choice detachment, should possess himself of the palace gates; that Davies should seize the hall, Davers the guard-chamber and presence-chamber; and that Essex should rush in from the Meuse, attended by a body of his partisans, should entreat the queen with all demonstrations of humility, to remove his enemies; should oblige her to assemble a parliament; and should with common consent settle a new plan of government.

While these desperate projects were in agitation, many reasons of suspicion were carried to the queen; and she sent Robert Sackville, son of the treasurer, to Essex-house, (7th February,) on pretence of a visit, but in reality with a view of discovering whether there were in that place any unusual concourse of people, or any extraordinary preparations which might threaten an insurrection. Soon after Essex received a summons to attend the council, which met at the treasurer's house; and while he was musing on this circumstance, and comparing it with the late unexpected visit from Sackville, a private note was conveyed to him, by which he was warned to provide for his own safety. He concluded that all his conspiracy was discovered, at least suspected; and that the easiest punishment which he had reason to apprehend, was a new and more severe confinement: he therefore excused himself to the council on pretence of an indisposition, and he immediately dispatched messages to his more intimate confederates, requesting their advice and assistance in the present critical situation of his affairs. They deliberated, whether they should abandon all their projects, and fly the kingdom; or instantly seize the palace with the force which they could assemble; or rely upon the affections of the citizens, who were generally known to have a great attachment to the earl. Essex declared against the first expedient, and professed himself determined to undergo any fate rather than submit to live the life of a fugitive. To seize the palace seemed impracticable, without more preparations; especially as the queen seemed now aware of their projects, and, as they heard, had used the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themselves to the city; and while the prudence and feasibility of this resolution was under debate, a person arrived, who, as if he had received a commission for the purpose, gave them assurance of the affections of the Londoners, and affirmed, that they might securely rest any project on that foundation. The popularity of Essex had chiefly buoyed him up in all his vain undertakings; and he fondly imagined, that with no other assistance than the good-will of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wisdom, supported by vigour, and concurring with the general sentiments of the nation. The wild project of raising the city was immediately resolved on; the execution of it was delayed till next day; and emissaries were dispatched to all Essex's friends, informing them that Cobham and Raleigh had laid schemes against his life, and entreating their presence and assistance.

Next day (8th February) there appeared at Essex-house the earls of Southampton and Rutland, the lords Sandys and Monteagle, with about three hundred gentlemen of good quality and fortune; and Essex informed them of the danger to which he pretended the machinations of his enemies exposed him. To some he said, that he would throw himself at the queen's feet, and crave her justice and protection: to others, he boasted of his interest in the city, and affirmed, that whatever might happen, this resource could never fail him. The queen was informed of these designs, by means of intelligence conveyed, as is supposed, to Raleigh, by sir Ferdinando Gorges; and, having ordered the magistrates of London to keep the citizens in readiness, she sent Egerton, lord-keeper, to Essex-house, with the earl of Worcester, sir William Knollys, controller, and Popham, chief-justice, in order to learn the cause of these unusual commotions. They were with difficulty admitted through a wicket; but all their servants were excluded, except the purse-bearer. After some altercation, in which they charged Essex's retainers upon their allegiance to lay down their arms, and were menaced in their turn by the angry multitude who surrounded them, the earl, who found that matters were past recall, resolved to leave them prisoners in his house, and to proceed to the execution of his former project. He sallied forth with about two hundred attendants, armed only with walking swords; and in his passage to the city, was joined by the earl of Bedford and lord Cromwell. He cried aloud, "For the queen! for the queen! a plot is laid for my life!" and then proceeded to the house of Smith, the sheriff, on whose aid he had great reliance. The citizens flocked about him in amazement; but though he told them that England was sold to the infanta, and exhorted them to arm instantly, otherwise they could not do him any service, no one showed a disposition to join him. The sheriff, on the earl's approach to his house, stole out at the back door, and made the best of his way to the mayor. Essex, meanwhile, observing the coldness of the citizens, and hearing that he was proclaimed a traitor by the earl of Cumberland and lord Burleigh, began to despair of success, and thought of retreating to his own house. He found the streets in his passage barricadoed and guarded by the citizens under the command of sir John Levison. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendship, was killed, with two or three of the Londoners; and the earl himself, attended by a few of his partisans, (for the greater part began secretly to withdraw themselves,) retired towards the river, and taking boat, arrived at Essex-house. He there found that Gorges, whom he had sent before to capitulate with the lord-keeper and the other counsellors, had given all of

them their liberty, and had gone to court with them. He was now reduced to despair; and appeared determined, in prosecution of lord Sandys's advice, to defend himself to the last extremity, and rather to perish, like a brave man, with his sword in his hand, than basely by the hands of the executioner: but after some parley, and after demanding in vain, first hostages, then conditions, from the besiegers, he surrendered at discretion; requesting only civil treatment, and a fair and impartial hearing.

HIS TRIAL. *February* 19.

The queen, who during all this commotion had behaved with as great tranquillity and security as if there had only passed a fray in the streets, in which she was nowise concerned, soon gave orders for the trial of the most considerable of the criminals. The earls of Essex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurst acted as lord-steward. The guilt of the prisoners was too apparent to admit of any doubt; and, besides the insurrection known to everybody, the treasonable conferences at Drury-house were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court: the confessions of the earl of Rutland, of the lords Cromwell, Sandys, and Monteagle, of Davers, Blount, and Davies, were only read to the peers, according to the practice of that age. Essex's best friends were scandalised at his assurance in insisting so positively on his innocence, and the goodness of his intentions; and still more at his vindictive disposition, in accusing, without any appearance of reason, secretary Cecil as a partisan of the infanta's title. The secretary, who had expected this charge, stepped into the court and challenged Essex to produce his authority, which, on examination, was found extremely weak and frivolous. When sentence was pronounced, Essex spoke like a man who expected nothing but death: but he added, that he should be sorry if he were represented to the queen as a person that despised her clemency; though he should not, he believed, make any cringing submissions to obtain it. Southampton's behaviour was more mild and submissive; he entreated the good offices of the peers in so modest and becoming a manner, as excited compassion in every one.

The most remarkable circumstance in Essex's trial was Bacon's appearance against him. He was none of the crown-lawyers; so was not obliged by his office to assist at this trial: yet did he not scruple, in order to obtain the queen's favour, to be active in bereaving of life his friend and patron, whose generosity he had often experienced. He compared Essex's conduct, in pretending to fear the attempts of his adversaries, to that of Pisistratus, the Athenian, who cut and wounded his own body; and making the people believe that his enemies had committed the violence, obtained a guard for his person, by whose assistance he afterwards subdued the liberties of his country.

After Essex had passed some days in the solitude and reflections of a prison, his proud heart was at last subdued, not by the fear of death, but by the sentiments of religion; a principle which he had before attempted to make the instrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and consideration. His spiritual directors pursuaded him, that he never could obtain the pardon of heaven, unless he made a full confession of his disloyalty; and he gave into the council an account of all his criminal designs, as well as of his correspondence with the king of Scots. He spared not even his most intimate friends, such as lord Mountjoy, whom he had engaged in these conspiracies; and he sought to pacify his present remorse by making such atonements as, in any other period of his life, he would have deemed more blameable than those attempts themselves which were the objects of his penitence. Sir Harry Nevil, in particular, a man of merit, he accused of a correspondence with the conspirators; though it appears that this gentleman had never assented to the proposals made him, and was no further criminal than in not revealing the earl's treason; an office to which every man of honour naturally bears the strongest reluctance. Nevil was thrown into prison, and underwent a severe persecution; but as the queen found Mountjoy an able and successful commander, she continued him in his government, and sacrificed her resentment to the public service.

HIS EXECUTION. *February* 25.

Elizabeth affected extremely the praise of clemency; and in every great example which she had made during her reign, she had always appeared full of reluctance and hesitation: but the present situation of Essex called forth all her tender affections, and kept her in the most real agitation and irresolution. She felt a perpetual combat between resentment and inclination, pride and compassion, the care of her own safety and concern for her favourite; and her situation, during this interval, was perhaps more an object of pity than that to which Essex himself was reduced. She signed the warrant for his execution; she countermanded it; she again resolved on his death; she felt a new return of tenderness. Essex's enemies told her, that he himself desired to die, and had assured her, that she never could be in safety while he lived: it is likely that this proof of penitence and concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which she had so long indulged towards the unhappy prisoner. But what chiefly hardened her heart against him was his supposed obstinacy, in never making, as she hourly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear; and willingly acknowledged the justice of the sentence by which he suffered. The execution was private in the Tower, agreeably to his own request. He was apprehensive, he said, lest the favour and compassion of the people would too much raise his heart in those moments, when humiliation under the afflicting hand of Heaven was the only proper sentiment which he could indulge. And the queen, no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye. Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already laboured: it was thought that his sole intention was to feast his eyes with the death of an enemy; and no apology which he could make for so ungenerous a conduct, could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented, were still regarded as the principles of this unmanly behaviour.

The earl of Essex was but thirty-four years of age, when his rashness, imprudence, and violence, brought him to this untimely end. We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues, generosity, sincerity, friendship, valour, eloquence, and industry, should, in the latter period of his life, have given reins to his ungovernable passions, and involved not only himself but many of his friends in utter ruin. The queen's tenderness and passion for him, as it was the cause of those premature honours which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him, as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridiculous, if not odious in his eyes, he was engaged by an impru-

dent openness, of which he made profession, to discover too easily those sentiments to her. The many reconcilations and returns of affection, of which he had still made advantage, induced him to venture on new provocations, till he pushed her beyond all bounds of patience; and he forgot that, though the sentiments of the woman were ever strong in her, those of the sovereign had still, in the end, appeared predominant.

Some of Essex's associates, Cuffe, Davers, Blount, Meric, and Davies, were tried and condemned, and all of these, except Davies, were executed. The queen pardoned the rest; being persuaded that they were drawn in merely from their friendship to that nobleman, and their care of his safety; and were ignorant of the most criminal part of his intentions. Southampton's life was saved with great difficulty. But he was detained in prison during the remainder of this reign.

The king of Scots, apprehensive lest his correspondence with Essex might have been discovered, and have given offence to Elizabeth, sent the earl of Marre and lord Kinloss as ambassadors to England, in order to congratulate the queen on her escape from the late insurrection and conspiracy. They were also ordered to make secret inquiry whether any measures had been taken by her for excluding him from the succession, as well as to discover the inclinations of the chief nobility and counsellors, in case of the queen's demise. They found the dispositions of men as favourable as they could wish; and they even entered into a correspondence with secretary Cecil, whose influence, after the fall of Essex, was now uncontrolled, and who was resolved, by this policy, to acquire in time the confidence of the successor. He knew how jealous Elizabeth ever was of her authority, and he therefore carefully concealed from her his attachment to James: but he afterwards asserted, that nothing could be more advantageous to her than this correspondence; because the king of Scots, secure of mounting the throne by his undoubted title, aided by those connexions with the English ministry, was the less likely to give any disturbance to the present sovereign. He also persuaded that prince to remain in quiet, and patiently to expect that time should open to him the inheritance of the crown, without pushing his friends on desperate enterprises, which would totally incapacitate them from serving him. James's equity, as well as his natural facility of disposition, easily inclined him to embrace that resolution; and in this manner the minds of the English were silently but universally disposed to admit, without opposition, the succession of the Scottish line: the death of Essex, by putting an end to faction, had been rather favourable than prejudicial to that great event.

FRENCH AFFAIRS.

The French king, who was little prepossessed in favour of James, and who, for obvious reasons, was averse to the union of England and Scotland, made his ambassador drop some hints to Cecil, of Henry's willingness to concur in any measure for disappointing the hopes of the Scottish monarch; but as Cecil showed an entire disapprobation of such schemes, the court of France took no further steps in that matter; and thus, the only foreign power which could give much disturbance to James's succession, was induced to acquiesce in it. Henry made a journey this summer to Calais, and the queen hearing of his intentions went to Dover, in hopes of having a personal interview with a monarch whom, of all others, she most loved and most respected. The king of France, who felt the same sentiments towards her, would gladly have accepted of the proposal; but as many difficulties occurred, it appeared necessary to lay aside, by common consent, the project of an interview. Elizabeth, however, wrote successively two letters to Henry, one by Edmondes, another by sir Robert Sidney; in which she expressed a desire of conferring, about a business of importance, with some minister in whom that prince reposed entire confidence. The marquis of Rosni, the king's favourite and prime minister, came to Dover in disguise; and the Memoirs of that able statesman contain a full account of his conference with Elizabeth. This princess had formed a scheme for establishing, in conjunction with Henry, a new system in Europe, and of fixing a durable balance of power, by the erection of new states on the ruins of the house of Austria. She had even the prudence to foresee the perils which might ensue from the aggrandizement of her ally; and she purposed to unite all the seventeen provinces of the Low Countries in one republic, in order to form a perpetual barrier against the dangerous increase of the French as well as of the Spanish monarchy. Henry had himself long meditated such a project against the Austrian family; and Rosni could not forbear expressing his astonishment, when he found that Elizabeth and his master, though they had never communicated their sentiments on this subject, not only had entered into the same general views, but had also formed the same plan for their execution. The affairs, however, of France were not yet brought to a situation which might enable Henry to begin that great enterprise; and Rosni satisfied the queen, that it would be necessary to postpone for some years their united attack on the house of Austria. He departed, filled with just admiration at the solidity of Elizabeth's judgment, and the greatness of her mind; and he owns that she was entirely worthy of that high reputation which she enjoyed in Europe.

The queen's magnanimity in forming such extensive projects was the more remarkable, as, besides her having fallen so far into the decline of life, the affairs of Ireland, though conducted with abilities and success, were still in disorder, and made a great diversion of her forces. The expense, incurred by this war, lay heavy upon her narrow revenues; and her ministers, taking advantage of her disposition to frugality, proposed to her an expedient of saving, which, though she at first disapproved of it, she was at last induced to embrace. It was represented to her, that the great sums of money remitted to Ireland for the pay of the English forces, came, by the necessary course of circulation, into the hands of the rebels, and enabled them to buy abroad all necessary supplies of arms and ammunition, which from the extreme poverty of that kingdom, and its want of every useful commodity, they could not otherwise find means to purchase. It was therefore recommended to her, that she should pay her forces in base money; and it was asserted, that, besides the great saving to the revenue, this species of coin could never be exported with advantage, and would not pass in any foreign market. Some of her wiser counsellors maintained, that if the pay of her soldiers were raised in proportion, the Irish rebels would necessarily reap the same benefit from the base money, which would always be taken at a rate suitable to its value; if the pay were not raised, there would be danger of a mutiny among the troops, who, whatever names might be affixed to the pieces of metal, would soon find from experience, that they were defrauded in their income. But Elizabeth, though she justly valued herself on fixing the standard of the English coin, much debased by her predecessors, and had innovated very little in that delicate article, was seduced by the specious arguments employed by the treasurer on this occasion; and she coined a great quantity of base money, which he made use of in the pay of her forces in Ireland.

MOUNTJOY'S SUCCESS IN IRELAND.

Mountjoy, the deputy, was a man of abilities; and foreseeing the danger of mutiny among the troops, he led them instantly into the field, and resolved, by means of strict discipline, and by keeping them employed against the enemy, to obviate those inconveniences

which were justly to be apprehended. He made military roads, and built a fortress at Moghery; he drove the Mag-Genises out of Lecale; he harassed Tyrone in Ulster with inroads and lesser expeditions; and by destroying everywhere, and during all seasons, the provisions of the Irish, he reduced them to perish by famine in the woods and morasses, to which they were obliged to retreat. At the same time, sir Henry Docwray, who commanded another body of troops, took the castle of Derry, and put garrisons into Newton and Ainogh; and having seized the monastery of Donnegal, near Balishannon, he threw troops into it, and defended it against the assaults of O'Donnel and the Irish. Nor was sir George Carew idle in the province of Munster. He seized the titular earl of Desmond, and sent him over, with Florence Macarty, another chieftain, prisoner to England. He arrested many suspected persons, and took hostages from others. And having got a re-enforcement of two thousand men from England, he threw himself into Cork, which he supplied with arms and provisions; and he put everything in a condition for resisting the Spanish invasion, which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war against Tyrone, who was reduced to great extremities; and he marched with his army into Munster.

At last the Spaniards, under don John d'Aquila, arrived at Kinsale; (23rd September); and sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint was the introduction of trials by jury; an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty for which the English laws are so justly celebrated. The Irish also bore a great favour to the Spaniards, having entertained the opinion that they themselves were descended from that nation; and their attachment to the catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general *in the holy war for the preservation of the faith* in Ireland; and he endeavoured to persuade the people that Elizabeth was, by several bulls of the pope, deprived of her crown: that her subjects were absolved from their oaths of allegiance: and that the Spaniards were come to deliver the Irish from the dominion of the devil. Mountjoy found it necessary to act with vigour, in order to prevent a total insurrection of the Irish; and having collected his forces, he formed the siege of Kinsale by land; while sir Richard Levison, with a small squadron, blockaded it by sea. He had no sooner begun his operations, than he heard of the arrival of another body of two thousand Spaniards under the command of Alphonso Ocampo, who had taken possession of Baltimore and Berehaven; and he was obliged to detach sir George Carew to oppose their progress. Tyrone, meanwhile, with Randal, Mac-Surley, Tirel, baron of Kelly, and other chieftains of the Irish, had joined Ocampo with all their forces, and were marching to the relief of Kinsale. The deputy, informed of their design by intercepted letters, made preparations to receive them; and being re-enforced by Levison with six hundred marines, he posted his troops on an advantageous ground, which lay on the passage of the enemy, leaving some cavalry to prevent a sally from d'Aquila and the Spanish garrison. When Tyrone, with a detachment of Irish and Spaniards, approached, he was surprised to find the English so well posted, and ranged in good order; and he immediately sounded a retreat: but the deputy gave orders to pursue him; and having thrown these advanced troops into disorder, he followed them to the main body, whom he also attacked, and put to flight, with the slaughter of twelve hundred men. Ocampo was taken prisoner; Tyrone fled into Ulster; O'Donnel made his escape into Spain; and d'Aquila, finding himself reduced to the greatest difficulties, was obliged to capitulate upon such terms as the deputy prescribed to him: he surrendered Kinsale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other successes, gained by Wilmot, governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into dismay, and gave a prospect of the final reduction of Ireland.

A PARLIAMENT. *October* 27.

The Irish war, though successful, was extremely burdensome on the queen's revenue; and besides the supplies granted by parliament, which were indeed very small, but which they ever regarded as mighty concessions, she had been obliged, notwithstanding her great frugality, to employ other expedients, such as selling the royal demesnes and crown-jewels, and exacting loans from the people, in order to support this cause, so essential to the honour and interests of England. The necessity of her affairs obliged her again to summon a parliament; and it here appeared, that, though old age was advancing fast upon her, though she had lost much of her popularity by the unfortunate execution of Essex, insomuch that, when she appeared in public, she was not attended with the usual acclamations, yet the powers of her prerogative, supported by vigour, still remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many persons to distinguish themselves in civil and military employments; and the queen, who was not able, from her revenue, to give them any rewards proportioned to their services, had made use of an expedient which had been employed by her predecessor, but which had never been carried to such an extreme as under her administration. She granted her servants and courtiers patents for monopolies; and these patents they sold to others, who were thereby enabled to raise commodities to what price they pleased, and who put invincible restraints upon all commerce, industry, and emulation in the arts. It is astonishing to consider the number and importance of those commodities, which were thus assigned over to patentees. Currants, salt, iron, powder, cards, calf-skins, fells, pouldavies, ox-shin-bones, train-oil, lists of cloth, pot-ashes, anniseeds, vinegar, sea-coals, steel, aquavitæ, brushes, pots, bottles, saltpetre, lead, accidences, oil, calamine-stone, oil of blubber, glasses, paper, starch, tin, sulphur, new drapery, dried pilchards, transportation of iron ordnance, of beer, of horn, of leather, importation of Spanish wool, of Irish yarn: these are but a part of the commodities which had been appropriated to monopolists. When this list was read in the house, a member cried, "*Is not bread in the number?*" "*Bread!*" said every one with astonishment: "*Yes, I assure you,*" replied he, "*if affairs go on at this rate, we shall have bread reduced to a monopoly before next parliament.*" These monopolists were so exorbitant in their demands, that in some places they raised the price of salt from sixteenpence a bushel, to fourteen or fifteen shillings. Such high profits naturally begat intruders upon their commerce; and in order to secure themselves against encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppress the people at pleasure, and to exact money from such as they thought proper to accuse of interfering with their patent. The patentees of saltpetre having the power of entering into every house, and of committing what havoc they pleased in stables, cellars, or wherever they suspected saltpetre might be gathered, commonly extorted money from those who desired to free themselves from this damage or trouble. And while all domestic intercourse was thus restrained, lest any scope should remain for industry, almost every species of foreign commerce was

confined to exclusive companies, who bought and sold at any price that they themselves thought proper to offer or exact.

These grievances, the most intolerable for the present, and the most pernicious in their consequences that ever were known in any age, or under any government, had been mentioned in the last parliament, and a petition had even been presented to the queen complaining of the patents; but she still persisted in defending her monopolists against her people. A bill was now introduced into the lower house, abolishing all these monopolies; and as the former application had been successful, a law was insisted on as the only certain expedient for correcting these abuses. The courtiers, on the other hand, maintained that this matter regarded the prerogative, and that the commons could never hope for success if they did not make application, in the most humble and respectful manner, to the queen's goodness and beneficence. The topics which were advanced in the house, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the most extraordinary to such as are prepossessed with an idea of the privileges enjoyed by the people during that age, and of the liberty possessed under the administration of Elizabeth. It was asserted, that the queen inherited both an enlarging and a restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty: that the royal prerogative was not to be canvassed, nor disputed, nor examined; and did not even admit of any limitation: that absolute princes, such as the sovereigns of England, were a species of divinity: that it was in vain to attempt tying the queen's hands by laws or statutes: since, by means of her dispensing power, she could loosen herself at pleasure: and that even if a clause should be annexed to a statute, excluding her dispensing power, she could first dispense with that clause, and then with the statute. After all this discourse, more worthy of a Turkish divan than of an English house of commons, according to our present idea of this assembly, the queen, who perceived how odious monopolies had become, and what heats were likely to arise, sent for the speaker, and desired him to acquaint the house, that she would immediately cancel the most grievous and oppressive of these patents. [*See note* 4 T, *at the end of this Vol.*]

The house was struck with astonishment, and admiration, and gratitude, at this extraordinary instance of the queen's goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favour, he could not have felt more joy than that with which he was at present overwhelmed.* Another observed, that this message from the sacred person of the queen was a kind of gospel or glad-tidings, and ought to be received as such, and be written in the tablets of their hearts. And it was further remarked, that in the same manner as the Deity would not give his glory to another, so the queen herself was the only agent in their present prosperity and happiness. The house voted, that the speaker, with a committee, should ask permission to wait on her majesty, and return thanks to her for her gracious concessions to her people.

When the speaker, with the other members, was introduced to the queen, they all flung themselves on their knees; and remained in that posture a considerable time, till she thought proper to express her desire that they should rise. The speaker displayed the gratitude of the commons; because her sacred ears were ever open to hear them, and her blessed hands ever stretched out to relieve them. They acknowledged, he said, in all duty and thankfulness acknowledged, that before they called, her *preventing grace* and *all-deserving goodness* watched over them for their good; more ready to give than they could desire, much less deserve. He remarked, that the attribute which was most proper to God, to perform all he promiseth, appertained also to her; and that she was all truth, all constancy, and all goodness. And he concluded with these expressions, "Neither do we present our thanks in words, or any outward sign, which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed up for your safety. The queen heard very patiently this speech, in which she was flattered in phrases appropriated to the Supreme Being; and she returned an answer full of such expressions of tenderness towards her people, as ought to have appeared fulsome after the late instances of rigour which she had employed, and from which nothing but necessity had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding, in time, from part of her prerogative maintained her dignity and preserved the affections of her people.

The commons granted her a supply quite unprecedented, of four subsidies and eight fifteenths; and they were so dutiful as to vote this supply before they received any satisfaction in the business of monopolies, which they justly considered as of the utmost importance to the interest and happiness of the nation. Had they attempted to extort that concession by keeping the supply in suspense; so haughty was the queen's disposition, that this appearance of constraint and jealousy had been sufficient to have produced a denial of all their requests, and to have forced her into some acts of authority still more violent and arbitrary.

The remaining events of this reign are neither numerous nor important.....1602. The queen, finding that the Spaniards had involved her in so much trouble by fomenting and assisting the Irish rebellion, resolved to give them employment at home; and she fitted out a squadron of nine ships, under sir Richard Levison, admiral, and sir William Monson, vice-admiral, whom she sent on an expedition to the coast of Spain. The admiral, with part of the squadron, met the galleons loaded with treasure; but was not strong enough to attack them. The vice-admiral also fell in with some rich ships; but they escaped for a like reason; and these two brave officers, that their expedition might not prove entirely fruitless, resolved to attack the harbour of Cerimbra, in Portugal, where they received intelligence, a very rich carrack had taken shelter. The harbour was guarded by a castle: there were eleven galleys stationed in it: and the militia of the country, to the number, as was believed, of twenty thousand men, appeared in arms on the shore: yet, notwithstanding these obstacles, and others derived from the winds and tides, the English squadron broke into the harbour, dismounted the guns of the castle, sunk, or burnt, or put to flight, the galleys, and obliged the carrack to surrender. They brought her home to England, and she was valued at a million of ducats: a sensible loss to the Spaniards; and a supply still more important to Elizabeth.†

TYRONE'S SUBMISSION. 1603.

The affairs of Ireland, after the defeat of Tyrone and the expulsion of the Spaniards, hastened to a settlement. Lord Mountjoy divided his army into

* We learn from Hentzner's Travels, that no one spoke to queen Elizabeth without kneeling; though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed her courtiers to omit this ceremony; and as he exerted not the power, so he relinquished the appearance of despotism. Even when queen Elizabeth was absent, those who covered her table, though persons of quality, neither approached it nor retired from it without kneeling, and that three times.

† This year the Spaniards began the siege of Ostend, which was bravely defended for five months by sir Francis Vere. The States then relieved him, by sending a new governor; and on the whole the siege lasted three years, and is computed to have cost the lives of a hundred thousand men.

small parties, and harassed the rebels on every side. He built Charlemont, and many other small forts, which were impregnable to the Irish, and guarded all the important passes of the country: the activity of sir Henry Docwray and sir Arthur Chichester permitted no repose or security to the rebels: and many of the chieftains, after skulking, during some time, in woods and morasses, submitted to mercy, and received such conditions as the deputy was pleased to impose upon them. Tyrone himself made application by Arthur Mac-Baron, his brother, to be received upon terms: and Mountjoy would not admit him except he made an absolute surrender of his life and fortunes to the queen's mercy. He appeared before the deputy at Millefont, in a habit and posture suitable to his present fortune; and after acknowledging his offence in the most humble terms, he was committed to custody by Mountjoy, who intended to bring him over captive into England, to be disposed of at the queen's pleasure.

QUEEN'S SICKNESS AND DEATH.

But Elizabeth was now incapable of receiving any satisfaction from this fortunate event; she had fallen into a profound melancholy; which all the advantages of her high fortune, all the glories of her prosperous reign, were unable in any degree to alleviate or assuage. Some ascribed this depression of mind to her repentance of granting a pardon to Tyrone, whom she had always resolved to bring to condign punishment for his treasons, but who had made such interest with the ministers, as to extort a remission from her. Others, with more likelihood, accounted for her dejection by a discovery which she made of the correspondence maintained in her court with her successor, the king of Scots, and by the neglect to which, on account of her old age and infirmities, she imagined herself to be exposed. But there is another cause assigned for her melancholy, which has long been rejected by historians as romantic, but which late discoveries seem to have confirmed:* some incidents happened which revived her tenderness for Essex, and filled her with the deepest sorrow for the consent which she had unwarily given to his execution.

The earl of Essex, after his return from the fortunate expedition against Cadiz, observing the increase of the queen's fond attachment towards him, took occasion to regret, that the necessity of her service required him often to be absent from her person, and exposed him to all those ill offices, which his enemies, more assiduous in their attendance, could employ against him. She was moved with this tender jealousy; and making him the present of a ring, desired him to keep that pledge of her affection, and assured him, that into whatever disgrace he should fall, whatever prejudices she might be induced to entertain against him, yet if he sent her that ring, she would immediately upon sight of it recall her former tenderness, would afford him a patient hearing, and would lend a favourable ear to his apology. Essex, notwithstanding all his misfortunes, reserved this precious gift to the last extremity; but after his trial and condemnation, he resolved to try the experiment, and he committed the ring to the countess of Nottingham, whom he desired to deliver it to the queen. The countess was prevailed on by her husband, the mortal enemy of Essex, not to execute the commission; and Elizabeth, who still expected that her favourite would make this last appeal to her tenderness, and who ascribed the neglect of it to his invincible obstinacy, was, after much delay and many internal combats, pushed by resentment and policy to sign the warrant for his execution. The countess of Nottingham falling into sickness, and affected with the near approach of death, was seized with remorse for her conduct; and having obtained a visit from the queen, she craved her pardon, and revealed to her the fatal secret. The queen, astonished with this incident, burst into a furious passion; she shook the dying countess in her bed; and crying to her, *That God might pardon her, but she never could*, she broke from her, and thenceforth resigned herself over to the deepest and most incurable melancholy. She rejected all consolation, she even refused food and sustenance; and throwing herself on the floor, she remained sullen and immoveable, feeding her thoughts on her afflictions, and declaring life and existence an insufferable burden to her. Few words she uttered; and they were all expressive of some inward grief, which she cared not to reveal: but sighs and groans were the chief vent which she gave to her despondency, and which, though they discovered her sorrows, were never able to ease or assuage them. Ten days and nights she lay upon the carpet, leaning on cushions which her maids brought her; and her physicians could not persuade her to allow herself to be put to bed, much less to make trial of any remedies which they prescribed to her. Her anxious mind at last had so long preyed on her frail body, that her end was visibly approaching; and the council, being assembled, sent the keeper, admiral, and secretary, to know her will with regard to her successor. She answered with a faint voice, that as she had held a regal sceptre, she desired no other than a royal successor. Cecil requesting her to explain herself more particularly, she subjoined, that she would have a king to succeed her; and who should that be, but her nearest kinsman, the king of Scots? Being then advised by the archbishop of Canterbury to fix her thoughts upon God, she replied, that she did so, nor did her mind in the least wander from him. Her voice soon after left her; her senses failed; she fell into a lethargic slumber, which continued some hours, and she expired gently, without further struggle or convulsion, (24th March,) in the seventieth year of her age, and forty-fifth of her reign.

CHARACTER.

So dark a cloud overcast the evening of that day, which had shone out with a mighty lustre in the eyes of all Europe. There are few great personages in history who have been more exposed to the calumny of enemies, and the adulation of friends, than queen Elizabeth; and yet there scarcely is any whose reputation has been more certainly determined by the unanimous consent of posterity. The unusual length of her administration, and the strong features of her character, were able to overcome all prejudices; and obliging her detractors to abate much of their invectives, and her admirers somewhat of their panegyrics, have at last, in spite of political factions, and, what is more, of religious animosities, produced a uniform judgment with regard to her conduct. Her vigour, her constancy, her magnanimity, her penetration, vigilance, address, are allowed to merit the highest praises, and appear not to have been surpassed by any person that ever filled a throne: a conduct less rigorous, less imperious, more sincere, more indulgent to her people, would have been requisite to form a perfect character. By the force of her mind, she controlled all her more active and stronger qualities, and prevented them from running into excess; her heroism was exempt from temerity, her frugality from avarice, her friendship from partiality, her active temper from turbulency and a vain ambition: she guarded not herself with equal care or equal success from lesser infirmities; the rivalship of beauty, the desire of admiration, the jealousy of love, and the sallies of anger.

Her singular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herself, she soon obtained an uncontrolled ascendant over her people; and while she merited all their esteem by her real virtues, she

* See the proofs of this remarkable fact collected in Birch's Negociations, p. 206; and Memoirs, vol. i. p. 241, 505, 506, &c.

also engaged their affections by her pretended ones. Few sovereigns of England succeeded to the throne in more difficult circumstances, and none ever conducted the government with such uniform success and felicity. Though unacquainted with the practice of toleration, the true secret for managing religious factions, she preserved her people, by her superior prudence, from those confusions in which theological controversy had involved all the neighbouring nations: and though her enemies were the most powerful princes of Europe, the most active, the most enterprising, the least scrupulous, she was able by her vigour to make deep impressions on their states; her own greatness meanwhile remained untouched and unimpaired.

The wise ministers and brave warriors who flourished under her reign, share the praise of her success; but instead of lessening the applause due to her, they make great addition to it. They owed all of them their advancement to her choice; they were supported by her constancy; and with all their abilities they were never able to acquire any undue ascendant over her. In her family, in her court, in her kingdom, she remained equally mistress: the force of the tender passions was great over her, but the force of her mind was still superior; and the combat which her victory visibly cost her, serves only to display the firmness of her resolution, and the loftiness of her ambitious sentiments.

The fame of this princess, though it has surmounted the prejudices both of faction and bigotry, yet lies still exposed to another prejudice, which is more durable because more natural, and which, according to the different views in which we survey her, is capable either of exalting beyond measure, or diminishing the lustre of her character. This prejudice is founded on the consideration of her sex. When we contemplate her as a woman, we are apt to be struck with the highest admiration of her great qualities and extensive capacity; but we are also apt to require some more softness of disposition, some greater lenity of temper, some of those amiable weaknesses by which her sex is distinguished. But the true method of estimating her merit, is to lay aside all these considerations, and consider her merely as a rational being placed in authority, and intrusted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a mistress; but her qualities as a sovereign, though with some considerable exceptions, are the object of undisputed applause and approbation.

APPENDIX III.

Government of England—Revenues—Commerce—Military Force—Manufactures—Learning.

GOVERNMENT OF ENGLAND.

THE party among us who have distinguished themselves by their adhering to liberty and a popular government, have long indulged their prejudices against the succeeding race of princes, by bestowing unbounded panegyrics on the virtue and wisdom of Elizabeth. They have even been so extremely ignorant of the transactions of this reign, as to extol her for a quality which, of all others, she was the least possessed of: a tender regard for the constitution, and a concern for the liberties and privileges of her people. But as it is scarcely possible for the prepossessions of party to throw a veil much longer over facts so palpable and undeniable, there is danger lest the public should run into the opposite extreme, and should entertain an aversion to the memory of a princess who exercised the royal authority in a manner so contrary to all the ideas which we at present entertain of a legal constitution. But Elizabeth only supported the prerogatives transmitted to her by her predecessors: she believed that her subjects were entitled to no more liberty than their ancestors had enjoyed: she found that they entirely acquiesced in her arbitrary administration: and it was not natural for her to find fault with a form of government by which she herself was invested with such unlimited authority. In the particular exertions of power the question ought never to be forgotten, *What is best?* But in the general distribution of power among the several members of a constitution, there can seldom be admitted any other question than, *What is established?* Few examples occur of princes who have willingly resigned their power: none of those who have, without struggle and reluctance, allowed it to be extorted from them. If any other rule than established practice be followed, factions and dissensions must multiply without end: and though many constitutions, and none more than the British, have been improved even by violent innovations, the praise bestowed on those patriots to whom the nation has been indebted for its privileges, ought to be given with some reserve, and surely without the least rancour against those who adhered to the ancient constitution.*

In order to understand the ancient constitution of England, there is not a period which deserves more to be studied than the reign of Elizabeth. The prerogatives of this princess were scarcely ever disputed, and she therefore employed them without scruple; her imperious temper, a circumstance in which she went far beyond her successors, rendered her exertions of power violent and frequent, and discovered the full extent of her authority: the great popularity which she enjoyed proves that she did not infringe any *established* liberties of the people: there remains evidence sufficient to ascertain the most noted acts of her administration: and though that evidence must be drawn from a source wide of the ordinary historians, it becomes only the more authentic on that account, and serves as a stronger proof that her particular exertions of power were conceived to be nothing but the ordinary course of administration, since they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns seem rather to have been more submissive than even during the age of Elizabeth:† it may not here be improper to recount some of the ancient prerogatives of the crown, and lay open the sources of that great power which the English monarchs formerly enjoyed.

One of the most ancient and most established instruments of power was the court of star-chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment, and whose jurisdiction extended to all sorts of offences, contempts, and disorders, that lay not within reach of the common law. The members of this court

* By the ancient constitution is here meant that which prevailed before the settlement of our present plan of liberty. There was a more ancient constitution, where, though the people had perhaps less liberty than under the Tudors, yet the king had also less authority: the power of the barons was a great check upon him, and exercised with great tyranny over them. But there was still a more ancient constitution, viz. that before the signing of the charters, when neither the people nor the barons had any regular privileges; and the power of the government, during the reign of an able prince, was almost wholly in the king. The English constitution, like all others, has been in a state of continual fluctuation.

† In a memorial of the state of the realm, drawn by secretary Cecil, in 1569, there is this passage: "Then followeth the decay of obedience in civil policy, which being compared with the fearfulness and reverence of all inferior estates to their superiors in times past, will astonish any wise and considerate person, to behold the desperation of reformation."—Haynes, p. 586. Appx. p. 503.

consisted of the privy-council and the judges; men who, all of them, enjoyed their offices during pleasure: and when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty: for who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of freedom, while exposed to so arbitrary a jurisdiction? I much question whether any of the absolute monarchies in Europe contain at present so illegal and despotic a tribunal.

The court of high commission was another jurisdiction still more terrible; both because the crime of heresy, of which it took cognizance, was more undefinable than any civil offence, and because its methods of inquisition, and of administering oaths, were more contrary to all the most simple ideas of justice and equity. The fines and imprisonments imposed by this court were frequent: the deprivations and suspensions of the clergy for nonconformity were also numerous, and comprehended at one time the third of all the ecclesiastics of England. The queen, in a letter to the archbishop of Canterbury, said expressly, that she was resolved, "That no man should be suffered to decline, either on the left or on the right hand, from the drawn line limited by authority, and by her laws and injunctions."

But martial law went beyond even these two courts in a prompt, and arbitrary, and violent method of decision. Whenever there was any insurrection or public disorder, the crown employed martial law; and it was, during that time, exercised not only over the soldiers, but over the whole people: any one might be punished as a rebel, or an aider and abettor of rebellion, whom the provost-martial, or lieutenant of a county, or their deputies, pleased to suspect. Lord Bacon says, that the trial at common law, granted to the earl of Essex and his fellow-conspirators, was a favour; for that the case would have borne and required the severity of martial-law. We have seen instances of its being employed by queen Mary in defence of orthodoxy. There remains a letter of queen Elizabeth's to the earl of Sussex, after the suppression of the northern rebellion, in which she sharply reproves him because she had not heard of his having executed any criminals by martial law; though it is probable that near eight hundred persons suffered, one way or other, on account of that slight insurrection. But the kings of England did not always limit the exercise of this law to times of civil war and disorder. In 1552, when there was no rebellion or insurrection, king Edward granted a commission of martial law; and empowered the commissioners to execute it, *as should be thought by their discretions most necessary*. Queen Elizabeth too was not sparing in the use of this law. In 1573, one Peter Burchet, a puritan, being persuaded that it was meritorious to kill such as opposed the truth of the gospel, ran into the streets and wounded Hawkins, the famous sea-captain, whom he took for Hatton, the queen's favourite. The queen was so incensed, that she ordered him to be punished instantly by martial law; but, upon the remonstrance of some prudent counsellors, who told her that this law was usually confined to turbulent times, she recalled her order, and delivered over Burchet to the common law. But she continued not always so reserved in exerting this authority. There remains a proclamation of hers, in which she orders martial law to be used against all such as import bulls, or even forbidden books and pamphlets from abroad; and prohibits the questioning of the lieutenants, or their deputies, for their arbitrary punishment of such offenders, *any law or statute to the contrary in anywise notwithstanding*. We have another act of hers still more extraordinary. The streets of London were much infested with idle vagabonds and riotous persons: the lord mayor had endeavoured to repress this disorder: the star-chamber had exerted its authority and inflicted punishment on these rioters: but the queen, finding those remedies ineffectual, revived martial law, and gave sir Thomas Wilford a commission of provost-martial: "Granting him authority, and commanding him, upon signification given by the justices of peace in London, or the neighbouring counties, of such offenders worthy to be speedily executed by martial law, to attach and take the same persons, and in the presence of the said justices, according to justice of martial law, to execute them upon the gallows or gibbet openly, or near to such place where the said rebellious and incorrigible offenders shall be found to have committed the said great offences." I suppose it would be difficult to produce an instance of such an act of authority in any place nearer than Muscovy. The patent of high-constable, granted to earl Rivers by Edward IV., proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The parliament in Edward VI.'s reign acknowledged the jurisdiction of the constable and martial's-court to be part of the law of the land.

The star-chamber, and high commission, and court-martial, though arbitrary jurisdictions, had still some pretence of a trial, at least of a sentence; but there was a grievous punishment very generally inflicted in that age, without any other authority than the warrant of a secretary of state, or of the privy-council;* and that was imprisonment in any jail, and during any time that the ministers should think proper. In suspicious times, all the jails were full of prisoners of state; and these unhappy victims of public jealousy were sometimes thrown into dungeons, and loaded with irons, and treated in the most cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture; but the rack itself, though not admitted in the ordinary execution of justice, was frequently used, upon any suspicion, by authority of a warrant from a secretary or the privy-council. Even the council in the marches of Wales was empowered, by their very commission, to make use of torture whenever they thought proper. There cannot be a stronger proof how lightly the rack was employed, than the following story told by lord Bacon. We shall give it in his own words: "The queen was mightily incensed against Haywarde, on account of a book he dedicated to lord Essex, being a story of the first year of Henry IV., thinking it a seditious prelude to put into the people's heads boldness and faction:† she said, she had an opinion that there was treason in it, and asked me, If I could not find any places in it, that might be drawn within the case of treason? Whereto I answered, For treason, sure I found none; but for felony very many: and when her majesty hastily asked me, Wherein? I told her, the author had committed very apparent theft: for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text. And another time when the queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, and said, with great indignation, that she would have him racked to produce his author; I replied, Nay, madam, he is a doctor, never rack his person, but rack his style: let him have pen, ink, and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he were the author or no." Thus, had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack for a most innocent performance. His real offence was, his dedicating a book to

* In 1388, the lord mayor committed several citizens to prison, because they refused to pay the loan demanded of them. Murden, p. 652.

† To our apprehension, Haywarde's book seems rather to have a contrary tendency. For he has there preserved the famous speech of the bishop of Carlisle, which contains, in the most express terms, the doctrine of passive obedience. But queen Elizabeth was very difficult to please on this head.

that munificent patron of the learned, the earl of Essex, at a time when this nobleman lay under her majesty's displeasure.

The queen's menace, of trying and punishing Hayward for treason, could easily have been executed, let his book have been ever so innocent. While so many terrors hung over the people, no jury durst have acquitted a man, when the court was resolved to have him condemned. The practice also of not confronting witnesses with the prisoner, gave the crown lawyers all imaginable advantage against him. And, indeed, there scarcely occurs an instance during all these reigns, that the sovereign or the ministers were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown. And as the practice was anciently common, of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges; it is obvious, that juries were then no manner of security to the liberty of the subject.

The power of pressing both for sea and land service, and obliging any person to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Osborne gives the following account of Elizabeth's method of employing this prerogative. "In case she found any likely to interrupt her occasions," says he, "she did seasonably prevent him by a chargeable employment abroad, or putting him upon some service at home which she knew least grateful to the people: contrary to a false maxim, since practised with far worse success, by such princes as thought it better husbandry to buy off enemies than reward friends." The practice with which Osborne reproaches the two immediate successors of Elizabeth, proceeded partly from the extreme difficulty of their situation, partly from the greater lenity of their disposition. The power of pressing, as may naturally be imagined, was often abused, in other respects, by men of inferior rank; and officers often exacted money for freeing persons from the service.

The government of England, during that age, however different in other particulars, bore, in this respect, some resemblance of that of Turkey at present: the sovereign possessed every power except that of imposing taxes: and in both countries this limitation, unsupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the sultan to permit the extortion of the bashas and governors of provinces, from whom he afterwards squeezes presents or takes forfeitures: in England, it engaged the queen to erect monopolies, and grant patents for exclusive trade: an invention so pernicious, that had she gone on during a tract of years at her own rate, England, the seat of riches, and arts, and commerce, would have contained at present as little industry as Morocco, or the coast of Barbary.

We may further observe, that this valuable privilege, valuable only because it proved afterwards the means by which the parliament extorted all their other privileges, was very much encroached on in an indirect manner during the reign of Elizabeth, as well as of her predecessors. She often exacted loans from her people; an arbitrary and unequal kind of imposition, and which individuals felt severely: for though the money had been regularly repaid, which was seldom the case, it lay in the prince's hands without interest, which was a sensible loss to the persons from whom the money was borrowed.

There remains a proposal made by lord Burleigh for levying a general loan on the people, equivalent to a subsidy;* a scheme which would have laid the burden more equally, but which was, in different words, a taxation imposed without consent of parliament. It is remarkable, that the scheme thus proposed without any visible necessity by that wise minister, is the very same which Henry VIII. executed, and which Charles I., enraged by ill usage from his parliament, and reduced to the greatest difficulties, put afterwards in practice, to the great discontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was so little conceived to be irregular, that the commons in 1585 offered the queen a benevolence; which she very generously refused, as having no occasion at that time for money. Queen Mary also, by an order of council, increased the customs in some branches; and her sister imitated the example. There was a species of ship-money imposed at the time of the Spanish invasion: the several ports were required to equip a certain number of vessels at their own charge; and such was the alacrity of the people for the public defence, that some of the ports, particularly London, sent double the number demanded of them. When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the soldiers, to arm and clothe them, and carry them to the sea-ports at their own charge. New year's gifts were at that time expected from the nobility, and from the more considerable gentry.

Purveyance and pre-emption were also methods of taxation, unequal, arbitrary, and oppressive. The whole kingdom sensibly felt the burden of those impositions; and it was regarded as a great privilege conferred on Oxford and Cambridge, to prohibit the purveyors from taking any commodities within five miles of these universities. The queen victualled her navy by means of this prerogative, during the first years of her reign.

Wardship was the most regular and legal of all these impositions by prerogative: yet was it a great badge of slavery, and oppressive to all the considerable families. When an estate devolved to a female, the sovereign obliged her to marry any one he pleased: whether the heir were male or female, the crown enjoyed the whole profit of the estate during the minority. The giving of a rich wardship was a usual method of rewarding a courtier or favourite.

The inventions were endless which arbitrary power might employ for the extorting of money, while the people imagined that their property was secured by the crown's being debarred from imposing taxes. Strype has preserved a speech of lord Burleigh to the queen and council, in which are contained some particulars not a little extraordinary. Burleigh proposes that she should erect a court for the correction of all abuses, and should confer on the commissioners a general inquisitorial power over the whole kingdom. He sets before her the example of her wise grandfather, Henry VII., who, by such methods, extremely augmented his revenue; and he recommends that this new court should proceed "as well by the direction and ordinary course of the laws, as by virtue of her majesty's supreme regiment and *absolute power, from whence law proceeded.*" In a word, he expects from this institution greater accession to the royal treasure than Henry VIII. derived from the abolition of the abbeys, and all the forfeitures of ecclesiastical revenues. This project of lord Burleigh's needs not, I think, any comment. A form of government must be very arbitrary indeed, where a wise and good minister could make such a proposal to the sovereign.

Embargoes on merchandise was another engine of royal power, by which the English princes were able to extort money from the people. We have seen instances in the reign of Mary. Elizabeth, before her coronation, issued an order to the custom-house, prohibiting the sale of all crimson silks which should be imported, till the court were first supplied. She expected, no doubt, a good pennyworth from the merchants while they lay under this restraint.

* In the second of Richard II. it was enacted, That no loans, which the king shall require of his subjects upon letters of privy seal, such as have *reasonable* excuse of not lending, shall be henceforward without parliament from lords, clerks, or grad. See Cotton's Abridg. p. 149. By this law the king's prerogative [illegible] was left to determine what should be a *reasonable* excuse, was still left to his own arbitrament to determine.

The parliament pretended to the right of enacting laws, as well as of granting subsides; but this privilege was, during that age, still more insignificant than the other. Queen Elizabeth expressly prohibited them from meddling either with state matters or ecclesiastical causes; and she openly sent the members to prison who dared to transgress her imperial edict in these particulars. There passed few sessions of parliament during her reign where there occur not instances of this arbitrary conduct.

But the legislative power of the parliament was a mere fallacy; while the sovereign was universally acknowledged to possess a dispensing power, by which all the laws could be invalidated, and rendered of no effect. The exercise of this power was also an indirect method practised for erecting monopolies. Where the statutes laid any branch of manufacture under restrictions, the sovereign, by exempting one person from the laws, gave him in effect the monopoly of that commodity. There was no grievance at that time more universally complained of than the frequent dispensing with the penal laws.

But in reality the crown possessed the full legislative power by means of proclamations, which might affect any matter even of the greatest importance, and which the star-chamber took care to see more rigorously executed than the laws themselves. The motives for these proclamations were sometimes frivolous, and even ridiculous. Queen Elizabeth had taken offence at the smell of woad; and she issued an edict prohibiting any one from cultivating that useful plant. She was also pleased to take offence at the long swords and high ruffs then in fashion: she sent about her officers to break every man's sword, and clip every man's ruff, which was beyond a certain dimension. This practice resembles the method employed by the Czar Peter, to make his subjects change their garb.

The queen's prohibition of the *prophesyings*, or the assemblies instituted for fanatical prayers and conference, was founded on a better reason; but shows still the unlimited extent of her prerogative. Any number of persons could not meet together in order to read the scriptures, and confer about religion, though in ever so orthodox a manner, without her permission.

There were many other branches of prerogative incompatible with an exact or regular enjoyment of liberty. None of the nobility could marry without permission from the sovereign. The queen detained the earl of Southampton long in prison, because he privately married the earl of Essex's cousin. No man could travel without the consent of the prince. Sir William Evers underwent a severe persecution because he had presumed to pay a private visit to the king of Scots. The sovereign even assumed a supreme and uncontrolled authority over all foreign trade: and neither allowed any person to enter or depart the kingdom, nor any commodity to be imported or exported without his consent.

The parliament, in the thirteenth of the queen, praised her for not imitating the practice usual among her predecessors, of stopping the course of justice by particular warrants. There could not possibly be a greater abuse nor a stronger mark of arbitrary power; and the queen in refraining from it was very laudable. But she was by no means constant in this reserve. There remain in the public records some warrants of hers for exempting particular persons from all lawsuits and prosecutions; and these warrants, she says, she grants from her royal prerogative, which she will not allow to be disputed.

It was very usual in queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy-counsellors to commit to prison any one who had happened to displease them, by suing for his just debts; and the unhappy person, though he gained his cause in the courts of justice, was commonly obliged to relinquish his property in order to obtain his liberty. Some likewise, who had been delivered from prison by the judges, were again committed to custody in secure places, without any possibility of obtaining relief; and even the officers and serjeants of the courts of law were punished for executing the writs in favour of these persons. Nay, it was usual to send for people by pursuivants, a kind of harpies, who then attended the orders of the council and high commission; and they were brought up to London, and constrained by imprisonment, not only to withdraw their lawful suits, but also to pay the pursuivants great sums of money. The judges, in the 34th of the queen, complain to her majesty of the frequency of this practice. It is probable that so egregious a tyranny was carried no further down than the reign of Elizabeth; since the parliament, who presented the petition of right, found no later instances of it. And even these very judges of Elizabeth who thus protect the people against the tyranny of the great, expressly allow, that a person committed by special command of the queen is not bailable.

It is easy to imagine that in such a government, no justice could by course of law be obtained of the sovereign, unless he were willing to allow it. In the naval expedition undertaken by Raleigh and Frobisher against the Spaniards in the year 1592, a very rich carrack was taken, worth two hundred thousand pounds. The queen's share in the adventure was only a tenth; but as the prize was so great, and exceeded so much the expectation of all the adventurers, she was determined not to rest contented with her share. Raleigh humbly and earnestly begged her to accept of a hundred thousand pounds in lieu of all demands, or rather extortions; and says, that the present which the proprietors were willing to make her, of eighty thousand pounds, was the greatest that ever prince received from a subject.

But it is no wonder the queen in her administration should pay so little regard to liberty; while the parliament itself in enacting laws was entirely negligent of it. The persecuting statutes which they passed against papists and puritans are extremely contrary to the genius of freedom; and by exposing such multitudes to the tyranny of priests and bigots, accustomed the people to the most disgraceful subjection. Their conferring an unlimited supremacy on the queen, or, what is worse, acknowleding her inherent right to it, was another proof of their voluntary servitude.

The law of the 23rd of her reign, making seditious words against the queen capital, is also a very tyrannical statute; and a use no less tyrannical was sometimes made of it. The case of Udal, a puritanical clergyman, seems singular even in those arbitrary times. This man had published a book called a Demonstration of Discipline, in which he inveighed against the government of bishops; and though he had carefully endeavoured to conceal his name, he was thrown into prison upon suspicion, and brought to a trial for this offence. It was pretended, that the bishops were part of the queen's political body; and to speak against them was really to attack her, and was therefore felony by the statute. This was not the only iniquity to which Udal was exposed. The judges would not allow the jury to determine anything but the fact, whether Udal had written the book or not, without examining his intention or the import of the words. In order to prove the fact, the crown lawyers did not produce a single witness to the court: they only read the testimony of two persons absent, one of whom said, that Udal had told him that he was the author; another, that a friend of Udal's had said so. They would not allow Udal to produce any exculpatory evidence; which they said was never to be permitted against the crown.* And they tendered him an oath, by which he was required to depose, that he was not the author of the book; and his refusal to make that deposition was employed as the strongest proof of his

* It was never fully established that the prisoner could legally produce evidence against the crown till after the Revolution. See Blackstone's Commentaries, vol. iv. p. 352.

guilt. It is almost needless to add, that notwithstanding these multiplied iniquities, a verdict of death was given by the jury against Udal: for, as the queen was extremely bent upon his prosecution, it was impossible he could escape. He died in prison before execution of the sentence.

The case of Penry, was, if possible, still harder. The man was a zealous puritan, or rather a Brownist, a small sect, which afterwards increased, and received the name of Independents. He had written against the hierarchy several tracts, such as Martin Marprelate, *Theses Martinianæ*, and other compositions, full of low scurrility and petulent satire. After concealing himself for some years, he was seized; and as the statute against seditious words required that the criminal should be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for some papers found in his pocket, as if he had thereby scattered sedition. It was also imputed to him, by the lord-keeper Puckering, that in some of these papers "he had not only acknowledged her majesty's royal power to *establish* laws, ecclesiastical and civil; but had avoided the *usual* terms of *making, enacting, decreeing, and ordaining laws:* which imply," says the lord-keeper, "a most absolute authority." Penry, for these offences, was condemned and executed.

Thus have we seen, that the *most absolute* authority of the sovereign, to make use of the lord-keeper's expression, was established on above twenty branches of prerogative, which are now abolished, and which were, every one of them, totally incompatible with the liberty of the subject. But what ensured more effectually the slavery of the people, than even these branches of prerogative, was the established principles of the times, which attributed to the prince such an unlimited and indefeisible power as was supposed to be the origin of all law, and could be circumscribed by none. The homilies published for the use of the clergy, and which they were enjoined to read every Sunday in all the churches, inculcate everywhere a blind and unlimited passive obedience to the prince, which, on no account, and under no pretence, it is ever lawful for subjects in the smallest article to depart from or infringe. Much noise has been made because some court chaplains during the succeeding reigns were permitted to preach such doctrines; but there is a great difference between these sermons, and discourses published by authority, avowed by the prince and council, and promulgated to the whole nation.* So thoroughly were these principles imbibed by the people, during the reigns of Elizabeth and her predecessors, that opposition to them was regarded as the most flagrant sedition, and was not even rewarded by that public praise and approbation which can alone support men under such dangers and difficulties as attend the resistance of tyrannical authority.† It was only during the next generation that the noble principles of liberty took root, and, spreading themselves under the shelter of puritanical absurdities, became fashionable among the people.

It is worth remarking, that the advantage usually ascribed to absolute monarchy, a greater regularity of police, and a more strict execution of the laws, did not attend the former English government, though in many respects it fell under that denomination. A demonstration of this truth is contained in a judicious paper which is preserved by Strype, and which was written by an eminent justice of peace of Somersetshire, in the year 1596, near the end of the queen's reign; when the authority of that princess may be supposed to be fully corroborated by time, and her maxims of government improved by long practice. This paper contains an account of the disorders which then prevailed in the county of Somerset. The author says, that forty persons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged: that those who were discharged were most wicked and desperate persons, who never could come to any good, because they would not work, and none would take them into service: that, notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to a trial: the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or the foolish lenity of the people: that the rapines committed by the infinite number of wicked, wandering, idle people, were intolerable to the poor countrymen, and obliged them to keep a perpetual watch over the sheep-folds, their pastures, their woods, and their corn-fields: that the other counties of England were in no better condition than Somersetshire; and many of them were even in a worse: that there were at least three or four hundred able-bodied vagabonds in every county, who lived by theft and rapine; and who sometimes met in troops to the number of sixty, and committed spoil on the inhabitants: that if all the felons of this kind were assembled, they would be able, if reduced to good subjection, to give the greatest enemy her majesty has a *strong battle:* and that the magistrates themselves were intimidated from executing the laws upon them; and there were instances of justices of peace, who, after giving sentence against rogues, had interposed to stop the execution of their own sentence, on account of the danger which hung over them, from the confederates of these felons.

In the year 1575, the queen complained in parliament of the bad execution of the laws; and threatened, that if the magistrates were not for the future more vigilant, she would entrust authority to indigent and needy persons, who would find an interest in a more exact administration of justice. It appears that she was as good as her word. For in the year 1601, there were great complaints made in parliament of the rapine of justices of peace; and a member said, that this magistrate was an animal who for half a dozen of chickens, would dispense with a dozen penal statutes. It is not easy to account for this relaxation of government and neglect of police during a reign of so much vigour as that of Elizabeth. The small revenue of the crown is the most likely cause that can be assigned. The queen had it not in her power to interest a great number in assisting her to execute the laws. [*See note* 4 U, *at the end of this Vol.*]

On the whole, the English have no reason, from the example of their ancestors, to be in love with the picture of absolute monarchy; or to prefer the unlimited authority of the prince and his unbounded prerogatives to that noble liberty, that sweet equality, and that happy security by which they are at present distinguished above all nations in the universe. The utmost that can be said in favour of the government of that age (and perhaps it may be said with truth) is, that the power of the prince, though really unlimited, was exercised after the European manner, and entered not into every part of the administration; that the instances of a high exerted prerogative were not so frequent as to render property sensibly insecure, or reduce the people to a total servitude; that the freedom from faction, the quickness of execution, and the promptitude of those measures, which could be taken for offence or defence, made some compensation for the want of a legal and determinate liberty; that as the prince commanded no mercenary army, there was a tacit check on him, which maintained the government in that medium to which the people had been accustomed; and that this situation of England, though seemingly it approached nearer, was in reality more remote from a despotic

* Gifford, a clergyman, was suspended, in the year 1584, for preaching up a limited obedience to the civil magistrate. Neal, vol. i. p. 455.

† It is remarkable, that in all the historical plays of Shakespear, where the manners and characters, even the transactions of the several reigns are so exactly copied, there is scarcely an instance of *civil liberty*, which some pretended historians have imagined to be the object of all the ancient quarrels, insurrections, and civil wars. In the dialogue panegyric of England, contained in the tragedy of Richard II., and one detail of its advantages, not a word of its civil constitution, somewhat different from, or superior to, that of other European kingdoms, an omission which cannot be supposed in any other English author that wrote since the Restoration, at least since the Revolution.

and eastern monarchy than the present government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceless, and disarmed; and besides, are not secured by any middle power, or independent powerful nobility, interposed between them and the monarch.

We shall close the present Appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

REVENUES.

Queen Elizabeth's economy was remarkable; and in some instances seemed to border on avarice. The smallest expense, if it could possibly be spared, appeared considerable in her eyes; and even the charge of an express during the most delicate transactions was not below her notice. She was also attentive to every profit; and embraced opportunities of gain which may appear somewhat extraordinary. She kept, for instance, the see of Ely vacant nineteen years, in order to retain the revenue; and it was usual with her, when she promoted a bishop, to take opportunity of pillaging the see of some of its manors.* But that in reality there was little or no avarice in the queen's temper, appears from this circumstance, that she never amassed any treasure; and even refused subsidies from the parliament when she had no present occasion for them. Yet we must not conclude, from this circumstance, that her economy proceeded from a tender concern for her people: she loaded them with monopolies and exclusive patents, which are much more oppressive than the most heavy taxes levied in an equal and regular manner. The real source of her frugal conduct was derived from her desire of independency, and her care to preserve her dignity, which would have been endangered had she reduced herself to the necessity of having frequent recourse to parliamentary supplies. In consequence of this motive, the queen, though engaged in successful and necessary wars, thought it more prudent to make a continual dilapidation of the royal demesnes, than demand the most moderate supplies from the commons. As she lived unmarried, and had no posterity, she was content to serve her present turn, though at the expense of her successors: who, by reason of this policy, joined to other circumstances, found themselves on a sudden reduced to the most extreme indigence.

The splendour of a court was, during this age, a great part of the public charge; and as Elizabeth was a single woman, and expensive in no kind of magnificence, except clothes, this circumstance enabled her to perform great things by her narrow revenue. She is said to have paid four millions of debt, left on the crown by her father, brother, and sister; an incredible sum for that age.† The States, at the time of her death, owed her about eight hundred thousand pounds: and the king of France four hundred and fifty thousand. Though that prince was extremely frugal, and after the peace of Vervins was continually amassing treasure, the queen never could, by the most pressing importunities, prevail on him to make payment of those sums which she had so generously advanced him during his greatest distresses. One payment of twenty thousand crowns, and another of fifty thousand, were all she could obtain by the strongest representations she could make of the difficulties to which the rebellion of Ireland had reduced her. The queen expended on the wars with Spain, between the years 1589 and 1593, the sum of one million three hundred thousand pounds, besides the pittance of a double subsidy, amounting to two hundred and eighty thousand pounds, granted her by parliament. In the year 1589 she spent six hundred thousand pounds in six months on the service of Ireland. Sir Robert Cecil affirmed, that in ten years Ireland cost her three millions four hundred thousand pounds. She gave the earl of Essex a present of thirty thousand pounds upon his departure for the government of that kingdom. Lord Burleigh computed, that the value of the gifts conferred on that favourite amounted to three hundred thousand pounds; a sum which, though probably exaggerated, is a proof of her strong affection towards him! It was a common saying during this reign: *The queen pays bountifully, though she rewards sparingly!*

It is difficult to compute exactly the queen's ordinary revenue, but it certainly fell much short of five hundred thousand pounds a year.* In the year 1590 she raised the customs from fourteen thousand pounds a year to fifty thousand, and obliged sir Thomas Smith, who had farmed them, to refund some of his former profits.† This improvement of the revenue was owing to the suggestions of one Caermarthen; and was opposed by Burleigh, Leicester, and Walsingham: but the queen's perseverance overcame all their opposition. The great undertakings which she executed with so narrow a revenue, and with such small supplies from her people, prove the mighty effects of wisdom and economy. She received from the parliament, during the course of her whole reign, only twenty subsidies and thirty-nine fifteenths. I pretend not to determine exactly the amount of these supplies; because the value of a subsidy was continually falling; and in the end of her reign it amounted only to eighty thousand pounds. If we suppose that the supplies granted Elizabeth during a reign of forty-five years amounted to three millions, we shall not probably be much wide of the truth.‡ This sum makes only sixty-six thousand six hundred and sixty-six pounds a year; and it is surprising, that while the queen's demands were so moderate, and her expenses so well regulated, she should ever have found any difficulty in obtaining a supply from parliament, or be reduced to make sale of the crown-lands. But such was the extreme, I had almost said absurd, parsimony of the parliaments during that period. They valued nothing in comparison of their money. The members had no connexion with the court; and the very idea which they conceived of the trust committed to them was, to reduce the demands of the crown, and to grant as few supplies as possible. The crown, on the other hand, conceived the parliament in no other light than as a means of supply. Queen Elizabeth made a merit to her people of seldom summoning parliaments. No redress of grievances was expected from these assemblies: they were supposed to meet for no other purpose than to impose taxes.

Before the reign of Elizabeth, the English princes had usually recourse to the city of Antwerp for volun-

* Strype, vol. iv. p. 215. There is a curious letter of the queen's, written to a bishop of Ely, and preserved in the register of that see. It is in these words: "Proud prelate, I understand you are backward in complying with your agreement; but I would have you know, that I who made you what you are can unmake you: and if you do not forthwith fulfil your engagements, by God, I will immediately unfrock you. Yours, as you demean yourself, Elizabeth."—The bishop, it seems, had promised to exchange some part of the land belonging to the see for a pretended equivalent, and did so, but it was in consequence of the above letter. Annual Register, 1761. p. 15.

† D'Ewes, p. 473. I think it impossible to reconcile this account of the public debts with that given by Strype, Eccles. Mem. vol. ii. p. 344, that in the year 1553, the crown owed but 300,000 pounds. I own that this last sum appears a great deal more likely. The whole revenue of queen Elizabeth would not in ten years have paid four millions.

* Franklyn, in his Annals, p. 9, says, that the profit of the kingdom, besides wards and the duchy of Lancaster (*which amounted to about 120,000 pounds*) was 188,197 pounds: the crown lands seem to be comprehended in this computation.

† Camden, p. 538. This account of Camden is difficult or impossible to be reconciled to the state of the customs in the beginning of the subsequent reign, as they appear in the Journals of the Commons. See Hist. of James, chap. 46.

‡ Lord Salisbury computed these supplies only at 2,300,000 pounds. Journ. 17 Feb. 1609. King James was certainly mistaken when he estimated the queen's annual supplies at 137,000 pounds. Franklyn, p. 44. It is curious to observe, that the minister, in the war begun in 1754, was in some periods allowed to lavish in two months as great a sum as was granted by parliament to queen Elizabeth in forty-five years. The extreme frivolous object of the late war, and the great importance of hers, set this matter in still a stronger light. Money too, we may observe, was, in most particulars, of the same value in both periods: she paid eight pence a day to every foot soldier. But our late delusions have much exceeded anything known in history, not even excepting those of the crusades. For I suppose there is no mathematical, still less an arithmetical demonstration, that the road to the Holy Land was not the road to Paradise, as there is, that the endless increase of national debts is the direct road to national ruin. But having now completely reached that goal, it is needless at present to reflect on the past. It will be found in the present year, 1776, that all the revenues of this island north of Trent and West of Reading, are mortgaged or anticipated for ever. Could the small remainder be in a worse condition were those provinces seized by Austria and Prussia? There is only this difference, that some event might happen in Europe which would oblige these great monarchs to disgorge their acquisitions. But no imagination can figure a situation which will induce our creditors to relinquish their claims, or the public to seize their revenues. Scrooge indeed has been our body, that we have even lost all title to compassion in the numberless calamities that are awaiting us.

tary loans; and their credit was so low, that besides paying the high interest of ten or twelve per cent. they were obliged to make the City of London join in the security. Sir Thomas Gresham, that great and enterprising merchant, one of the chief ornaments of this reign, engaged the company of merchant adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees established itself in the city, and she shook off this dependence on foreigners.

In the year 1559, however, the queen employed Gresham to borrow for her two hundred thousand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debased. She was so impolitic as to make, herself, an innovation in the coin; by dividing a pound of silver into sixty-two shillings, instead of sixty, the former standard. This is the last time that the coin has been tampered with in England.

COMMERCE.

Queen Elizabeth, sensible how much the defence of her kingdom depended on its naval power, was desirous to encourage commerce and navigation: but as her monopolies tended to extinguish all domestic industry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to serve the purpose at which she aimed, much less to promote the riches of her people. The exclusive companies also were an immediate check on foreign trade. Yet, notwithstanding these discouragements, the spirit of the age was strongly bent on naval enterprises; and besides the military expeditions against the Spaniards, many attempts were made for new discoveries, and many new branches of foreign commerce were opened by the English. Sir Martin Frobisher undertook three fruitless voyages to discover the north-west passage: Davis, not discouraged by this ill success, made a new attempt, when he discovered the Straits which pass by his name. In the year 1600, the queen granted the first patent to the East India Company: the stock of that company was seventy-two thousand pounds; and they fitted out four ships, under the command of James Lancaster, for this new branch of trade. The adventure was successful; and the ships returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muscovy had been opened in queen Mary's time by the discovery of the passage to Archangel: but the commerce to that country did not begin to be carried on to a great extent till about the year 1569. The queen obtained from the czar an exclusive patent to the English for the whole trade of Muscovy; and she entered into a personal as well as national alliance with him. The czar was named John Basilides, a furious tyrant, who, continually suspecting the revolt of his subjects, stipulated to have a safe retreat and protection in England. In order the better to ensure this resource, he purposed to marry an English woman; and the queen intended to have sent him lady Anne Hastings, daughter of the earl of Huntingdon: but when the lady was informed of the barbarous manners of the country, she wisely declined purchasing an empire at the expense of her ease and safety.

The English, encouraged by the privileges which they had obtained from Basilides, ventured further into those countries than any Europeans had formerly done. They transported their goods along the river Dwina in boats made of one entire tree, which they towed and rowed up the stream as far as Walogda. Thence they carried their commodities seven days' journey by land to Yeraslau, and then down the Volga to Astracan. At Astracan they built ships, crossed the Caspian Sea, and distributed their manufactures into Persia. But this bold attempt met with such discouragements, that it was never renewed.

After the death of John Basilides, his son Theodore revoked the patent which the English enjoyed for a monopoly of the Russian trade: when the queen remonstrated against this innovation, he told her ministers, that princes must carry an indifferent hand, as well between their subjects as between foreigners; and not convert trade, which by the laws of nations ought to be common to all, into a monopoly for the private gain of a few. So much juster notions of commerce were entertained by this barbarian than appear in the conduct of the renowned queen Elizabeth! Theodore, however, continued some privileges to the English, on account of their being the discoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583, and that commerce was immediately confined to a company by queen Elizabeth. Before that time the grand signior had always conceived England to be a dependent province of France; but having heard of the queen's power and reputation, he gave a good reception to the English, and even granted them larger privileges than he had given to the French.

The merchants of the Hanse Towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied, that as she would not innovate anything, she would still protect them in the immunities and privileges of which she found them possessed. This answer not contenting them, their commerce was soon after suspended for a time, to the great advantage of the English merchants, who tried what they could themselves effect for promoting their commerce. They took the whole trade into their own hands; and their returns proving successful, they divided themselves into staplers and merchant adventurers; the former residing constantly at one place, the latter trying their fortunes in other towns and states abroad with cloth and other manufactures. This success so enraged the Hanse Towns, that they tried all the methods which a discontented people could devise, to draw upon the English merchants the ill opinion of other nations and states. They prevailed so far as to obtain an imperial edict, by which the English were prohibited all commerce in the empire: the queen, by way of retaliation, retained sixty of their ships, which had been seized in the river Tagus with contraband goods of the Spaniards. These ships the queen intended to have restored, as desiring to have compromised all differences with those trading cities; but when she was informed that a general assembly was held at Lubec, in order to concert measures for distressing the English trade, she caused the ships and cargoes to be confiscated: only two of them were released to carry home the news, and to inform these states that she had the greatest contempt imaginable for all their proceedings.

Henry VIII., in order to fit out a navy, was obliged to hire ships from Hamburgh, Lubec, Dantzic, Genoa, and Venice: but Elizabeth, very early in her reign, put affairs upon a better footing; both by building some ships of her own, and by encouraging the merchants to build large trading vessels, which on occasion were converted into ships of war. In the year 1582, the seamen in England were found to be fourteen thousand two hundred and ninety-five men; the number of vessels twelve hundred and thirty-two: of which there were only two hundred and seventeen above eighty tons. Monson pretends, that though navigation decayed in the first years of James I., by the practice of the merchants, who carried on their trade in foreign bottoms, yet before the year 1640 this number of seamen was tripled in England.

MILITARY FORCE.

The navy which the queen left at her decease appears considerable, when we reflect only on the number of vessels, which were forty-two: but when we

consider that none of these ships carried above forty guns; that four only came up to that number; that there were but two ships of a thousand tons, and twenty-three below five hundred, some of fifty, and some even of twenty tons; and that the whole number of guns belonging to the fleet was seven hundred and seventy-four; we must entertain a contemptible idea of the English navy, compared to the force which it has now attained. [*See note* 4 X, *at the end of this Vol.*] In the year 1588, there were not above five vessels fitted out by the noblemen and sea-ports which exceeded two hundred tons.

In the year 1599, an alarm was given of an invasion by the Spaniards; and the queen equipped a fleet and levied an army in a fortnight to oppose them. Nothing gave foreigners a higher idea of the power of England than this sudden armament. In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thousand nine hundred and twenty-nine. A distribution was made in the year 1595 of a hundred and forty thousand men, besides those which Wales could supply. These armies were formidable by their numbers; but their discipline and experience were not proportionate. Small bodies from Dunkirk and Newport frequently ran over and plundered the east coast; so unfit was the militia, as it was then constituted, for the defence of the kingdom. The lord-lieutenants were first appointed to the counties in this reign.

Mr. Murden has published from the Salisbury collection, a paper which contains the military force of the nation at the time of the Spanish Armada, and which is somewhat different from the account given by our ordinary historians. It makes all the able-bodied men in the kingdom amount to a hundred and eleven thousand five hundred and thirteen; those armed, to eighty thousand eight hundred and seventy-five; of whom forty-four thousand seven hundred and twenty-seven were trained. It must be supposed that these able-bodied men consisted of such only as were registered, otherwise the small number is not to be accounted for. Yet sir Edward Coke said in the house of commons, that he was employed about the same time, together with Popham, chief-justice, to take a survey of all the people of England, and that they found them to be 900,000, of all sorts. This number, by the ordinary rules of computation, supposes that there were above 200,000 men able to bear arms. Yet even this number is surprisingly small. Can we suppose that the kingdom is six or seven times more populous at present? and that Murden's was the real number, excluding catholics, and children, and infirm persons?

Harrison says, that in the musters taken in the years 1574 and 1575, the men fit for service amounted to 1,172,674; yet was it believed that a full third was omitted. Such uncertainty and contradiction are there in all these accounts! Notwithstanding the greatness of this number, the same author complains much of the decay of populousness—a vulgar complaint in all places and all ages. Guicciardina makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populousness of England in different periods, it must be allowed that, abstracting from the national debt, there is a prodigious increase of power in that, more perhaps than in any other European state since the beginning of the last century. It would be no paradox to affirm, that Ireland alone could at present exert a greater force than all the three kingdoms were capable of at the death of queen Elizabeth. And we might go further, and assert, that one good county in England is able to make, at least to support, a greater effort than the whole kingdom was capable of in the reign of Henry V.; when the maintenance of a garrison in a small town like Calais formed more than a third of the ordinary national expense. Such are the effects of liberty, industry, and good government!

The state of the English manufactures was at this time very low; and foreign wares of almost all kinds had the preference. About the year 1590, there were in London four persons only rated in the subsidy book so high as four hundred pounds. This computation is not, indeed, to be deemed an exact estimate of their wealth. In 1567 there were found, on inquiry, to be four thousand eight hundred and fifty-one strangers of all nations in London: of whom three thousand eight hundred and thirty-eight were Flemings, and only fifty-eight Scots. The persecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce as well as manufactures of that kingdom was very much improved by them. It was then that sir Thomas Gresham built, at his own charge, the magnifient fabric of the Exchange for the reception of the merchants: the queen visited it, and gave it the appellation of the Royal Exchange.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word usury, which formerly meant the taking of any interest for money, came now to express only the taking of exorbitant and illegal interest. An act passed in 1571 violently condemns all usury, but permits ten per cent. interest to be paid. Henry IV. of France reduced interest to 6½ per cent.; an indication of the great advance of France above England in commerce.

Dr. Howell says, that queen Elizabeth in the third of her reign was presented with a pair of black silk knit stockings by her silk-woman, and never wore cloth hose any more. The author of the Present State of England says, that about 1577, pocket watches were first brought into England from Germany. They are thought to have been invented at Nuremberg. About 1580, the use of coaches was introduced by the earl of Arundel. Before that time, the queen, on public occasions, rode behind her chamberlain.

Camden says, that in 1581, Randolph, so much employed by the queen in foreign embassies, possessed the office of post-master-general of England. It appears, therefore, that posts were then established; though, from Charles I.'s regulations in 1635, it would seem that few post-houses were erected before that time.

In a remonstrance of the Hanse Towns to the diet of the empire in 1582, it is affirmed that England exported annually about 200,000 pieces of cloth. This number seems to be much exaggerated.

In the fifth of this reign was enacted the first law for the relief of the poor.

A judicious author of that age confirms the vulgar observation, that the kingdom was depopulating from the increase of inclosures and decay of tillage; and he ascribes the reason very justly to the restraints put on the exportation of corn; while full liberty was allowed to export all the produce of pasturage, such as wool, hides, leather, tallow, &c. These prohibitions of exportation were derived from the prerogative, and were very injudicious. The queen, once, on the commencement of her reign, had tried a contrary practice, and with good success. From the same author we learn, that the complaints, renewed in our time, were then very common, concerning the high prices of everything.* There seems, indeed, to have been two periods in which prices rose remarkably in England, namely, that in queen Elizabeth's reign, when they are computed to have doubled, and that in the present age. Between the two there seems to have been a stagnation. It would appear that industry, during that intermediate period, increased as fast as gold and silver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to settle colonies in America: one by sir Humphrey Gilbert in Newfoundland, another by sir Walter Raleigh in Vir-

* A compendious or brief Examination of certain ordinary Complaints of diuers of our Countrymen. The author says, that in 20 or 30 years before 1581, commodities had in general risen 50 per cent., some more. Cunning man, neighbour, remember, says he, that within these 30 years, I could in this town buy the best pig or goose I could lay my hands on for fourpence, which now costeth twelvepence, a good capon for twopence or fourpence, a chicken for a penny, a hen for twopence? p. 35. Yet the price of ordinary labour was much the same as now, p. 51.

ginia: but neither of these projects proved successful. All those noble settlements were made in the following reigns. The current specie of the kingdom in the end of this reign is computed at four millions.

The earl of Leicester desired sir Francis Walsingham, then ambassador in France, to provide him with a riding-master in that country, to whom he promises a hundred pounds a year, besides maintaining himself and servant, and a couple of horses. "I know," adds the earl, "that such a man as I want may receive higher wages in France: but let him consider that a shilling in England goes as far as two shillings in France." It is known that everything is much changed since that time.

MANNERS.

The nobility in this age still supported, in some degree, the ancient magnificence in their hospitality, and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expenses in this last particular. The expense of hospitality she somewhat encouraged by the frequent visits she paid her nobility, and the sumptuous feasts which she received from them.* The earl of Leicester gave her an entertainment in Kenilworth castle, which was extraordinary for expense and magnificence. Among other particulars, we are told, that three hundred and sixty-five hogsheads of beer were drunk at it. The earl had fortified this castle at great expense; and it contained arms for ten thousand men. The earl of Derby had a family consisting of two hundred and forty servants. Stowe remarks it as a singular proof of beneficence in this nobleman, that he was contented with his rent from his tenants, and exacted not any extraordinary services from them: a proof that the great power of the sovereign, (what was almost unavoidable,) had very generally countenanced the nobility in tyrannizing over the people. Burleigh, though he was frugal, and had no paternal estate, kept a family consisting of a hundred servants. He had a standing table for gentlemen, and two other tables for persons of meaner condition, which were always served alike, whether he were in town or in the country. About his person he had people of great distinction, insomuch that he could reckon up twenty gentlemen retainers, who had each a thousand pounds a year; and as many among his ordinary servants, who were worth from a thousand pounds to three, five, ten, and twenty thousand pounds. It is to be remarked, that though the revenues of the crown were at that time very small, the ministers and courtiers sometimes found means, by employing the boundless prerogative, to acquire greater fortunes than it is possible for them at present to amass, from their larger salaries, and more limited authority.

Burleigh entertained the queen twelve several times in his country-house; where she remained three, four, or five weeks at a time. Each visit cost him two or three thousand pounds. The quantity of silver plate possessed by this nobleman is surprising; no less than fourteen or fifteen thousand pounds weight; [*See note* 4 Y, *at the end of this Vol.*;] which, besides the fashion, would be above forty-two thousand pounds sterling in value. Yet Burleigh left only 4,000 pounds a year in land, and 11,000 pounds in money; and as land was then commonly sold at ten years' purchase, his plate was nearly equal to all the rest of his fortune. It appears that little value was then put upon the fashion of the plate, which probably was but rude: the weight was chiefly considered.*

But, though there were preserved great remains of the ancient customs, the nobility were by degrees acquiring a taste for elegant luxury; and many edifices in particular were built by them, neat, large, and sumptuous, to the great ornament of the kingdom, says Camden; but to the no less decay of the glorious hospitality of the nation. It is, however, more reasonable to think, that this new turn of expense promoted arts and industry: while the ancient hospitality was the source of vice, disorder, sedition, and idleness. [*See note* 4 Z, *at the end of this Vol.*]

Among the other species of luxury, that of apparel began much to increase during this age; and the queen thought proper to restrain it by proclamation. Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more desirous of making impression on the hearts of beholders, no one ever went to a greater extravagance in apparel, or studied more the variety and richness of her dresses. She appeared almost every day in a different habit; and tried all the several modes by which she hoped to render herself agreeable. She was also so fond of her clothes that she never could part with any of them; and at her death she had in her wardrobe all the different habits, to the number of three thousand, which she had ever worn in her lifetime.

The retrenchment of the ancient hospitality, and the diminution of retainers, were favourable to the prerogative of the sovereign; and by disabling the great noblemen from resistance, promoted the execution of the laws, and extended the authority of the courts of justice. There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown: most of these causes concurred in succeeding princes; together with the factions in religion, and the acquisition of the supremacy, a most important article of prerogative; but the manners of the age were a general cause which operated during this whole period, and which continually tended to diminish the riches, and still more the influence of the aristocracy, anciently so formidable to the crown. The habits of luxury dissipated the immense fortunes of the ancient barons; and as the new methods of expense gave subsistence to mechanics and merchants, who lived in an independent manner on the fruits of their own industry, a nobleman, instead of that unlimited ascendant which he was wont to assume over those who were maintained at his board, or subsisted by salaries conferred on them, retained only that moderate influence which customers have over tradesmen, and which can never be dangerous to civil government. The landed proprietors also, having a greater demand for money than for men, endeavoured to turn their lands to the best account with regard to profit; and either inclosing their fields, or joining many small farms into a few large ones, dismissed those useless hands which formerly were always at their call in every attempt to subvert the government, or oppose a neighbouring baron. By all these means the cities increased; the middle rank of men began to be rich and powerful; the prince, who in effect was the same with the law, was implicitly obeyed; and though the further progress of the same causes begat a new plan of liberty, founded on the privileges of the commons, yet in the interval between the fall of the nobles and the rise of this order, the sovereign took advantage of the present situation, and assumed an authority almost absolute.

Whatever may be commonly imagined, from the authority of lord Bacon, and from that of Harrington, and later authors, the laws of Henry VII. contri-

* Harrison, after enumerating the queen's palaces, adds: "But what shall I need to take upon me to repeat all, and tell what houses the queen's majesty hath? Sith all is hers; and when it pleaseth her in the summer season, to recreate herself abroad, visiteth the estate of the country, and hear the complaints of her poor commons, unjustly hurt at justices sheets of such substitutes, every nobleman's house is her palace, where she continueth during pleasure, and till she return again to some of her own, in which she remaineth so long as she pleaseth." Book ii. chap. 15. Strictly or may say of such a guest what Cicero says to Atticus of a visit paid him by Caesar: "Hospes tamen non is est cui decres, amabo te, aliquid ad quod parem cure." Lib. xiii. ep. 52. If she relieved the people from oppressions, to whom it seems the law could give no relief, her visits were a great oppression on the nobility.

* This appears from Burleigh's will; he specifies only the number of ounces to be given to each legatee, and appoints a goldsmith to see it weighed out to them, without making any distinction of the pieces.

buted very little towards the great revolution which happened about this period in the English constitution. The practice of breaking entails by a fine and recovery had been introduced in the preceding reigns; and this prince only gave indirectly a legal sanction to the practice, by reforming some abuses which attended it. But the settled authority which he acquired to the crown, enabled the sovereign to encroach on the separate jurisdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the same fate as the feudal powers; and, by a statute of Henry VIII., the jurisdiction of these counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief cause of the secret revolution of government, and subverted the power of the barons. There appear still in this reign some remains of the ancient slavery of the boors and peasants, but none afterwards.

LEARNING.

Learning, on its revival, was held in high estimation by the English princes and nobles; and as it was not yet prostituted by being too common, even the great deemed it an object of ambition to attain a character for literature. The four successive sovereigns, Henry, Edward, Mary, and Elizabeth, may, on one account or other, be admitted into the class of authors. Queen Catharine Parr translated a book: lady Jane Gray, considering her age, and her sex, and her station, may be regarded as a prodigy of literature. Sir Thomas Smith was raised, from being professor in Cambridge, first to be ambassador to France, then secretary of state. The dispatches of those times, and among others those of Burleigh himself, are frequently interlarded with quotations from the Greek and Latin classics. Even the ladies of the court valued themselves on knowledge: lady Burleigh, lady Bacon, and their two sisters, were mistresses of the ancient as well as modern languages; and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and translated several books; and she was familiarly acquainted with the Greek as well as Latin tongue. [*See note* 5 A, *at the end of this Vol.*] It is pretended that she made an extemporary reply in Greek to the university of Cambridge, who had addressed her in that language. It is certain, that she answered in Latin without premeditation, and in a very spirited manner, to the Polish ambassador, who had been wanting in respect to her. When she had finished, she turned about to her courtiers, and said, "God's death, my lords," (for she was much addicted to swearing,) "I have been forced this day to scour up my old Latin that hath long lain rusting." Elizabeth, even after she was queen, did not entirely drop the ambition of appearing as an author; and, next to her desire of ambition for beauty, this seems to have been the chief object of her vanity. She translated Boethius of the Consolations of Philosophy; in order, as she pretended, to allay her grief for Henry IV.'s change of religion. As far as we can judge from Elizabeth's compositions, we may pronounce, that, notwithstanding her application and her excellent parts, her taste in literature was but indifferent: she was much inferior to her successor in this particular, who was himself no perfect model of eloquence.

Unhappily for literature, at least for the learned of this age, the queen's vanity lay more in shining by her own learning, than in encouraging men of genius by her liberality. Spenser himself, the finest English writer of his age, was long neglected; and after the death of sir Philip Sidney, his patron, was allowed to die almost for want. This poet contains great beauties, a sweet and harmonious versification, easy elocution, a fine imagination: yet does the perusal of his work become so tedious, that one never finishes it from the mere pleasure which it affords: it soon becomes a kind of task reading; and it requires some effort and resolution to carry us on to the end of his long performance. This effect, of which every one is conscious, is usually ascribed to the change of manners: but manners have more changed since Homer's age; and yet that poet remains still the favourite of every reader of taste and judgment. Homer copied true natural manners, which, however rough or uncultivated, will always form an agreeable and interesting picture: but the pencil of the English poet was employed in drawing the affectations, and conceits, and fopperies of chivalry, which appear ridiculous as soon as they lose the recommendation of the mode. The tediousness of continued allegory, and that too seldom striking or ingenious, has also contributed to render the *Fairy Queen* peculiarly tiresome; not to mention the too great frequency of its descriptions, and the languor of its stanza. Upon the whole, Spenser maintains his place upon the shelves among our English classics; but he is seldom seen on the table: and there is scarcely any one, if he dares to be ingenuous, but will confess, that, notwithstanding all the merit of the poet, he affords an entertainment with which the palate is soon satiated. Several writers of late have amused themselves in copying the style of Spenser; and no imitation has been so indifferent as not to bear a great resemblance to the original: his manner is so peculiar, that it is almost impossible not to transfer some of into the copy.

CHAPTER XLV.

JAMES I.

Introduction——James's first Transactions——State of Europe——Rosni's Negociations——Raleigh's Conspiracy——Hampton-Court Conference——A Parliament——Peace with Spain.

1603. THE crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the king of Scots, who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII.; and, on the failure of the male-line, his hereditary right remained unquestionable. If the religion of Mary queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession; these objections, being entirely personal, had no place with regard to her son. Men also considered, that though the title, derived from blood, had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end prevailed; and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII., authorized by act of parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal, that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognised

the undoubted title of her kinsman James; and the whole nation seemed to dispose themselves with joy and pleasure for his reception. Though born and educated amidst a foreign and hostile people, men hoped, from his character of moderation and wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater advantages resulting from a union with Scotland, than disadvantages from subjecting to a prince of that nation. The alacrity with which the English looked toward the successor had appeared so evident to Elizabeth, that, concurring with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet sufficiently weighed the ingratitude of courtiers and levity of the people.

FIRST TRANSACTIONS OF THIS REIGN.

As victory abroad, and tranquillity at home, had attended this princess, she left the nation in such flourishing circumstances, that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquisitive some circumstances of comparison, which even the natural partiality in favour of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations which resounded from all sides; and every one could remember how the affability and popular manners of their queen displayed themselves amidst such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude; and though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued therefore a proclamation, forbidding this resort of people, on pretence of the scarcity of provisions, and other inconveniences, which, he said, would necessarily attend it.

He was not, however, insensible to the great flow of affection which appeared in his new subjects; and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive, probably, we are to ascribe that profusion of titles which was observed in the beginning of his reign; when, in six weeks' time after his entrance into the kingdom, he is computed to have bestowed knighthood on no less than two hundred and thirty-seven persons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it began now to be valued and esteemed; and every one was sensible that the king, by his lavish and premature conferring of favours, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common, that they were scarcely marks of distinction; and being distributed, without choice or deliberation, to persons unknown to the prince, were regarded more as the proofs of facility and good-nature, than of any determined friendship or esteem.

A pasquinade was affixed to St. Paul's, in which an art was promised to be taught, very necessary to assist frail memories in retaining the names of the new nobility.

We may presume, that the English would have thrown less blame on the king's facility in bestowing favours, had these been confined entirely to their own nation, and had not been shared out, in too unequal proportions, to his old subjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers; whose impatience and importunity were apt, in many particulars, to impose on the easy nature of their master, and extort favours, of which it is natural to imagine, his English subjects would loudly complain. The duke of Lenox, the earl of Marre, lord Hume, lord Kinloss, sir George Hume, secretary Elphinstone, were immediately added to the English privy-council. Sir George Hume, whom he created earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honoured with that distinction. Hay, some time after, was created viscount Doncaster, then earl of Carlisle, and got an immense fortune from the crown; all which he spent in a splendid and courtly manner. Ramsay obtained the title of earl of Holderness; and many others, being raised on a sudden to the highest elevation, increased, by their insolence, that envy which naturally attended them, as strangers and ancient enemies.

It must however be owned, in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among these, secretary Cecil, created successively lord Effindon, viscount Cranborne, and earl of Salisbury, was always regarded as his prime-minister and chief counsellor. Though the capacity and penetration of this minister were sufficiently known, his favour with the king created surprise on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former associates, sir Walter Raleigh, lord Grey, lord Cobham, were discountenanced on account of their animosity against Essex, as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers in negociation was immediately put to trial, on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and to form with him new treaties and alliances. Besides ministers from Venice, Denmark, the Palatinate, Henry Frederick of Nassau, assisted by Barnevelt, the pensionary of Holland, was ambassador from the states of the United Provinces. Aremberg was sent by archduke Albert; and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the marquis of Rosni, afterwards duke of Sully, prime-minister and favourite of Henry IV. of France.

STATE OF EUROPE. ROSNI'S NEGOCIATIONS.

When the dominions of the house of Austria devolved on Philip II. all Europe was struck with terror lest the power of a family, which had been raised by fortune, should now be carried to an immeasurable height by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving anybody, and refined without any true judgment; such was the character of Philip, and such the character which, during his lifetime, and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions, lying in every climate of the globe, presented to Philip III., a weak prince, and to the duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what alone gave some appearance of life and vigour to that languishing body, yet so great was the terror produced by former power and ambition, that the reduction of the house of Austria was the

object of men's vows throughout all the states in Christendom. It was not perceived, that the French empire, now united in domestic peace, and governed by the most heroic and most amiable prince that adorns modern story, was become, of itself, a sufficient counterpoise to the Spanish greatness. Perhaps that prince himself did not perceive it, when he proposed, by his minister, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns; in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family. But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion; and it was his peculiar felicity, that the conjunctures of the times rendered the same object which was agreeable to him in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces: nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere, he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels: but having conversed more fully with English ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice; a quality which, even when erroneous, is respectable as well as rare in a monarch. He therefore agreed with Rosni to support secretly the States-general, in concert with the king of France; lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated, that the two kings should allow the Dutch to levy forces in their respective dominions; and should underhand remit to that republic the sum of one million four hundred thousand livres a year for the pay of these forces: that the whole sum should be advanced by the king of France; but that the third of it should be deducted from the debt due by him to queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to assist each other; Henry with a force of ten thousand men, James with that of six. This treaty one of the wisest and most equitable concluded by James during the course of his reign, was more the work of the prince himself than any of his ministers.

RALEIGH'S CONSPIRACY.

Amidst the great tranquillity, both foreign and domestic, with which the nation was blessed, nothing could be more surprising than the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Everything remains still mysterious in this conspiracy, and history can give us no clue to unravel it. Watson and Clarke, two catholic priests, were accused of the plot; lord Grey, a puritan; lord Cobham, a thoughtless man, of no fixed principle; and sir Walter Raleigh, suspected to be of that philosophical sect, who were then extremely rare in England, and who have since received the appellation of *free-thinkers*; together with these Mr. Broke, brother to lord Cobham, sir Griffin Markham, Mr. Copeley, sir Edward Parham. What cement could unite men of such discordant principles in so dangerous a combination; what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the queen's death, to have opposed proclaiming the king, till conditions should be made with him; they were upon that account extremely obnoxious to the court and ministry; and people were apt, at first to suspect, that the plot was merely a contrivance of secretary Cecil, to get rid of his old confederates, now become his most inveterate enemies. But the confession, as well as trial of the criminals, put the matter beyond doubt. And though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Aremberg, the Flemish ambassador, in order to give disturbance to the new settlement.

The two priests* and Broke† were executed: Cobham, Grey, and Markham were pardoned,‡ after they had laid their heads upon the block. Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh secretly offered his services to the French ambassador; and we may thence presume, that meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form; but it must be confessed, that, on his trial, there appeared no proof of this transaction, nor indeed any circumstance which could justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances, by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted; and soon after he retracted his retractation. Yet upon the written evidence of this single witness, a man of no honour or understanding, and so contradictory in his testimony; not confronted with Raleigh; not supported by any concurring circumstance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favourite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse, as may be deemed a great reflection, not only on his own memory, but even in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell, are the terms which he employs against one of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence, and courage.

CONFERENCE AT HAMPTON-COURT. 1604.

The next occupation of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines concerning points of faith and discipline, and in receiving the applauses of these holy men for his superior zeal and learning. The religious disputes between the church and the puritans had induced him to call a conference at Hampton-court, on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation; like severities had had so little influence on the puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the king on his accession; and many more seemed willing to adhere to it. They all hoped, that James, having received his education in Scotland, and having sometimes professed an attach-

* November 29. † December 5. ‡ December

ment to the church established there, would at least abate the rigour of the laws enacted in support of the ceremonies, and against puritans; if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias. The more he knew the puritanical clergy, the less favour he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism, and a zealous attachment to civil liberty; principles nearly allied to that religious enthusiasm with which they were actuated. He had found, that being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favourites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; whilst they controlled his commands, disputed his tenets, and to his face, before the whole people, censured his conduct and behaviour. If he had submitted to the indignity of courting their favour, he treasured up on that account the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance and faction and obstinacy in the Scottish nobility, he retained no ill will to that order; or rather showed them favour and kindness in England, beyond what reason and sound policy could well justify; but the ascendant which the presbyterian clergy had assumed over him was what his monarchical pride could never thoroughly digest.*

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us solely for happiness, James remarked that the rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth and wine and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged: and, being thus averse, from temper as well as policy, to the sect of puritans, he was resolved, if possible, to prevent its further growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end, than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties; he had not perceived, that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean and even dangerous in a monarch. By entering zealously into frivolous disputes, James gave them an air of importance and dignity which they could not otherwise have acquired; and being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The church of England had not yet abandoned the rigid doctrines of grace and predestination: the puritans had not yet separated themselves from the church, nor openly renounced episcopacy. Though the spirit of the parties was considerably different, the only appearing subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton-court between some bishops and dignified clergymen on the one hand, and some leaders of the puritanical party on the other; the king and his ministers being present.

The puritans were here so unreasonable as to complain of a partial and unfair management of the dispute; (4th January;) as if the search after truth were in any degree the object of such conferences, and a candid indifference, so rare even among private inquirers in *philosophical* questions, could ever be expected among princes, and prelates, in a *theological* controversy. The king, it must be confessed, from the beginning of the conference, showed the strongest propensity to the established church, and frequently inculcated a maxim, which, though it has some foundation, is to be received with great limitations, NO BISHOP, NO KING. The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the archbishop of Canterbury said, that "undoubtedly his majesty spake by the special assistance of God's Spirit." A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the puritans to form certain assemblies, which they called *prophesyings:* where alternately, as moved by the Spirit, they displayed their zeal and prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion which has so mighty an influence on holy fervours, and from the mutual emulation which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, "If you aim at a *Scottish* presbytery, it agrees as well with monarchy as God and the devil. There *Jack* and *Tom* and *Will* and *Dick* shall meet and censure me and my council. Therefore I reiterate my former speech: *Le Roi s'avisera.* Stay, I pray, for one seven years before you demand: and then if you find me grow pursie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough." Such were the political considerations which determined the king in his choice among religious parties.

A PARLIAMENT. *March* 19.

The next assembly in which James displayed his learning and eloquence, was one that showed more spirit of liberty than appeared among his bishops and theologians. The parliament was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree that above 30,000 persons are computed to have died of it in a year, though the city contained at that time little more than 150,000 inhabitants.

The speech which the king made on opening the parliament fully displays his character, and proves him to have possessed more knowledge and better parts than prudence or any just sense of decorum and propriety. Though few productions of the age surpass this performance either in style or matter, it wants that majestic brevity and reserve which becomes a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candour, where he confesses his too great facility in yielding to the solicitations of suitors: a fault which he promises to correct, but which adhered to him, and distressed him, during the whole course of his reign.

The first business, in which the commons were engaged, was of the utmost importance to the preservation of their privileges; and neither temper nor resolution were wanting in the conduct of it.

In former periods of the English government, the house of commons was of so small weight in the balance of the constitution, that little attention had been given, either by the crown, the people, or the house itself, to

* James ventured to say, in his Basilicon Doron, published while he was in Scotland, "I protest before the face of God, and since I am here as upon my Testament, it is no place for me to lie in, that you shall never find with any Highland or Borderer thieves greater hatred conceived and more lively and vile reputation, than he the Puritanic sect: a sect, I say; but the principal of them to break your land." King James's Works, p. 161.

the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he judged incapable of attending, either on account of their employment, their sickness, or other impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation; yet so little jealousy had it created, that the commons, of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty-third of Elizabeth. At that time, though some members, whose places had been supplied on account of sickness, having now recovered their health, appeared in the house, and claimed their seat; such was the authority of the chancellor, that merely out of respect to him, his sentence was adhered to, and the new members continued in their places. Here a most dangerous prerogative was conferred on the crown: but to show the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; insomuch that two days afterwards the chancellor, of himself, resigned it back to the commons, and gave them power to judge of a particular vacancy in their house. And when the question concerning the chancellor's new writs was again brought on the carpet towards the end of the session, the commons were so little alarmed at the precedent, that, though they re-admitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence, in instances where the distemper appeared to have been dangerous and incurable. Nor did they proceed any further in vindication of their privileges than to vote, "that during the sitting of parliament, there do not, at any time, any writ go out for choosing or returning any member without the warrant of the house." In Elizabeth's reign, we may remark, and the reigns preceding, sessions of parliament were not usually the twelfth part so long as the vacations; and during the latter, the chancellor's power, if he pleased to exert it, was confirmed, at least left, by this vote, as unlimited and unrestrained as ever.

In a subsequent parliament, the absolute authority of the queen was exerted in a manner still more open; and began for the first time to give alarm to the commons. New writs having been issued by the chancellor when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the house, informing them, that it were impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a most perilous precedent, where two knights of a county were duly elected, if any new writ should issue out for a second election, without order of the house itself: that the discussing and adjudging of this and such like differences belonged only to the house; and that there should be no message sent to the lord-chancellor, not so much as to inquire what he had done in the matter, because it was conceived to be a matter derogatory to the power and privilege of the house." This is the most considerable, and almost only, instance of parliamentary liberty, which occurs during the reign of that princess.

Outlaws, whether on account of debts or crimes, had been declared by the judges incapable of enjoying a seat in the house, where they must themselves be lawgivers; but this opinion of the judges had been frequently overruled. I find, however, in the case of Vaughan, who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretiship, and to have been, most of them, honestly compounded, he was allowed, on account of these favourable circumstances, to keep his seat: which plainly supposes that, otherwise, it would have been vacated, on account of the outlawry.*

When James summoned this parliament, he issued a proclamation; in which, among many general advices, which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their representative. And he adds; "If any person take upon him the place of knight, citizen, or burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending to be fined or imprisoned for the same." A proclamation here was plainly put on the same footing with a law, and that in so delicate a point as the right of elections—most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake, than from any serious design of invading the privileges of parliament.†

Sir Francis Goodwin was chosen member for the county of Bucks; and his return, as usual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his seat, and issued writs for a new election. Sir John Fortescue was chosen in his place by the county. But the first act of the house was to reverse the chancellor's sentence, and restore sir Francis to his seat. At the king's suggestion, the lords desired a conference on the subject; but were absolutely refused by the commons, as the question entirely regarded their own privileges. The commons, however, agreed to make a remonstrance to the king by the mouth of their speaker; in which they maintained, that though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the house itself, not to the chancellor. James was not satisfied, and ordered a conference between the house and the judges, whose opinion in this case was opposite to that of the commons. This conference, he said, he commanded as an *absolute* king; [*See note* 5 B, *at the end of this Vol.*;] an epithet, we are apt to imagine, not very grateful to English ears, but one to which they had already been somewhat accustomed from the mouth of Elizabeth. He added, "That all their privileges were derived from his grant, and hoped they would not turn them against him;" a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

The commons were in some perplexity. Their eyes were now opened, and they saw the consequences of that power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. "By this course," said a member, "the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity." Another said, "This may be called a *quo warranto* to seize all our liberties." "A chancellor," added a third, "by this course, may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question,

* In a subsequent parliament, that of the 35th of the queen, the commons, after great debate, expressly voted, that a person outlawed might be elected. D'Ewes, p. 564. But as the matter had been much contested, the king might think the vote of the house no law, and might esteem his own decision of more weight than theirs. We may also suppose that he was not acquainted with this vote. Queen Elizabeth, in her speech to her last parliament, complained of their admitting outlaws, and represents that conduct of the house as a great abuse.

† The duke of Sully tells us, that it was a maxim of James, that no prince in the first year of his reign, should begin any considerable undertaking; a maxim no wise man would, and very suitable to his cautious, not to say timid, character. The facility with which he departed from this pretension, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly ascertained, or even perfectly fully limited, could such an imagination ever have been entertained by him, as to think that his proclamations could regulate parliamentary election?

Whether the chancery or parliament ought to have authority."

Notwithstanding this watchful spirit of liberty, which now appeared in the commons, their deference for majesty was so great, that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear, in James's eyes, a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honour, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued, by warrant of the house, for a new election. Goodwin gave his consent, and the commons embraced the expedient; but in such a manner, that while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed of judging solely in their own elections and returns. [*See note* 5 C, *at the end of this Vol.*]

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the commons; but must be regarded as an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time the commons, in the case of sir Thomas Shirley, established their power of punishing as well the persons at whose suit any member is arrested, as the officers who either arrest or detain him. Their asserting of this privilege admits of the same reflection.

About this period the minds of men throughout Europe, especially in England, seem to have undergone a general, but insensible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they, till now, begun to spread themselves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itself over the whole globe. Travelling was secure and agreeable. And the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to have lain long unactive, began, everywhere, to operate and encroach on each other. On the Continent, where the necessity of discipline had begotten standing armies, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unless checked, flourishes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, suitable to that cultivated understanding which became every day more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breast, a passion for a limited constitution, and begat an emulation of those manly virtues, which the Greek and Roman authors, by such animating examples, as well as pathetic expressions, recommend to us. The severe, though popular, government of Elizabeth had confined this rising spirit within very narrow bounds: but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigour to check it in its early advances. Jealous of regal, because conscious of little personal authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, everything concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined, that as he bore the same rank, he was entitled to equal prerogatives; not considering the innovations lately introduced by them, and the military force by which their authority was supported. In England, that power, almost unlimited, which had been exercised for above a century, especially during the late reign, he ascribed solely to royal birth and title; not to the prudence and spirit of the monarchs, nor to the conjunctures of the times. Even the opposition which he had struggled with in Scotland encouraged him still further in his favourite notions; while he there saw, that the same resistance which opposed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable insolence of seditious preachers. In his own person, therefore, he thought all legal power to be centered, by an hereditary and a divine right: and this opinion might have proved dangerous, if not fatal, to liberty, had not the firmness of the persuasion, and its seeming evidence, induced him to trust solely to his right, without making the smallest provision, either of force or politics, in order to support it.

Such were the opposite dispositions of parliament and prince, at the commencement of the Scottish line; dispositions just beginning to exist and to appear in the parliament, [*See note*, 5 D, *at the end of this Vol.*] but thoroughly established and openly avowed on the part of the prince.

The spirit and judgment of the house of commons appeared, not only in defence of their own privileges, but also in their endeavour, though at this time, in vain, to free trade from those shackles which the high exerted prerogative, and even, in this respect, the ill-judged tyranny of Elizabeth had imposed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry: but the exclusive companies still remained; another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was for ever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily elected, had carried their privileges so far, that almost all the commerce of England was centered in London; and it appears that the customs of that port amounted to 110,000*l.* a year, while those of all the kingdom beside yielded only seventeen thousand. Nay, the whole trade of London was confined to about two hundred citizens, who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to examine this enormous grievance, one of the greatest which we read of in English story, insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had sensibly decayed during all the preceding reign.* And though nothing be more common than complaints of the decay of trade even during the most flourishing periods; yet is this a consequence which might naturally result from such arbitrary establishments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the commons were thus attempting to give liberty to the trading part of the nation, they also endeavoured to free the landed property from the burden of wardships, and to remove those remains of the feudal tenures under which the nation still laboured. A just regard was shown to the crown in the conduct

* A remonstrance from the Trinity-house in 1602 says, that in all the above-twelve years after 1558, the shipping and number of seamen in England decayed about a third. Anglesey's Happy Future State of England, p. 128. from sir Julius Cæsar's Collections. See Journ. 21st of May, 1604.

of this affair; nor was the remedy sought for considered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from respite of homage, was estimated; and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the house, and some conferences with the lords, the affair was found to contain more difficulties than could easily, at that time, be surmounted; and it was not then brought to any conclusion.

The same fate attended an attempt of a like nature, to free the nation from the burden of purveyance. This prerogative had been much abused by the purveyors; and the commons showed some intention to offer the king fifty thousand pounds a year for the abolition of it.

Another affair of the utmost consequence was brought before the parliament, where the commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously, and even impatiently urged by the king. He justly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animosities of these hostile nations, and had reduced the whole island under one government: enjoying tranquillity within itself, and security from all foreign invasions. He hoped, that while his subjects of both kingdoms reflected on past disorders, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities, by a thorough union of laws, parliaments, and privileges. He considered not, that this very reflection operated, as yet, in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greatest extremities, and required time to allay it. The more urgent the king appeared in promoting so useful a measure, the more backward was the English parliament in concurring with him; while they ascribed his excessive zeal, to that partiality in favour of his ancient subjects, of which they thought, that, on other occasions, they had reason to complain. Their complaisance for the king, therefore, carried them no further than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the establishment of it.

The same spirit of independence, and perhaps not better judgment, appeared in the house of commons when the question of supply was brought before them, by some members attached to the court. In vain was it urged, that, though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burdened with a debt, contracted by the queen, equal to the full amount of it: that peace was not yet thoroughly concluded with Spain, and that Ireland was still expensive to him: that on his journey from Scotland, amidst such a concourse of people, and on that of the queen and royal family, he had expended considerable sums: and that as the courtiers had looked for greater liberalities from the prince on his accession, and had imposed on his generous nature; so the prince, in his turn, would expect, at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the house of commons by these topics; and the majority appeared fully determined to refuse all supply. The burden of government, at that time, lay surprisingly light upon the people: and that very reason, which to us, at this distance, may seem a motive of generosity, was the real cause why the parliament was, on all occasions, so remarkably frugal and reserved. They were not, as yet, accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The commons seem also to have been desirous of reducing the crown to still further necessities, by their refusing a bill, sent down to them by the lords, for entailing the crown-lands for ever on the king's heirs and successors. The dissipation made by Elizabeth had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply, which might bear a bad construction, both at home and abroad, James sent a message to the house, in which he told them, that he desired no supply; and he was very forward in refusing what was never offered him. Soon after, he prorogued the parliament, (7th July,) not without discovering, in his speech, visible marks of dissatisfaction. Even so early in his reign, he saw reason to make public complaints of the restless and encroaching spirit of the puritanical party, and of the malevolence with which they endeavoured to inspire the commons. Nor were his complaints without foundation, or the puritans without interest; since the commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and presented a petition to the king; the purport of both which was, to procure, in favour of the puritans, a relaxation of the ecclesiastical laws.* The use of the surplice, and of the cross in baptism, is there chiefly complained of; but the remedy seems to have been expected solely from the king's dispensing power. In the papers which contain this application and petition, we may also see proofs of the violent animosity of the commons against the catholics, together with the intolerating spirit of that assembly. [*See note* 5 E, *at the end of this Vol.*]

PEACE WITH SPAIN. *August* 18.

This summer the peace with Spain was finally concluded, and was signed by the Spanish ministers at London. In the conferences previous to this treaty, the nations were found to have so few claims on each other, that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth, than any contrariety of political interests between their subjects. Some articles in the treaty which seemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by secret agreement, the king had expressly reserved the power of sending assistance to the Hollanders.† The constable of Castile came into England to ratify the peace; and on the part of England, the earl of Herttord was sent into the Low Countries for the same purpose, and the earl of Nottingham, high-admiral, into Spain. The train of the latter was numerous and splendid; and the Spaniards, it is said, were extremely surprised, when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

Though England, by means of her naval force, was perfectly secure during the latter years of the Spanish war, James showed an impatience to put an end to hostilities; and soon after his accession, before any terms of peace were concerted, or even proposed by Spain, he recalled all the letters of marque which had been granted by queen Elizabeth. Archduke Albert had made some advances of a like nature, which invited the king to take this friendly step. But, what is remarkable, in James's proclamation for that purpose, he plainly supposes, that, as he had himself, while king of Scotland, always lived in amity with Spain, peace

* La Boderie, the French ambassador, says, that the house of commons was composed mostly of puritans. Vol. i. p. 31.

† Winwood, vol. ii. p. 27, 470, *et alibi*. In this respect James's peace was more honourable than that which Henry IV. himself made with Spain. The latter prince stipulated not to assist the Dutch; and the supplies which he secretly sent them were in direct contravention to the treaty.

was attached to his person, and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms. This ignorance of the law of nations may appear surprising in a prince who was thirty-six years of age, and who had reigned from his infancy, did we not consider, that a king of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement, particularly of hunting, to which he was much addicted, ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighbouring nations had paid to England during the reign of his predecessor.

CHAPTER XLVI.

Gunpowder Conspiracy—A Parliament—Truce betwixt Spain and the United Provinces—A Parliament—Death of the French King—Ammunition—State of Ireland.

WE are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind; its widest departure from morals, and most steady attachment to religious prejudices. 'Tis the *Gunpowder Treason* of which I speak; a fact as certain as it appears incredible.

GUNPOWDER CONSPIRACY. 1605.

The Roman catholics had expected great favour and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended, that he had even entered into positive engagements to tolerate their religion, as soon as he should mount the throne of England; whether their credulity had interpreted in this sense some obliging expressions of the king's, or that he had employed such an artifice, in order to render them favourable to his title. Very soon they discovered their mistake; and were at once surprised and enraged to find James, on all occasions, express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge; and he opened his intention to Piercy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the catholics, Piercy having broken into a sally of passion, and mentioned assassinating the king, Catesby took the opportunity of revealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the catholic religion in England. In vain, said he, would you put an end to the king's life: he has children, who would succeed both to his crown and to his maxims of government. In vain would you extinguish the whole royal family: the nobility, the gentry, the parliament, are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy, at one blow, the king, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament; and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall in which they meet; and choosing the very moment when the king harangues both houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves, standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our church and butchering her children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there for ever to endure the torments due to their offences.

Piercy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders, in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secresy, they always, together with an oath, employed the communion, the most sacred rite of their religion. And it is remarkable, that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre, which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present; as spectators or attendants on the king, or as having seats in the house of peers: but Tesmond, a jesuit, and Garnet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604; when the conspirators also hired a house, in Piercy's name, adjoining to that in which the parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighbourhood, they carried in store of provisions with them, and never desisted from their labour. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death in comparison of a disappointment; and having provided arms, together with the instruments of their labour, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise, which they knew not how to account for. Upon inquiry, they found that it came from the vault below the house of lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open; and everybody admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent; and it was resolved, that Piercy should seize him, or assassinate him. The princess Elizabeth, a child likewise, was kept at lord Harrington's house at Warwickshire; and sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen.

So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion, which must result from so unexpected a blow, they foresaw not, that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself, by an universal massacre of the catholics.

The day, so long wished for, now approached, on which the parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept, during the space of near a year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had, as yet, induced any one conspirator, either to abandon the enterprise, or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of parliament, lord Monteagle, a catholic, son to lord Morley, received the following letter, which had been delivered to his servant by an unknown hand:—"My Lord, Out of the love I bear to some of your friends, I have a care of your preservation. Therefore would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament. For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement; but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this parliament, and yet they shall not see who hurts them. This council is not to be contemned, because it may do you good, and can do you no harm: for the danger is past as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you."

Monteagle knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten and ridicule him, he judged it safest to carry it to lord Salisbury, secretary of state. Though Salisbury too was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so light a matter; and from the serious, earnest style of the letter, he conjectured, that it implied something dangerous and important. A *terrible blow*, and yet *the authors concealed*; a danger so *sudden*, and yet so *great*; these circumstances seemed all to denote some contrivance by gunpowder; and it was thought advisable to inspect all the vaults below the houses of parliament. This care belonged to the earl of Suffolk, lord chamberlain; who purposely delayed the search, till the day before the meeting of parliament. He remarked those great piles of wood and faggots which lay in the vault under the upper house; and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for Piercy's servant. That daring and determined courage, which so much distinguished this conspirator, even among those heroes in villany, was fully painted in his countenance, and was not passed unnoticed by the chamberlain. Such a quantity also of fuel, for the use of one who lived so little in town as Piercy, appeared a little extraordinary; and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, sir Thomas Knevet, a justice of peace, was sent with proper attendants; and before the door of the vault finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the faggots, discovered the powder. The matches and everything proper for setting fire to the train were taken in Fawkes's pocket; who, finding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret, that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies. Before the council, he displayed the same intrepid firmness, mixed even with scorn and disdain; refusing to discover his accomplices, and showing no concern but for the failure of the enterprise. This obstinacy lasted two or three days: but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him, his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him; and he made a full discovery of all the conspirators.

Catesby, Piercy, and the other criminals, who were in London, though they had heard of the alarm taken at a letter sent to Monteagle; though they had heard of the chamberlain's search; yet were resolved to persist to the utmost, and never abandon their hopes of success. [*See note* 5 F, *at the end of this Vol.*] But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where sir Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed, by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence. The people rushed in upon them. Piercy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted catholics were so devoted to Garnet, that they fancied miracles to be wrought by his blood; and in Spain he was regarded as a martyr.

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment; and they declared, that, from the motive alone of friendship to him, they were ready on any occasion, to have sacrificed their lives. Digby himself was as highly esteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of queen Elizabeth. It was bigoted zeal alone, the most absurd of prejudices masked with reason, the most criminal of passions covered with the appearance of duty, which seduced them into measures that were fatal to themselves, and had so nearly proved fatal to their country.*

The lords Mordaunt and Stourton, two catholics, were fined, the former ten thousand pounds, the latter four thousand, by the star-chamber, because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy. The earl of Northumberland was fined thirty thousand pounds, and detained several years prisoner in the Tower; because, not to mention other grounds of suspicion, he had admitted Piercy into the number of gentlemen pensioners, without his taking the requisite oaths.

The king, in his speech to the parliament, observed, that though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all

* Digby, after his condemnation, said in a letter to his wife: "Now for my intention, I must tell you, that if I had thought there had been the least sin in [illegible] I would not have undertaken it for all the world; and [illegible] cause [illegible]" He ex[illegible]

the Roman catholics in these same guilt, or suppose them equally disposed to commit such enormous barbarities. Many holy men, he said, had been sent to the stake among the rest, but it was absurd to concur with that church in her cruelties at some times, who yet had never admitted her seditious principles, concerning the pope's power of deposing kings, and sanctifying assassination. The wrath of Heaven was denounced against crimes, but innocent error may obtain its favour; and nothing can be more hateful than the uncharitableness of the puritans, who condemn alike to eternal torments, even the most inoffensive partisans of popery. For his part, he added, that conspiracy, however atrocious, should never alter, in the least, his plan of government: while with one hand he punished guilt, with the other he would still support and protect innocence. After this speech, he prorogued the parliament till the 22nd of January.*

1606. The moderation, and, I may say, magnanimity, of the king, immediately after so narrow an escape from a most detestable conspiracy, was nowise agreeable to his subjects. Their animosity against popery, even before this provocation, had risen to a great pitch; and it had perhaps been more prudent in James, by a little dissimulation, to have conformed himself to it. His theological learning, confirmed by disputation, had happily fixed his judgment in the protestant faith; yet was his heart a little biassed by the allurements of Rome, and he had been well pleased, if the making of some advances could have effected an union with that ancient mother-church. He strove to abate the acrimony of his own subjects against the religion of their fathers: he became himself the object of their diffidence and aversion. Whatever measures he embraced, in Scotland to introduce prelacy, in England to enforce the authority of the established church, and support its rites and ceremonies, were interpreted as so many steps towards popery; and were represented by the puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preferment, almost indifferently, to his catholic and protestant subjects. And finding his person, as well as his title, less obnoxious to the church of Rome, than those of Elizabeth, he gradually abated the rigour of those laws which had been enacted against that church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

At this time James seems to have possessed the affections even of his English subjects, and, in a tolerable degree, their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early friendships; a quality which, had it been attended with more economy, the wise would have excused, and the candid would even, perhaps, have applauded. His parts, which were not despicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world; nor was it always through flattery or insincerity that he received the title of the second Solomon. A report, which was suddenly spread about this time, of his being assassinated, visibly struck a great consternation into all orders of men. The commons also abated, this session, somewhat of their excessive frugality, and granted him an aid, payable in four years, of three subsidies and six fifteenths, which, sir Francis Bacon said in the house, might amount to about four hundred thousand pounds: and for once the king and parliament parted in friendship and good humour. The hatred which the catholics so visibly bore him, gave him, at this time, an additional value in the eyes of his people. The only considerable point in which the commons incurred his displeasure, was by discovering their constant goodwill to the puritans, in whose favour they desired a conference with the lords: which was rejected.

The chief affair transacted next session, (18th November,) was the intended union of the two kingdoms. Nothing could exceed the king's passion and zeal for this noble enterprise, but the parliament's prejudice and reluctance against it. There remain two excellent speeches in favour of the union, which it would not be improper to compare together; that of the king, and that of sir Francis Bacon. Those who affect in everything such an extreme contempt for James, will be surprised to find, that his discourse, both for good reasoning and eloquent composition, approaches very near that of a man who was undoubtedly, at that time, one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterize the harangue of the monarch, and mark it for his own. And, in general, so open and avowed a declaration in favour of a measure while he had taken no care, by any precaution or intrigue, to ensure success, may safely be pronounced an indiscretion. But the art of managing parliaments, by private interest or cabal, being found hitherto of little use or necessity, had not, as yet, become a part of English politics. In the common course of affairs, government could be conducted without their assistance; and when their concurrence became necessary to the measures of the crown, it was, generally speaking, except in times of great faction and discontent, obtained without much difficulty.

The king's influence seems to have rendered the Scottish parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable; yet were the objections too, with regard to that kingdom, more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was not despicable; and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honour, or from jealousy, could not reasonably have any place among them. The English parliament indeed seem to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition of the hostile laws formerly enacted between the kingdoms.*

Some precipitate steps which the king, a little after his accession, had taken, in order to promote his favourite project, had been here observed to do more injury than service. From his own authority, he had assumed the title of king of Great Britain; and had quartered the arms of Scotland with those of England, in all coins, flags, and ensigns. He had also engaged the judges to make a declaration, that all those who, after the union of the crowns, should be born in either kingdom, were, for that reason alone, naturalized in both. This was a nice question, and, according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same; the parliaments were different. To render the people therefore the same, we must suppose that the sovereign authority resided chiefly in the prince, and that those popular assemblies were rather instituted to assist with money and advice, than endowed with any controlling or active powers in the government. "It is evident," says Bacon in his pleadings on this subject, "that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided amongst many officers, and they

not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons to have voices only in that election, and the like; these are busy and curious frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them: but in monarchies, especially hereditary, that is, when several families or lineages of people do submit themselves to one line, imperial or royal, the submission is more natural or simple, which afterwards, by law subsequent, is perfected, and made more formal: but that is grounded upon nature." It would seem from this reasoning, that the idea of a *hereditary, unlimited* monarchy, though implicitly supposed in many public transactions, had scarcely ever, as yet, been expressly formed by any English lawyer or politician.

Except the obstinacy of the parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction, most of their measures, during this session, were sufficiently respectful and obliging; though they still discover a vigilant spirit and a careful attention towards national liberty. The votes also of the commons show, that the house contained a mixture of puritans, who had acquired great authority among them, and who, together with religious prejudices, were continually suggesting ideas more suitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

1607. A petition was moved in the lower house for a more rigorous execution of the laws against popish recusants, and an abatement towards protestant clergymen, who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king; and he sent orders to the house to proceed no further in that matter. The commons were inclined, at first, to consider these orders as a breach of privilege: but they soon acquiesced, when told that this measure of the king's was supported by many precedents during the reign of Elizabeth. Had they been always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants. The lower house sent a message to the lords, (5th June,) desiring a conference with them in order to their presenting a joint petition to the king on the subject. The lords took some time to deliberate on this message; because, they said, the matter was *weighty* and *rare*. It probably occurred to them at first, that the parliament's interposing in affairs of state would appear unusual and extraordinary. And, to show that in this sentiment they were not guided by court influence, after they had deliberated, they agreed to the conference.

The house of commons began now to feel themselves of such importance, that on the motion of sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals. When all business was finished, the king prorogued the parliament.

About this time there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying inclosures; but carefully avoided committing any other outrage. This insurrection was easily suppressed, (4th July,) and though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been, of itself, far from trivial. The practice still continued in England, of disusing tillage, and throwing the land into inclosures for the sake of pasture. By this means the kingdom was depopulated, at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

TRUCE BETWEEN SPAIN AND THE UNITED PROVINCES.

Next year presents us with nothing memorable: but in the spring of the subsequent, [1609,] after a long negociation, was concluded, by a truce of twelve years, that war, which, for near half a century, had been carried on with such fury between Spain and the States of the United Provinces. Never contest seemed, at first, more unequal: never contest was finished with more honour to the weaker party. On the side of Spain were numbers, riches, authority, discipline: on the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises the republic maintained her armies; and, joining peaceful industry to military valour, she was enabled, by her own force, to support herself, and gradually rely less on those neighbouring princes, who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest, and prevented her from hearkening to any terms of accommodation with her rebellious subjects. But finding all intercourse cut off between her provinces by the maritime force of the States, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretensions to their sovereignty.

This chief point being gained, the treaty was easily brought to a conclusion, under the joint mediation and guarantee of France and England. (30th March.) All exterior appearances of honour were paid equally to both crowns; but very different were the sentiments which the States, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies,* but it appears, from the memoirs of those times, that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them. So little equity have men in their judgments of their own affairs; and so dangerous is that entire neutrality affected by the king of England.

A PARLIAMENT. *February* 9, 1610.

The little concern which James took in foreign affairs renders the domestic occurrences, particularly those of parliament, the most interesting of his reign. A new session was held this spring; the king full of hopes of receiving supply; the commons of circumscribing his prerogative. The earl of Salisbury, now created treasurer, on the death of the earl of Dorset, laid open the king's necessities, first to the peers, then to a committee of the lower house. He insisted on the unavoidable expense incurred in supporting the navy, and in suppressing a late insurrection in Ireland: he mentioned three numerous courts which the king was obliged to maintain, for himself, for the queen, and for the prince of Wales: he observed, that queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death, which alone were expensive to her; and he remarked that, during her reign, she had alienated many of the crown-lands; an expedient which, though it supplied her present necessities, without laying burdens on her people, extremely multiplied the necessities of her suc-

cessor. From all these causes he thought it nowise strange, that the king's income should fall short so great a sum as eighty-one thousand pounds of his stated and regular expense; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burdened with a great and urgent debt of 300,000 pounds, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to both houses, (21st March,) the commons remained inexorable. But, not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarcely amount to a hundred thousand pounds. And James received the mortification of discovering, in vain, all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel, which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,* the prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds, in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe, that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known, and more cultivated among all ranks of people. The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their ancestors. The prince himself began to regard an increase of pomp and splendour as requisite to support the dignity of his character, and to preserve the same superiority above his subjects, which his predecessors had enjoyed. Some equality too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue, and multiplied their taxes, the king of England deemed it reasonable that his subjects, who were generally as rich as theirs, should bear with patience some additional burdens and impositions.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and, begetting a spirit of freedom and independence, disposed them to pay little regard either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion: but this confusion often, in its turn, proved favourable to the monarch, and made the nation again submit to him, in order to re-establish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the commons, the situation of affairs, and the dispositions of men, became susceptible of a more regular plan of liberty; and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative; as soon as the commons recovered from their lethargy, they seem to have been astonished at the danger, and were resolved to secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer; and waiting patiently for a favourable opportunity to increase and fix his revenue, might have secured the extensive authority transmitted to him. On the other hand, had the commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were soured by religious prejudices, and tenacious of their money: and, in this situation, it is no wonder that, during this whole reign, we scarcely find an interval of mutual confidence and friendship between prince and parliament.

The king, by his prerogative alone, had some years before altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V. and all the succeeding sovereigns had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative, than bestowed any new gift or revenue upon him.

The parliament, when it first granted poundage to the crown, had fixed no particular rates; the imposition was given as a shilling a pound, or five per cent., on all commodities; it was left to the king himself, and the privy-council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs: and as that value had been settled before the discovery of the West Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe; and consequently, the customs on many goods, though supposed to be five per cent., was in reality much inferior. The king, therefore, was naturally led to think that rates which were now plainly false, ought to be corrected; that a valuation of commodities, fixed by one act of the privy-council, might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities; if this duty were granted by the people, he should at least support the spirit of the law, by fixing a new and a juster valuation of all commodities. But besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth. Both these princesses had, without consent of parliament, altered the rates of commodities; and as their impositions had, all along, been submitted to without a murmur, and still continued to be levied, the king had no reasons to apprehend that a further exertion of the same authority would give any occasion of complaint. That less umbrage might be taken, he was moderate in the new rates which he established: the customs, during his whole reign, rose only from 127,000 pounds a year to 190,000; though, besides the

* Besides the [illegible] of the [illegible], the [illegible] never [illegible], and [illegible] [illegible] [illegible]

increase of the rates, there was a sensible increase of commerce and industry during that period: every commodity, besides, which might serve to the subsistence of the people, or might be considered as a material of manufactures, was exempted from the new impositions of James: but all this caution could not prevent the complaints of the commons. A spirit of liberty had now taken possession of the house: the leading members, men of an independent genius and large views, began to regulate their opinions, more by the future consequences which they foresaw, than by the former precedents which were set before them; and they less aspired at maintaining the ancient constitution, than at establishing a new one, and a freer, and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion, "That the reasons of that practice might be extended much further, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods." Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions, which was rejected by the house of lords.

In another address to the king they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty, nor give a reason for their refusal. Some murmurs likewise were thrown out in the house against a new monopoly of the licence of wines. It must be confessed, that forced loans and monopolies were established on many and ancient as well as recent precedents; though diametrically opposite to all the principles of a free government. [*See note* 5 G, *at the end of this Vol.*]

The house likewise discovered some discontent against the king's proclamations. James told them, "That though he well knew by the constitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniences as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided till the meeting of a parliament. And this prerogative," he adds, "our progenitors have, in all times, used and enjoyed." The intervals between sessions, we may observe, were frequently so long as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice; and was even acknowledged by lawyers, who made however this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them. But what the authority could be, which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics; and in this instance, as in many others, it is easy to see how inaccurate the English constitution was, before the parliament was enabled, by continued acquisitions or incroachments, to establish it on fixed principles of liberty.

Upon the settlement of the Reformation, that extensive branch of power, which regards ecclesiastical matters, being then without an owner, seemed to belong to the first occupant; and Henry VIII. failed not immediately to seize it, and exert it even to the utmost degree of tyranny. The possession of it was continued with Edward, and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown, that she severely reprimanded the parliament, if they ever presumed to intermeddle in these matters; and they were so overawed by her authority, as to submit, and to ask pardon on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government, possessed by the king alone, and scarcely ever communicated with the parliament. They were sensible that this province admitted not of an exact boundary or circumscription. They had felt that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of parliament. But the house of lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session, the commons, after passing anew the same bill, made remonstrances against the proceedings of the *high commission court*. It required no great penetration to see the extreme danger to liberty, arising in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the commons. He was probably sensible that, besides the diminution of his authority, many inconveniences must necessarily result from the abolishing of all discretionary power in every magistrate; and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency; much less, where they had not, as yet, attained a sufficient degree of accuracy and refinement.

But the business which chiefly occupied the commons during this session, was the abolition of wardships and purveyance; prerogatives which had been more or less touched on, every session, during the whole reign of James. In this affair the commons employed the proper means, which might entitle them to success: they offered the king a settled revenue as an equivalent for the powers which he should part with; and the king was willing to hearken to terms. After much dispute he agreed to give up these prerogatives for 200,000 pounds a year, which they agreed to confer upon him.* And nothing remained, towards closing the bargain, but that the commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion, and though the parliament met again, towards the end of the year, and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost; and, as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprized, we know not exactly the reason of this failure. It only appears, that the king was extremely dissatisfied with the conduct of the parliament, and soon after dissolved it. This was his first parliament, and it sat near seven years.

Amidst all these attacks, some more, some less violent, on royal prerogative, the king displayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a speech to the parliament, where he begged for supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: "I

* We learn from Winwood's Memorials, vol. ii. p. 193, the reason assigned for this particular sum. "From thence my lord-treasurer came to the prince and bore me said, that the king would no more rise and fall like a merchant. That he would not have a flower of his crown (meaning the court of wards) so much tossed: that it was too dainty to be so handled: and then, he said, that he must deliver the very countenance and character of the king's mind out of his own handwriting; which, before he read, he said he would acquaint us with a pleasant conceit of his majesty. As concerning the number of three score thousand pounds, which was our number, he could not affect, because it was the number of the poets, who were always beggars, though they served so many muses; and eleven was the number of the apostles, when the traitor Judas was away: and therefore might best be affected by his majesty: but there was a mean number, which might accord us both; and *four teen*, whose, says my lord-treasurer, is a sacred number; for so many were God's commandments, which tend to virtue and edification." If the conscious frailty noted twenty thousand pounds a year more, on account of the *pleasant conceit* of the king and the treasurer, it was certainly the best paid wit, for its goodness, that ever was in the world.

conclude them, the point touching the power of kings, with the reason of divinity, that, as to dispute *what God can do* is blasphemy, but *what God wills*, that disputing they both well and do ordinarily dispute and discuss; so is it presumption in subjects to dispute what a king may do in the height of his power. But just kings will be willing to declare what they will do, if they will not decline the Laws of God. I will not be content, that my power be disputed upon; but I shall ever be willing to make the reason appear of my doings, and rule my actions according to *my* laws." Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe, that, as the king's despotism was more speculative than practical, so the independency of the commons was, at this time, the reverse; and, though strongly supported by their present situation, as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions. [*See note* 5 H, *at the end of this Vol.*]

DEATH OF THE FRENCH KING. *May* 3.

This year was distinguished by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poniard of the fanatical Ravaillac. With his death, the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and some of the laws which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with great rigour and severity.

1611. Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, named Vorstius, the disciple of Arminius, was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was, at last, obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the States were obliged, after several remonstrances, to deprive Vorstius of his chair, and to banish him their dominions. The king carried no further his animosity against that professor; though he had very charitably hinted to the States, "That, as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames." It is to be remarked, that at this period, all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in protestant countries; and instances were not wanting in England during the reign of James.

1612. To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions, which he had framed for civilizing that kingdom, being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his masterpiece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

STATE OF IRELAND.

After the subjection of Ireland by Elizabeth, the more difficult task still remained: to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people for ever in a state of barbarism and disorder.

By the *Brehon* law or custom, every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his *eric*. When sir William Fitzwilliams, being lord-deputy, told Maguire, that he was to send a sheriff into Fermannah, which a little before had been made a county, and subjected to the English law; "Your sheriff," said Maguire, "shall be welcome to me, but let me know, beforehand, his *eric*, or the price of his head, that if my people cut it off, I may levy the money upon the county." As for oppression, extortion, and other trespasses, so little were they regarded, that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of *Gavelkinde* and *Tanistry* were attended with the same absurdity in the distribution of property. The land, by the custom of Gavelkinde, was divided among all the males of the sept, or family, both bastard and legitimate: and, after partition made, if any of the sept died, his portion was not shared out among his sons; but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share. As no man, by reason of this custom, enjoyed the fixed property of any land, to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labour.

The chieftains and the tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute, and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure. Hence arose that common byword among the Irish, "That they dwelt westward of the law, which dwelt beyond the river of the Barrow:" meaning, the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighbourhood of Dublin.

After abolishing these Irish customs, and substituting English law in their place, James, having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odogartie raised an insurrection, a re-enforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity, circuits were established, justice administered, and oppression banished, and crimes and disorders of every kind severely punished. As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights, which had been formerly granted them to separate jurisdictions, was rigorously exacted; and no authority, but that of the king

and the law, was permitted throughout the kingdom.

A resignation of all private estates was even required: and when they were restored, the proprietors received them under such conditions as might prevent, for the future, all tyranny and oppression over the common people. The value of the dues, which the nobles usually claimed from their vassals, was estimated at a fixed sum, and all further arbitrary exactions prohibited under severe penalties.

The whole province of Ulster having fallen into the crown by the attainder of rebels, a company was established in London, for planting new colonies in that fertile country: the property was divided into moderate shares, the largest not exceeding two thousand acres: tenants were brought over from England and Scotland: the Irish were removed from the hills and fastnesses, and settled in the open country: husbandry and the arts were taught them: a fixed habitation secured: plunder and robbery punished: and, by these means, Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized.

Such were the arts by which James introduced humanity and justice among a people who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquests; but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was, about this time, executed in England upon lord Sanquir, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing-master. The English nation, who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them, by preferring the severity of law to the intercession of the friends and family of the criminal.

CHAPTER XLVII.

Death of Prince Henry—Marriage of the Princess Elizabeth with the Palatine—Rise of Somerset—His Marriage—Overbury Poisoned—Fall of Somerset—Rise of Buckingham—Cautionary Towns delivered—Affairs of Scotland.

DEATH OF PRINCE HENRY. *November* 6.

THIS year the sudden death of Henry, prince of Wales, diffused an universal grief throughout the nation. Though youth and royal birth, both of them strong allurements, prepossess men mightily in favour of the early age of princes; it is with peculiar fondness that historians mention Henry: and, in every respect, his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behaviour, and commanded more respect, than his father, with all his age, learning, and experience. Neither his high fortune, nor his youth, had seduced him into any irregular pleasures: business and ambition seem to have been his sole passion. His inclinations, as well as exercises, were martial. The French ambassador, taking leave of him, and asking his commands for France, found him employed in the exercise of the pike; "Tell your king," said he, "in what occupation you left me engaged."* He had conceived great affection and esteem for the brave sir Walter Raleigh. It was his saying, "Sure no king but my father would keep such a bird in a cage." He seems indeed to have nourished too violent a contempt for the king on account of his pedantry and pusillanimity; and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepossession, which men commonly entertain in favour of ambition, courage, enterprise, and other warlike virtues, engages generous natures, who always love fame, into such pursuits as destroy their own peace, and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion. The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent settlement, even in so early youth.

MARRIAGE OF THE PRINCESS ELIZABETH WITH THE PALATINE. *February* 14, 1613.

The marriage of the princess Elizabeth, with Frederic, elector-palatine, was finished some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event. But this marriage, though celebrated with great joy and festivity, proved, itself, an unhappy event to the king, as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The elector, trusting to so great an alliance, engaged in enterprises beyond his strength. And the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affection and esteem of his own subjects.

RISE OF SOMERSET.

Except during sessions of parliament, the history of this reign may more properly be called the history of the court than that of the nation. An interesting object had, for some years, engaged the attention of the court: it was a favourite, and one beloved by James with so profuse and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks: all his acquired abilities in an easy air and graceful demeanour. He had letters of recommendation to his countryman, lord Hay; and that nobleman no sooner cast his eye upon him, than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprized of the king's passion for youth and beauty, and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him at court, he assigned him the office, at a match at tilting, of presenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his design, by an incident which bore at first a contrary aspect. When Carre was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern: love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest begun by his exterior graces and accomplishments. Other princes having been fond of choosing their favourites from among the lower ranks of their subjects, and have reposed themselves on them with the more unreserved

* The French monarch had given particular orders to his ambassador to cultivate the prince's friendship; which he at first took, and, have continued in England, where the king and queen were fully persuaded of his attachment to them. See Le Vassor, vol. i. p. 462, 475. vol. ii. p. 16, 449.

confidence and affection, because the object had been beholden to their bounty for every honour and acquisition: James was desirous that his favourite should also derive from him all his sense, experience, and knowledge. Highly conceited of his own wisdom, he pleased himself with the fancy that this raw youth, by his lessons and instructions, would, in a little time, be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him viscount Rochester, gave him the garter, brought him into the privy-council, and though, at first, without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep in motion the overburdened machine of government, James, with unsparing hand, loaded with treasures this insignificant and useless pageant.

It is said, that the king found his pupil so ill educated, as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptre, took the birch into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state would be introduced; and the stripling, by the ascendant which he had acquired, was now enabled to repay in political, what he had received in grammatical, instruction. Such scenes and such incidents are the more ridiculous, though the less odious, as the passion of James seems not to have contained in it anything criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues of mankind; but she appears to fall from her dignity, when necessitated to dwell on such frivolous events and ignoble personages.

The favourite was not, at first, so intoxicated with advancement, as not to be sensible of his own ignorance and inexperience. He had resource to the assistance and advice of a friend; and he was more fortunate in his choice than is usual with such pampered minions. In sir Thomas Overbury he met with a judicious and sincere counsellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to instil into him the principles of prudence and discretion. By zealously serving everybody, Carre was taught to abate the envy which might attend his sudden elevation: by showing a preference for the English, he learned to escape the prejudices which prevailed against his country. And so long as he was content to be ruled by Overbury's friendly councils, he enjoyed, what is rare, the highest favour of the prince, without being hated by the people.

To complete the measure of courtly happiness, nought was wanting but a kind mistress; and, where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England, than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the further pleasure of uniting these families by the marriage of the earl of Essex with lady Francis Howard, daughter of the earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both should attain the age of puberty, that he should go abroad and pass some time in his travels. He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But, when the earl approached and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any further familiarities. He applied to her parents, who constrained her to attend him into the country, and to partake of his bed: but nothing could overcome her rigid sullenness and obstinacy; and she still rose from his side, without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and separating himself from her, thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in Lady Essex arose not without an attachment to another object. The favourite had opened his addresses, and had been too successful in making impression on the tender heart of the young countess. She imagined that, so long as she refused the embraces of Essex, she never could be deemed his wife; and that a separation and divorce might still open the way for a new marriage with her beloved Rochester. Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the lover, as well as his mistress, was impatient, till their mutual ardour should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the countess of Essex merely as an affair of gallantry, he had favoured its progress; and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favourite, and would tend still further to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband, how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favours on the object of a capricious and momentary passion. And, in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself for ever from him, if he could so far forget his honour and his interest as to prosecute the intended marriage.

Rochester had the weakness to reveal this conversation to the countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance which he could receive of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance, which was extremely disagreeable, he procured a commission for his embassy to Russia; which he represented as a retreat for his friend, both profitable and honourable. When consulted by Overbury he earnestly dissuaded him from accepting this offer,

and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal. To the king again he aggravated the insolence of Overbury's conduct, and obtained a warrant (21st April) for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office forth is very purpose: he confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations; and no communication of any kind was allowed with him, during near six months which he lived in prison.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by whom he was hated; and he was willing to favour their success by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed, that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place too, it is said, a young virgin was substituted under a mask, to undergo a legal inspection by a jury of matrons. After such a trial, seconded by court-influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the earl of Essex and his countess. And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of earl of Somerset.

OVERBURY POISONED. *September* 16.

Notwithstanding this success, the countess of Somerset was not satisfied, till she should further satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but, at last, they gave him one so sudden and violent, that the symptoms were apparent to every one who approached him. His interment was hurried on with the greatest precipitation; and though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

The fatal catastrophe of Overbury increased or begot the suspicion, that the prince of Wales had been carried off by poison given him by Somerset. Men considered not, that the contrary inference was much juster. If Somerset was so great a novice in this detestable art, that, during the course of five months, a man who was his prisoner, and attended by none but his emissaries, could not be dispatched but in so bungling a manner; how could it be imagined that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtle a poison, if such a one exist, as could elude the skill of the most experienced physicians?

The ablest minister that James ever possessed, the earl of Salisbury, was dead:* Suffolk, a man of slender capacity, had succeeded him in his office; and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favourite. The title of baronet, invented by Salisbury, was sold; and two hundred patents of that species of knighthood were disposed of for so many thousand pounds: each rank of nobility had also its price affixed to it: privy-seals were circulated to the amount of two hundred thousand pounds: benevolences were exacted to the amount of fifty-two thousand pounds. And some monopolies of no great value were erected. But all these expedients proved insufficient to supply the king's necessities, even though he began to enter into some schemes for retrenching his expenses. However small the hopes of success, a new parliament must be summoned, and this dangerous expedient, for such it was now become, once more be put to trial.

* 14th of May, 1612.

A PARLIAMENT. *April* 5, 1614.

When the commons were assembled, they discovered an extraordinary alarm, on account of the rumour which was spread abroad concerning *undertakers*. It was reported, that several persons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had distributed their interest all over England, and had undertaken to secure a majority for the court. So ignorant were the commons, that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the earl of Salisbury said to the last parliament, never, but thrice in six hundred years refused a supply;* they needed not dread that the crown should ever interest itself in their elections. Formerly the kings even insisted, that none of their household should be elected members; and though the charter was afterwards declared void, Henry VI., from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble. It is well known, that, in ancient times, a seat in the house being considered as a burden, attended neither with honour nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time a seat began to be regarded as an honour, and the country gentlemen contended for it; though the practice of levying wages for parliament men was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honour, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill or so small means had the courtiers, in James's reign, for managing elections, that this house of commons showed rather a stronger spirit of liberty than the foregoing; and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace, they immediately resumed the subject which had been opened last parliament, and disputed his majesty's power of levying new customs and impositions, by the mere authority of his prerogative. It is remarkable that, in their debates on this subject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reasoning received by the house either with surprise or indignation. The members of the opposite party either contented themselves with denying the justness of the inference, or they disputed the truth of the observation. And a patriot member in particular, sir Roger Owen, even in arguing against the impositions, frankly allowed, that the king of England was endowed with as ample power and prerogative as any prince in Christendom. The nations on the continent, we may observe, enjoyed still, in that age, some small remains of liberty; and the English were possessed of little more.

The commons applied to the lords for a conference with regard to the new impositions. A speech of

* Journ. 17th February, 1609. It appears, however, that Salisbury was compelled to take [illegible] before he could prevail with the commons to grant supply to the parliament, it was easy to see they were determined to [illegible] themselves to the hazard of losing [illegible], but it is certain that the [illegible] parliaments did not [illegible] with [illegible] and [illegible] could be prevailed upon to give the necessary support to [illegible].

Neile, bishop of Lincoln, reflecting on the lower house, begat some altercation with the peers; [*See note* 51, *at the end of this Vol.*] and the king seized the opportunity of dissolving immediately, (6th June,) with great indignation, a parliament which had shown so firm a resolution of retrenching his prerogative, without communicating, in return, the smallest supply to his necessities. He carried his resentment so far as even to throw into prison some of the members, who had been the most forward in their opposition to his measures. In vain did he plead, in excuse for his violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever. And were the authority of such precedents admitted, the utmost that can be inferred is, that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and from the dissolution of the old, beget some new form of civil government more uniform and consistent.

In the public and avowed conduct of the king and the house of commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust; yet are we not to imagine, that this was the sole foundation of that jealousy which prevailed between them. During debates in the house, it often happened, that a particular member, more ardent and zealous than the rest, would display the highest sentiments of liberty, which the commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole house to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his king-craft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy; but openly at his table, in all companies, inculcated those monarchical tenets which he had so strongly imbibed. Before a numerous audience, he had expressed himself with great disparagement of the common law of England, and had given the preference, in the strongest terms, to the civil law: and for this indiscretion he found himself obliged to apologize in a speech to the former parliament. As a specimen of his usual liberty of talk, we may mention a story, though it passed some time after, which we meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young, he had the curiosity to go to court; and he stood in the circle, and saw James dine; where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question, whether he might not take his subjects' money when he needed it, without all this formality of parliament? Neile replied, "God forbid you should not; for you are the breath of our nostrils." Andrews declined answering, and said, he was not skilled in parliamentary cases; but upon the king's urging him, and saying he would admit of no evasion, the bishop replied pleasantly, "Why then I think your majesty may lawfully take my brother Neile's money, for he offers it."

SOMERSET'S FALL. 1615.

The favourite had hitherto escaped the inquiry of justice; but he had not escaped that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gaiety of his manners was obscured, his politeness and obliging behaviour were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy he was purposely placed full in James's eye, and immediately engaged the attention, and, in the same instant, the affections of that monarch. Ashamed of his sudden attachment, the king endeavoured, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service, without seeming to desire it. He declared his resolution not to confer any office on him, unless entreated by the queen; and he pretended, that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favour of him. And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cup-bearer on young Villiers.

The whole court was thrown into parties between the two minions: while some endeavoured to advance the rising fortune of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers: and the stern jealousy of the old favourite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several partisans. But the discovery of Somerset's guilt in the murder of Overbury at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's apprentice, who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret; and the affair at last came to the ears of Trumbal, the king's envoy in the Low Countries. By his means, sir Ralph Winwood, secretary of state, was informed, and he immediately carried the intelligence to James. The king, alarmed and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for sir Edward Coke, chief-justice, and earnestly recommended to him the most rigorous and unbiassed scrutiny. This injunction was executed with great industry and severity: the whole labyrinth of guilt was carefully unravelled: the lesser criminals, sir Jervis Elvis, lieutenant of the Tower, Franklin, Weston, Mrs. Turner, were first tried and condemned: Somerset and his countess were afterwards found guilty: Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark, that Coke, on the trial of Mrs. Turner, told her that she was guilty of the seven deadly sins: she was a whore, a bawd, a sorcerer, a witch, a papist, a felon, and a murderer. And, what may more surprise us, Bacon, then attorney-general, took care to observe, that poisoning was a popish trick. Such were the bigoted prejudices which prevailed: poisoning was not, of itself, sufficiently odious, if it were not represented as a branch of popery. Stowe tells us, that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those who were confined for treason, murder, and *papistry*. When one considers these

circumstances, the wild bigotry of the catholics which broke out in the gunpowder conspiracy, appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime: but the king bestowed a pardon on the principals, Somerset and the countess. It must be confessed, that James's fortitude had been highly laudable, had he persisted in his first intention of consigning over to severe justice all the criminals: but let us still beware of blaming him too harshly, if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner, persons whom he had once favoured with his most tender affections. To soften the rigour of their fate, after some years imprisonment, he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred; and they passed many years together in the same house, without any intercourse or correspondence with each other.

Several historians, in relating these events, have insisted much on the dissimulation of James's behaviour, when he delivered Somerset into the hands of the chief-justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial; and on the extreme anxiety of the king during the whole progress of this affair. Allowing all these circumstances to be true, of which some are suspicious, if not palpably false, the great remains of tenderness which James still felt for Somerset may, perhaps, be sufficient to account for them. That favourite was high spirited, and resolute rather to perish than live under the infamy to which he was exposed. James was sensible that the pardoning of so great a criminal, which was of itself invidious, would become still more unpopular, if his obstinate and stubborn behaviour on his trial should augment the public hatred against him. At least, the unreserved confidence in which the king had indulged his favourite for several years, might render Somerset master of so many secrets, that it is impossible, without further light, to assign the particular reason of that superiority, which, it is said, he appeared so much to assume.

RISE OF BUCKINGHAM.

The fall of Somerset, and his banishment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere, have much censured the singularity of the king's choice in his friends and favourites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years he created him viscount Villiers, earl, marquis, and duke of Buckingham, knight of the garter, master of the horse, chief-justice in eyre, warden of the cinque-ports, master of the king's-bench office, steward of Westminster, constable of Windsor, and lord-high-admiral of England. His mother obtained the title of countess of Buckingham; his brother was created viscount Purbeck; and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, rash, precipitate, and insolent.

1616. A young minion to gratify with pleasure, a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch; a measure which has been severely blamed by almost all historians; and I may venture to affirm, that it has been censured much beyond its real weight and importance.

CAUTIONARY TOWNS DELIVERED.

When queen Elizabeth advanced money for the support of the infant republic, besides the view of securing herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the necessitous condition of the States, she agreed that the debt should bear no interest; and she stipulated, that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000 pounds, should be discharged by yearly payments of 40,000 pounds; and as five years had elapsed, the debt was now reduced to 600,000 pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished. But of this sum, 26,000 pounds a-year were expended on the pay of the garrisons: the remainder alone accrued to the king: and the States, weighing these circumstances, thought, that they made James a very advantageous offer, when they expressed their willingness, on the surrender of the cautionary towns, to pay him immediately 250,000 pounds, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the 40,000 pounds a year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic: if war broke out, the maintenance of the garrisons lay upon England alone; a burden very useless, and too heavy for the slender revenues of that kingdom: that even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments; and the garrisons were at present in danger of mutinying for want of subsistence: that the annual sum of 14,000 pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than 210,000 pounds; whereas 250,000 pounds were offered immediately, a larger sum, and if money be computed at ten per cent. the current interest, more than double the sum to which England was entitled:* that if James waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burden upon him, and could not be broken, without receiving some consideration for their past services: that the cautionary towns were only a temporary restraint upon the Hollanders; and, in the present emergence, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons: that the exchequer of the republic was at present very low, insomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain: and that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown: and no cordial alliance could ever be made with that nation, while they remained in the hands of the English. These reasons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated the cautionary towns, (6th June,) which held the States in a degree of subjection, and which an ambitious and enterprising prince would have regarded

* An [illegible] pounds [illegible] at ten per cent. [illegible] to no more than [illegible] pounds, [illegible] to the Dutch as well as [illegible] because they were [illegible] of them freed from the [illegible] of [illegible] pounds.

as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

AFFAIRS OF SCOTLAND. 1617.

When the crown of England devolved on James, it might have been foreseen by the Scottish nation, that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection, than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince, who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king, who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer, the king was resolved to pay a visit to his native country, in order to renew his ancient friendships and connexions, and to introduce that change of ecclesiastical discipline and government, on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were, the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than by that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable; and that, in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government: a reflection which may, at once, afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such as, being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation, which, though it caused such disturbance during the time, has proved so salutary in the consequences, the preachers, assuming a character little inferior to the prophetic or apostolical, disdained all subjection to the spiritual rulers of the church, by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors, or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates however, and abbots, maintained their temporal jurisdictions and their seats in parliament; and though laymen were sometimes endowed with ecclesiastical titles, the church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords, in the states of the kingdom. After many struggles, the king, even before his accession to the throne of England, had acquired sufficient influence over the Scottish clergy to extort from them an acknowledgment of the parliamentary jurisdiction of bishops; though attended with many precautions, in order to secure themselves against the spiritual encroachments of that order.* When king of England, he engaged them, though still with great reluctance on their part, to advance a step further, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods; reiterating their protestations against all spiritual jurisdictions of the prelates, and all controlling power over the presbyters.* And by such gradual innovations, the king flattered himself, that he should quietly introduce episcopal authority: but as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and aggravated, instead of softening, the abhorrence entertained against the prelacy.

What rendered the king's aim more apparent were the endeavours, which, at the same time, he used to introduce into Scotland some of the ceremonies of the church of England: the rest, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty, and enflamed by opposition, had so possessed the minds of the Scottish reformers, that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burdens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that Divine Spirit, by which they supposed themselves to be animated. A mode of worship was established, the most naked and most simple imaginable; one that borrowed nothing from the senses, but reposed itself entirely on the contemplation of that divine essence, which discovers itself to the understanding only. This species of devotion, so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behaviour. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life, that it fled from every intercourse of society, and from every cheerful amusement, which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that, by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people; a spirit obstinate, and dangerous; independent and disorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow these humours, James endeavoured to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind, and please the senses, without departing too far from that simplicity, by which the Reformation was distinguished. The finer arts too, though still rude in these northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish clergy; sculpture and painting appeared instruments of idolatry; the surplice was a rag of popery; and every motion or gesture, prescribed by the liturgy, was a step towards that spiritual Babylon, so much the object of their horror and aversion. Everything was deemed impious but their own mystical comments on the scriptures, which they idolized, and whose Eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too divine to have proceeded from any other being than the supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy past, than they are universally discovered to be of so little importance, as scarcely to be mentioned with decency amidst the ordinary course of human transactions. It suffices here to remark, that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals. The acts, establishing these ceremonies, were afterwards know by the name of the articles

* [illegible]

* [illegible]

of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish, but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious; and his whole estate, during his lifetime, and all his moveables, for ever, were forfeited to the crown. Nor were the previous steps, requisite before pronouncing this sentence, formal or regular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended, in a summary manner, to denounce excommunication for any cause, and against any person, even though he lived not within the bounds of their jurisdiction. And by this means the whole tyranny of the inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters: they assumed a censorial power over every part of administration; and, in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St. Andrews, went so far,* in a sermon, as to pronounce all kings the devil's children; he gave the queen of England the appellation of Atheist; he said, that the treachery of the king's heart was now fully discovered; and in his prayers for the queen he used these words: "We must pray for her for the fashion's sake, but we have no cause; she will never do us any good." When summoned before the privy-council, he refused to answer to a civil court for any thing delivered from the pulpit, even though the crime of which he was accused was of a civil nature. The church adopted his cause. They raised a sedition in Edinburgh.† The king, during some time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himself. A few days after, a minister, preaching in the principal church of that capital, said, that the king was possessed with a devil; and, that one devil being expelled, seven worse had entered in his place. To which he added, that the subjects might lawfully rise, and take the sword out of his hand. Scarcely, even during the darkest night of papal superstition, are there found such instances of priestly encroachments, as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the church began to lose ground, even before the king's accession to the throne of England: but no sooner had that event taken place, than he made the Scottish clergy sensible, that he was become the sovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority, he was now resolved to exert a supreme jurisdiction in church as well as state, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen:‡ but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted, and acknowledged their error, were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives; but banished them the kingdom. Six of them suffered this penalty.

The general assembly was afterwards induced* to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops. Even their favourite sentence of excommunication was declared invalid, unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and everything was conducted in it with little appearance of choice and liberty.

By his own prerogative likewise, which he seems to have stretched on this occasion, the king erected a court of high commission,† in imitation of that which was established in England. The bishops and a few of the clergy, who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business, as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the parliament, (13th June,) which was then assembled, that they should enact, that, "whatever his majesty should determine in the external government of the church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law. What number should be deemed competent was not determined; and their nomination was left entirely to the king: so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and opposition, dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognised by it. Some time after, (10th July,) he called, at St. Andrews, a meeting of the bishops and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications: and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step of this affair, in the parliament as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations; and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought national honour sacrificed by a servile imitation of the modes of worship practised in England. And every prudent man agreed in condemning the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged, that, had not these dangerous humours been irritated by opposition; had they been allowed peaceably to evaporate; they would at least have subsided within the limits of law and civil authority: and that as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics; no sooner is their first fire spent, than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked, in so violent

* In 1596. † 17th December, 1596. ‡ July, 1616.

* 25th June, 1618. † Acts, 1st February, 1620.

a manner, the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed, in his progress through England, that a punctual observance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom; and that the people, under colour of religion, were, contrary to former practices, debarred such sports and recreations as contributed both to their health and their amusement. Festivals, which, in other nations and ages, are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the offices of religion, and served to nourish those sullen and gloomy contemplations, to which the people were, of themselves, so unfortunately subject. The king imagined, that it would be easy to infuse cheerfulness into this dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises; and, by his authority, he endeavoured to give sanction to a practice which his subjects regarded as the utmost instance of profaneness and impiety.*

CHAPTER XLVIII.

Sir Walter Raleigh's Expedition. His Execution. Impeachment of Lord Bacon. Dissolution of the Parliament. — New Commission of Sewers. — Death of Anne. — Duel between Buckingham and Lord Hay. — Meeting of Parliament. — Conference between the Lords and Commons. — Proceedings against the Commons.

SIR WALTER RALEIGH'S EXPEDITION. 1618.

AT the time when sir Walter Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence; they pitied his active and enterprising spirit, which languished in the rigours of confinement; they were struck with the extensive genius of the man, who, being educated amidst naval and military enterprises, had surpassed, in the pursuits of literature, even those of the most recluse and sedentary lives; and they admired his unbroken magnanimity, which, at his age, and under his circumstances, could engage him to undertake and execute so great a work as his History of the World. To increase these favourable dispositions, on which he built the hopes of recovering his liberty, he spread the report of a golden mine, which he had discovered in Guiana, and which was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises, both because he believed that no such mine as the one described was anywhere in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means, to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone sufficient punishment, he released him from the Tower; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permission to try the adventure, and, at their desire, he conferred on Raleigh authority over his fellow-adventurers. Though strongly solicited, he still refused to grant him a pardon, which seemed a natural consequence, when he was intrusted with power and command. But James declared himself still diffident of Raleigh's intentions; and he meant, he said, to reserve the former sentence, as a check upon his future behaviour.

Raleigh well knew, that it was far from the king's purpose to invade any of the Spanish settlements: he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions; and James assured Gondomar, that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arts and arms, but also in the justice of the quarrel: they applied to Alexander VI., who then filled the papal chair; and he generously bestowed on the Spaniards the whole western, and on the Portuguese the whole eastern part of the globe. The more scrupulous protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of *their* title; and if a pirate or sea adventurer of their nation had but erected a stick or a stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants. It was in this manner that sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeisible. But it had happened, in the meantime, that the Spaniards, not knowing, or not acknowledging this imaginary claim, had taken possession of a part of Guiana, had formed a settlement on the river Oronooko, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course; and, remaining himself at the mouth of the river with five of the largest ships, he sent up the rest to St. Thomas, under the command of his son, and a captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out, "That this was the true mine, and none but fools looked for any other;" and advancing upon the Spaniards, received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack; got possession of the town, which they afterwards reduced to ashes; and found not in it anything of value.

Raleigh did not pretend, that he had himself seen the mine, which he had engaged so many people to go in quest of: it was Keymis, he said, who had formerly discovered it, and had brought him that lump of ore, which promised such immense treasures; yet Keymis, who owned that he was within two hours' march of the place, refused, on the most absurd pretences, to take any effectual step towards finding it; and he returned immediately to Raleigh, with the melancholy news of his son's death, and the ill success of the enterprise. Sensible to reproach, and dreading punishment for his behaviour, Keymis, in despair, retired into his cabin, and put an end to his own life.

* [illegible] Journ. D. 16 February, 1620; 2 Mar. D. 1.

The other adventurers now concluded, that they were deceived by Raleigh; that he never had known of any such mine as he pretended to go in search of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the spoils of that place, to have thence proceeded to the invasion of the other Spanish settlements; that he expected to repair his ruined fortunes by such daring enterprises; and that he trusted to the money he should acquire, for making his peace with England; or if that view failed him, that he purposed to retire into some other country, where his riches would secure his retreat.

The small acquisitions gained by the sack of St. Thomas, discouraged Raleigh's companions from entering into these views; though there were many circumstances in the treaty and late transactions between the nations, which might invite them to engage in such a piratical war against the Spaniards.

When England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjusting all questions with regard to the Indian trade, had agreed to pass over that article in total silence. The Spaniards having, all along, published severe edicts against the intercourse of any European nation with their colonies, interpreted this silence in their own favour, and considered it as a tacit acquiescence of England in the established laws of Spain. The English, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the king of Spain's dominions, it was still as lawful for them to trade with his settlements in either Indies, as with his European territories. In consequence of this ambiguity, many adventurers from England sailed to the Spanish Indies, and met with severe punishment when caught; as they, on the other hand, often stole, and when superior in power, forced a trade with the inhabitants, and resisted, nay, sometimes plundered, the Spanish governors. Violences of this nature, which had been carried to a great height on both sides, it was agreed to bury in total oblivion, because of the difficulty which was found in remedying them, upon any fixed principles.

But as there appeared a great difference between private adventurers in single ships, and a fleet acting under a royal commission, Raleigh's companions thought it safest to return immediately to England, and carry him along with them to answer for his conduct. It appears that he employed many artifices, first to engage them to attack the Spanish settlements, and, failing of that, to make his escape into France: but all these proving unsuccessful, he was delivered into the king's hands, and strictly examined, as well as his fellow-adventurers, before the privy-council. The council, upon inquiry, found no difficulty in pronouncing, that the former suspicions, with regard to Raleigh's intentions, had been well grounded; that he had abused the king in the representations which he had made of his projected adventure; that, contrary to his instructions, he had acted in an offensive and hostile manner against his majesty's allies; and that he had wilfully burned and destroyed a town belonging to the king of Spain. He might have been tried, either by common law for this act of violence and piracy, or by martial law for breach of orders: but it was an established principle among lawyers, that as he lay under an actual attainder for high-treason, he could not be brought to a new trial for any other crime. To satisfy, therefore, the court of Spain, which raised the loudest complaints against him, the king made use of that power which he had purposely reserved in his own hands, and signed the warrant for his execution upon his former sentence. [*See note 5 T, at the end of this Vol.*]

RALEIGH'S EXECUTION. *October* 29.

Raleigh, finding his fate inevitable, collected all his courage: and though he had formerly made use of many mean artifices, such as feigning madness, sickness, and a variety of diseases, in order to protract his examination and procure his escape, he now resolved to act his part with bravery and resolution. "'T is a sharp remedy," he said, "but a sure one for all ills," when he felt the edge of the axe by which he was to be beheaded. His harangue to the people was calm and eloquent; and he endeavoured to revenge himself, and to load his enemies with the public hatred, by strong asseverations of facts, which, to say the least, may be esteemed very doubtful.* With the utmost indifference, he laid his head upon the block, and received the fatal blow; and in his death there appeared the same great, but ill-regulated mind, which, during his life, had displayed itself in all his conduct and behaviour.

No measure of James's reign was attended with more public dissatisfaction than the punishment of sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned, by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice, to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanness and indiscretion: and the intimate connexions which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to himself, and which had been adopted by none of his predecessors, that any alliance, below that of a great king, was unworthy of a prince of Wales; and he never would allow any princess but a daughter of France or Spain to be mentioned as a match for his son. This instance of pride, which really implies meanness, as if he could receive honour from any alliance, was so well known, that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young king of France, Louis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the protestant and popish line: but the bait did not then take; and James, in consequence of his alliance with the Dutch, and with Henry IV. of France, marched† four thousand men, under the command of sir Edward Cecil, who joined these two powers, and put the marquis of Brandenburgh and the palatine of Newbourg in possession of that duchy.

Gondomar was, at this time, the Spanish ambassador in England; a man whose flattery was the more artful, because covered with the appearance of frankness and sincerity; whose politics were the more dangerous, because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to prince Charles; and, that he might render the temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune, which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic, entered into negociations with James, which they artfully protracted, and, amidst every disappointment, they still redoubled his hopes of success. The transactions in Germany so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

INSURRECTIONS IN BOHEMIA.

In that great revolution of manners which happened during the sixteenth and seventeenth centuries, the only nations who had the honourable, though often

* [illegible] that he had now secured [illegible] [illegible] [illegible]

melancholy advantage, of making an effort for their expiring privileges, were such as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families; that they continued the same appellations of magistrates, the same appearance of civil government; and restraining themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors, through so many ages, had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle; and the catholic religion, as usual, had ranged itself on the side of monarchy; the protestant, on that of liberty. The states of Bohemia having taken arms against the emperor Matthias, continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favour of the new religion, together with the restoration of their ancient laws and constitution. The neighbouring principalities, Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary, took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself.

1619. Ferdinand II., who possessed more vigour and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and, besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the most powerful of the protestant: Poland had declared itself in his favour; and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succours from Italy, and from the Low Countries; and he also advanced large sums for the support of Ferdinand and of the catholic religion.

The states of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance: and, together with that support which they obtained from the evangelical union in Germany, they endeavoured to establish connexions with greater princes. They cast their eyes on Frederic, elector-palatine. They considered, that, besides commanding no despicable force of his own, he was son-in-law to the king of England, and nephew to prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped that these princes, moved by the connexions of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective; and the young palatine, stimulated by ambition, without consulting either James or Maurice, whose opposition he foresaw, immediately accepted the offer, and marched all his forces into Bohemia, in support of his new subjects.

The news of these events no sooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the states of Europe, in former ages, flew to secure the Holy Land from the dominion of infidels. The nation was, as yet sincerely attached to the blood of their monarchs, and they considered their connexion with the palatine, who had married a daughter of England, as very close and intimate; and when they heard of catholics carrying on wars and persecutions against the protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God, and of his holy religion. In such a quarrel, they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation, by maintaining a contest with the whole house of Austria, at the very time, and in the very place, in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive, which had a mighty influence over him: he refused to patronize the revolt of subjects against their sovereign. From the very first he denied to his son-in-law the title of king of Bohemia: he forbade him to be prayed for in the churches under that appellation: and though he owned that he had nowise examined the pretensions, privileges, and constitution of the revolted states, so exalted was his idea of the rights of kings, that he concluded subjects must ever be in the wrong, when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices, as diminished his authority, and exposed him to the imputation of weakness and of error.

LOSS OF THE PALATINATE. 1620.

Meanwhile affairs everywhere hastened to a crisis. Ferdinand levied a great force, under the command of the duke of Bavaria and the count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the archduke Albert, he was answered, that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister, that his orders were still sealed; but, if Edmonds would accompany him in his march to Coblentz, he would there open them, and give him full satisfaction. It was more easy to see his intentions, than to prevent their success. Almost at one time, it was known in England that Frederic, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of 2,400 men, commanded by the brave sir Horace Vere, had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints against the king's neutrality and unactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distresses of their protestant brethren in Germany. They considered not, that their interposition in the wars of the Continent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics; that, however exorbitant the Austrian greatness, the danger was still too distant to give any just alarm to England; that mighty resistance would yet be made by so many potent and warlike princes and states in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that in the further advance of conquests, even the interest of the two branches of that ambitious family

must interfere, and beget mutual jealousy and opposition: that a land-war, carried on at such a distance, would waste the blood and treasure of the English nation, without any hopes of success; that a sea-war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the palatinate being at present desperate, the affair was reduced to this simple question, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies were preferable? a question which, at the beginning of the king's reign, had already been decided, and perhaps with reason, in favour of the former advantages.

NEGOCIATIONS WITH SPAIN.

James might have defended his pacific measures by such plausible arguments: but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion, that, as his own justice and moderation had shone out so conspicuously throughout all these transactions, the whole house of Austria, though not awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that, after he had formed an intimate connexion with the Spanish monarch, by means of his son's marriage, the restitution of the palatinate might be procured, from the motive alone of friendship and personal attachment. He perceived not, that his unactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible that the Spanish match was itself attended with such difficulties, that all his art of negociation would scarcely be able to surmount them; much less, that this match could in good policy be depended on, as the means of procuring such extraordinary advantages. His unwarlike disposition, increased by age, rivetted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations, made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account, and, by their means, engage his people to furnish him with supplies, of which their excessive frugality had hitherto made them so sparing and reserved.

A PARLIAMENT. *June* 16, 1621.

He first tried the expedient of a benevolence or free-gift from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure: but the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authorized by ancient precedent. A parliament was found to be the only resource which could furnish any large supplies; and writs were accordingly issued for summoning that great council of the nation. [*See note* 5 K, *at the end of this Vol.*]

In this parliament there appeared, at first, nothing but duty and submission on the part of the commons; and they seemed determined to sacrifice everything, in order to maintain a good correspondence with their prince. They would allow no mention to be made of the new customs or impositions, which had been so eagerly disputed in the former parliament: the imprisonment of the members of that parliament was here, by some, complained of; but, by the authority of the graver and more prudent part of the house, that grievance was buried in oblivion: and, being informed that the king had remitted several considerable sums to the palatine, the commons, without a negative, voted him two subsidies, and that, too, at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

Afterwards they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to sir Giles Mompesson and sir Francis Michel, for licensing inns and ale-houses; that great sums of money had been exacted, under pretext of these licences; and that such inn-keepers as presumed to continue their business, without satisfying the rapacity of the patentees, had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalship in these manufactures: they were armed with authority to search for all goods, which might interfere with their patent; and even to punish, at their own will and discretion, the makers, importers, and venders of such commodities. Many had grievously suffered by this exorbitant jurisdiction; and the lace which had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the commons represented to the king; and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him; and declared himself ashamed, that such abuses, unknowingly to him, had crept into his administration. "I assure you," said he, "had I before heard these things complained of, I would have done the office of a just king, and out of parliament have punished them, as severely, and peradventure more, than you now intend to do." A sentence was passed for the punishment of Michel and Mompesson. It was executed on the former. The latter broke prison and escaped. Villiers was, at that time, sent purposely on a foreign employment; and his guilt being less enormous, or less apparent, than that of the others, he was the more easily protected by the credit of his brother Buckingham.*

FALL OF BACON.

Encouraged by this success, the commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was, at that time, in the hands of the celebrated Bacon, created viscount St. Albans; a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behaviour. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itself, but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity, and might restrain his profuse inclination to expense, that could be requisite neither for his honour nor entertainment. His want of economy, and his indulgence to servants, had involved him in necessities; and, in order to supply his prodigality, he had been tempted to take bribes, by the title of presents, and that in a very open manner, from suitors in chancery. It appears that it had been usual for former chancellors to take presents; and it is pretended that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just degrees against those very persons, from whom he had received the wages of ini-

* Yelverton, the attorney-general, was accused by the commons for drawing the patents for these monopolies, and for supporting them. He apologized for himself, that he was forced by Buckingham, and that he supposed it to be the king's pleasure. The lords were so offended at these arts of defence, that they sent a message to the attorney-general, that they fined him 10,000 pounds to the king, and 5000 to the house. The fines, however, were afterwards remitted. Parliam. p. 55. Rushworth, vol. p. 1, &c.

quity. Complaints rose the louder on that account, and at last reached the house of commons, who sent up an impeachment against him to the peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to escape the confusion of a stricter inquiry. The lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles; and was sentenced to pay a fine of 40,000 pounds, to be imprisoned in the Tower during the king's pleasure, to be for ever incapable of any office, place, or employment, and never again to sit in parliament, or come within the verge of the court.

This dreadful sentence, dreadful to a man of nice sensibility to honour, he survived five years; and, being released in a little time from the Tower, his genius, yet unbroken, supported itself amidst involved circumstances and a depressed spirit, and shone out in literary productions, which have made his guilt or weakness be forgotten or overlooked by posterity. In consideration of his great merit, the king remitted his fine, as well as all the other parts of his sentence, conferred on him a large pension of 1800 pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher, at last, acknowledged with regret, that he had too long neglected the true ambition of a fine genius, and by plunging into business and affairs, which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.*

The commons had entertained the idea, that they were the great patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their researches into many grievances, which, though of no great importance, could not be touched on, without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded; the king's authority in every article was disputed; and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the house, therefore, had sitten near six months, and had, as yet, brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season, to interrupt their proceedings; and he sent them word, that he was determined, in a little time, to adjourn them till next winter. The commons made application to the lords, and desired them to join in a petition for delaying the adjournment; which was refused by the upper house. The king regarded this project of a joint petition as an attempt to force him from his measures: he thanked the peers for their refusal to concur in it; and told them, that, if it were their desire, he would delay the adjournment, but would not so far comply with the request of the lower house. And thus, in these great national affairs, the same peevishness, which, in private altercations, often raises a quarrel from the smallest beginnings, produced a mutual coldness and disgust between the king and the commons.

RUPTURE BETWEEN THE KING AND THE COMMONS.

During the recess of parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill humour of its representatives. He had voluntarily offered the parliament to circumscribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the house of commons. But he gained not the end which he proposed. The disgust, which had appeared at parting, could not so suddenly be dispelled. He had likewise been so imprudent as to commit to prison sir Edwin Sandys, without any known cause, besides his activity and vigour in discharging his duty as a member of parliament. And, above all, the transactions in Germany were sufficient, when joined to the king's cautions, negociations, and delays, to inflame that jealousy of honour and religion which prevailed throughout the nation.* This summer, the ban of the empire had been published against the elector-palatine; and the execution of it was committed to the duke of Bavaria. The upper palatinate was, in a little time, conquered by that prince; and measures were taking in the empire for bestowing on him the electoral dignity, of which the palatine was then despoiled. Frederic now lived, with his numerous family, in poverty and distress, either in Holland or at Sedan, with his uncle, the duke of Bouillon; and throughout all the new conquests, in both the palatinates, as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigours and severities, exercised against the professors of the reformed religion.

The zeal of the commons immediately moved them, upon their assembling, on the 4th of November, to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented, that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the catholic religion in England bred the most melancholy apprehensions lest it should again acquire an ascendant in the kingdom: that the indulgence of his majesty towards the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests, made by the Austrian family in Germany, raised mighty expectation in the English papists; but, above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final re-establishment of their religion. The commons, therefore, entreated his majesty that he would immediately undertake the defence of the palatine, and maintain it by force of arms; that he would turn his sword against Spain, whose armies and treasures were the chief support of the catholic interest in Europe; that he would enter into no negociation for the marriage of his son but with a protestant princess; that the children of popish recusants should be taken from their parents, and be committed to the care of protestant teachers and schoolmasters; and that the fines and confiscations, to which the catholics were by law liable, should be levied with the utmost severity.

By this *bold* step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the commons attacked at once all the king's favourite maxims of government; his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, from which he promised himself such mighty advantages. But what most disgusted him was, their seeming invasion of his prerogative, and their pretending, under colour of advice, to direct his conduct in such points as had

* It is thought that appeals from [illegible] the house of peers first arose into practice [illegible] Appeals [illegible] to correct errors, [illegible] Commons, p. 27.

* To show to what degree the nation was inflamed with regard to the palatinate, there occurs a remarkable story this session. One Lloyd, a prisoner in the Fleet, a catholic, had dropped some expressions, in private conversation, as if he were pleased with the misfortunes of the palatine and his wife. The commons were in a flame; and pretending to be a court of judicature and of record, proceeded to condemn him to a severe punishment. The house of lords checked this encroachment; and, what was extraordinary, considering the present humour of the lower house, the latter acquiesced in the judgments of the peers. This is almost the only precedent of the Lords and Commons, to which they have not prevailed. Happy for the nation, they never [illegible] all their other claims. See Parliamentary History, vol. v. p. 436, 439, &c. Journ. 4, 8, 12 May, 1621.

ever been acknowledged to belong solely to the management and direction of the sovereign. He was, at that time, absent at Newmarket; but as soon as he heard of the intended remonstrance of the commons, he wrote a letter to the speaker, in which he sharply rebuked the house for openly debating matters far above their reach and capacity, and he strictly forbade them to meddle with anything that regarded his government, or deep matters of state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the house, he plainly told them, that he thought himself fully entitled to punish every misdemeanour in parliament, as well during its sitting as after its dissolution; and that he intended thenceforward to chastise any man, whose insolent behaviour there should minister occasion of offence.

This *violent* letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it: the commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity. In a new remonstrance, therefore, they still insisted on their former remonstrance and advice; and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government; that, to possess entire freedom of speech, in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that, if any member abused this liberty, it belonged to the house alone, who were witnesses of his offence, to inflict a proper censure upon him.

So *vigorous* an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought; for that there were so many kings a-coming. His answer was prompt and sharp. He told the house, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretension to inquire into all state affairs, without exception, was such a *plenipotence* as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better show their wisdom, as well as duty, than by keeping within their proper sphere;* and that, in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words:—"And though we cannot allow of your style, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us; (for the most of them grew from precedents, which shows rather a toleration than inheritance;) yet we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges as ever any of our predecessors were, nay, as to preserve our own royal prerogative."

* "Ne sutor ultra crepidam." This expression is imagined to be insolent and disobliging; but it was a Latin proverb familiarly used on all occasions.

PROTESTATION OF THE COMMONS.

This open pretension of the king's naturally gave great alarm to the house of commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be forfeited by abuse, and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension. They framed a protestation, (18th December,) in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel. And they asserted, "That the liberties, franchises, privileges, and jurisdictions of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England." [*See note* 5 I., *at the end of this Vol.*]

The king, informed of these increasing heats and jealousies in the house, hurried to town. He sent immediately for the journals of the commons; and, with his own hand, before the council, he tore out this protestation; and ordered his reasons to be inserted in the council-book. He was doubly displeased, he said, with the protestation of the lower house, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuously voted, at a late hour, and in a thin house; and it was expressed in such general and ambiguous terms, as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative.

The meeting of the house might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct.

The leading members of the house, sir Edward Coke and sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other prisons. As a lighter punishment, sir Dudley Digges, sir Thomas Crew, sir Nathaniel Rich, sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business. The king, at that time, enjoyed, at least exercised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Savile, a powerful man in the house of commons, and a zealous opponent of the court, was made comptroller of the household, a privy-counsellor, and soon after a baron. This event is memorable; as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners, as one of the most early and most infallible symtoms of a regular established liberty.

The king having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries; and the same factions which commenced in parliament were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the discoursing of state affairs.* Such proclamations, if they had any effect, served rather to inflame the curiosity of the public. And, in every company or society, the late transactions became the subject of argument and debate.

All history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and

* Franklyn, p. 56. Rushworth, vol. i. p. 21. 6. 15. The king gives [illegible] parliament, [illegible] Franklyn, p. 57. [illegible] [illegible] [illegible]

every reasonable man must allow, that as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators; or, if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account still more precarious and unfavourable. In England, the authority of the king, in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, fall much short of these appearances. The parliament is created by his will; by his will it is dissolved. It is his will alone, though at the desire of both houses, which gives authority to laws. To all foreign nations, the majesty of the monarch seems to merit sole attention and regard. And no subject, who has exposed himself to royal indignation, can hope to live with safety in the kingdom; nor can he even leave it, according to law, without the consent of his master. If a magistrate, environed with such power and splendour, should consider his authority as sacred, and regard himself as the anointed of heaven, his pretensions may bear a very favourable construction. Or, allowing them to be merely pious frauds, we need not be surprised, that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the king of England. Subjects are not raised above that quality, though assembled in parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic grivances, with which they are supposed to be best acquainted, this warrants not their intrusion into every province of goverment. And, to all judicious examiners, it must appear, "That the lines of duty are as much transgressed by a more independent and less respectful exercise of acknowledged powers, as by the usurpation of such as are new and unusual."

The lovers of liberty, throughout the nation, reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of parliament as dependent and precarious: prescription, and the practice of so many ages, must, long ere this time, have given a sanction to these assemblies, even though they had been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principles of human nature, when we trace government a step higher, must show us that monarchs themselves owe all their authority to the voluntary submission of the people. But in fact, no age can be shown, when the English government was altogether an unmixed monarchy: and, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domestic usurpation, the generous spirit of the people has ever seized the first opportunity of re-establishing the ancient government and constitution. Though in the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme; whatever is essential to the exercise of sovereign and legislative power must still be regarded as equally divine and inviolable. Or, if any distinction be made in this respect, the preference is surely due to those national councils, by whose interposition the exorbitances of tyrannical power are restrained, and that sacred liberty is preserved, which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it sufficient to say, that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution, "If he founds his authority on arbitrary and dangerous principles, it is requisite to watch him with the same care, and to oppose him with the same vigour, as if he had indulged himself in all the excesses of cruelty and tyranny."

Amidst these disputes, the wise and moderate in the nation endeavoured to preserve, as much as possible, an equitable neutrality between the opposite parties; and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very rise of parties as a happy prognostic of the establishment of liberty; nor could they ever expect to enjoy, in a mixed government, so invaluable a blessing, without suffering that inconvenience, which, in such governments, has ever attended it. But when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavour to secure the little ground which was left her: it was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds, the authority of the sovereign. Upon such provocation, it could not but happen, that the prince, however just and moderate, would endeavour to repress his opponents; and as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits, which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided: the arms of the state were still in their hands: a civil war must ensue; a civil war where no party or both parties would justly bear the blame, and where the good and virtuous would scarcely know what vows to form; were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

CHAPTER XLIX.

Negociations with regard to the Marriage and the Palatinate.—Character of Buckingham.—Prince's Journey to Spain.—Marriage Treaty broken.—A Parliament.—Return of Bristol.—Rupture with Spain.—Treaty with France.—Mansfeldt's Expedition.—Death of the King.—His Character.

NEGOCIATIONS WITH REGARD TO THE MARRIAGE AND THE PALATINATE. 1622.

TO wrest the palatinate from the hands of the emperor and the duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: it was plainly impossible, while the breach subsisted between him and the commons. The king's negociations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was referred to the duke of Bavaria, who commanded the Austrian armies. The duke of Bavaria told him, that it was entirely superfluous to form any treaty for that purpose. "Hostilities are already ceased," said he; "and I doubt not but I shall be

able to prevent their revival by keeping firm possession of the palatinate, till a final agreement shall be concluded between the contending parties." Notwithstanding this insult, James endeavoured to resume with the emperor a treaty of accommodation; and he opened the negociations at Brussels, under the mediation of archduke Albert; and after his death, which happened about this time, under that of the infanta: when the conferences were entered upon, it was found, that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzenbourgh, the imperial minister, was expected at London; and it was hoped that he would bring more ample authority: his commission referred entirely to the negociation at Brussels. It was not difficult for the king to perceive, that his applications were neglected by the emperor; but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions, he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the Imperial diet at Ratisbon, by the influence, or rather authority, of the emperor, though contrary to the protestation of Saxony, and of all the protestant princes and cities, had transferred the electorial dignity from the palatine to the duke of Bavaria.

Meanwhile the efforts made by Frederic, for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders—duke Christian of Brunswick, the prince of Baden Dourlach, and count Mansfeldt. The two former generals were defeated by count Tilly and the imperialists: the third, though much inferior in force to his enemies, still maintained the war; but with no equal supplies of money either from the palatine or the king of England. It was chiefly by pillage and free quarters in the palatinate, that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive, lest so unequal a contest, besides ravishing the palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new masters, by whom they were protected. He persuaded therefore his son-in-law to disarm, under colour of duty and submission to the emperor: and accordingly, Mansfeldt was dismissed from the palatine's service; and that famous general withdrew his army into the Low Countries, and there received a commission from the States of the United Provinces.

To show how little account was made of James's negociations abroad, there is a pleasantry mentioned by all historians, which, for that reason, shall have a place here. In a farce, acted at Brussels, a courier was introduced carrying the doleful news that the palatinate would soon be wrested from the house of Austria; so powerful were the succours, which, from all quarters, were hastening to the relief of the despoiled elector: the king of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the king of England a hundred thousand ambassadors. On other occasions, he was painted with a scabbard, but without a sword; or with a sword, which nobody could draw, though several were pulling at it.

It was not from his negociations with the emperor or the duke of Bavaria, that James expected any success in his project of restoring the palatine: his eyes were entirely turned towards Spain; and if he could effect his son's marriage with the infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negociations of that court being commonly dilatory, it was not easy for a prince of so little penetration in business, to distinguish whether the difficulties which occurred were real or affected; and he was surprised, after negociating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the infanta with a protestant prince; and the king of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure, or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James dispatched Digby, soon after created earl of Bristol, as his ambassador to Philip IV., who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the sole difficulty, which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all popish recusants who were imprisoned; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologize; and he even endeavoured to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes for some indulgence to the distressed protestants: and he was still answered by objections derived from the severity of English laws against catholics. It might indeed occur to him, that if the extremity of religious zeal were ever to abate among Christian sects, one of them must begin; and nothing would be more honourable for England, than to have led the way in sentiments so wise and moderate.

Not only the religious puritans murmured at this tolerating measure of the king: the lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the kings of England were at that time possessed of the dispensing power: at least were in the constant practice of exercising it. Besides, though the royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical. And the king failed not to represent the toleration of catholics as a measure entirely of that nature.

By James's concession in favour of the catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage, were now the chief cause of promoting it. By its means, it was there hoped the English catholics would for the future enjoy ease and indulgence; and the infanta would be the happy instrument of procuring to the church some tranquillity, after the many severe persecutions which it had hitherto undergone. The earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with catholics, was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects. A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of two millions of pieces-of-eight, or six hundred thousand pounds sterling; a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the parliament, during the whole course of this reign, had hitherto granted to the king. But, what was of more importance to James's honour and happiness, Bristol considered this match as an infallible prognostic of the palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune under the prospect of entering next day into a war with England. So exact was his intelligence, that the most secret counsels of the Spaniards, he boasts, had never escaped him; and he found that they had all along considered the marriage of the infanta, and the restitution of the palatinate, as mea-

sures closely connected, or altogether inseparable.* However little calculated James's character to extort so vast a concession; however improper the measures which he had pursued for attaining that end; the ambassador could not withstand the plain evidence of facts by which Philip now demonstrated his sincerity. Perhaps too, like a wise man, he considered, that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honour, friendship, generosity, are frequently able among princes, as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship, that he had at last obtained the cordial alliance of that nation, so celebrated for honour and fidelity. Or if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish dominions so divided, as might well induce the council of Philip to think that a sincere friendship with the masters of the sea could not be purchased by too great concessions. And as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments, it would probably occur, that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations. Not to mention, that, as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, nought was wanting but the dispensation from Rome, which might be considered as a mere formality. The king, justified by success, now exulted in his pacific councils, and boasted of his superior sagacity and penetration; when all these flattering prospects were blasted by the temerity of a man whom he had fondly exalted from a private condition, to be the bane of himself, of his family, and of his people.

CHARACTER OF BUCKINGHAM. 1623.

Ever since the fall of Somerset, Buckingham had governed, with an uncontrolled sway, both the court and nation; and, could James's eyes have been opened, he had now full opportunity of observing how unfit his favourite was for the high station to which he was raised. Some accomplishments of a courtier he possessed: of every talent of a minister he was utterly destitute. Headstrong in his passions, and incapable equally of prudence and of dissimulation; sincere from violence rather than candour; expensive from profusion more than generosity: a warm friend, a furious enemy; but without any choice or discernment in either: with these qualities he had early and quickly mounted to the highest rank; and partook at once of the insolence which attends a fortune newly acquired, and the impetuosity which belongs to persons born in high stations, and unacquainted with opposition.

Among those who had experienced the arrogance of this overgrown favourite, the prince of Wales himself had not been entirely spared; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity, which might connect him with the prince and overcome his aversion, and at the same time envious of the great credit acquired by Bristol in the Spanish negociation, bethought himself of an expedient, by which he might at once gratify both these inclinations. He represented to Charles, that persons of his exalted station were peculiarly unfortunate in their marriage, the chief circumstance in life; and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by sympathy, not obliged by service; wooed by treaties alone, by negociations, by political interest: that however accomplished the infanta, she must consider herself as a melancholy victim of state, and could not but think with aversion of that day, when she was to enter the bed of a stranger; and, passing into a foreign country and a new family, bid adieu for ever to her father's house, and to her native land: that it was in the prince's power to soften all those rigours, and lay such an obligation on her, as would attach the most indifferent temper, as would warm the coldest affections: that his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spanish romance, and, suiting the amorous and enterprising character of that station, must immediately introduce him to the princess under the agreeable character of a devoted lover and daring adventurer: that the negociations with regard to the palatinate, which had hitherto languished in the hands of ministers, would quickly be terminated by so illustrious an agent, seconded by the mediation and entreaties of the grateful infanta: that Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected from political views and considerations: and that he would quickly return to the king with the glory of having re-established the unhappy palatine, by the same enterprise which procured him the affections and the person of the Spanish princess.

The mind of the young prince, replete with candour, was inflamed by these generous and romantic ideas, suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humour; and more by the earnestness which they expressed, than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking. And having engaged his promise to keep their purpose secret, they left him, in order to make preparations for the journey.

No sooner was the king alone, than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected, that however the world might pardon this sally of youth in the prince, they could never forgive himself, who, at his years, and after his experience, could intrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe-conduct in his favour: that if the Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage, and bring the infanta into England; if he were not sincere, the folly was still more egregious of committing the prince into his hands: that Philip, when possessed of so invaluable a pledge, might well rise in his demands, and impose harder conditions of treaty: and that the temerity of the enterprise was so apparent, that the event, how prosperous soever, could not justify it; and if disastrous, it would render himself infamous to his people and ridiculous to all posterity.

Tormented with these reflections, as soon as the prince and Buckingham returned for their dispatches, he informed them of all the reasons which had determined him to change his resolution; and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears: Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king, that nobody for the future would believe anything he said, when he retracted so soon the promise so solemnly given: that he plainly discerned this change of resolution to proceed from another breach of his word, in communicating the matter to some ra-

* We find by private letters between Philip IV. and the Conde Olivarez, shown by the latter to Bristol, that the marriage and the restoration of the palatinate were always considered by the court of Spain as inseparable. See Franklyn, p. 71, 72. Rushworth, vol. i. p. 71, 299, 299, 300. Parl. Hist. vol. vi. p. 66

cal, who had furnished him with those pitiful reasons which he had alleged; and he doubted not but he should hereafter know who his counsellor had been: and that if he receded from what he had promised, it would be such a disobligation to the prince, who had now set his heart upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.

The king, with great earnestness, fortified by many oaths, made his apology, by denying that he had communicated the matter to any; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warmest entreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest, he had again the weakness to assent to their purposed journey. It was agreed that sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bedchamber, should accompany them: and the former being at that time in the ante-chamber, he was immediately called in by the king's orders.

James told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny," (these ridiculous appellations he usually gave to the prince and Buckingham,) "who have a great mind to go post into Spain, and fetch home the infanta: they will have but two more in their company, and have chosen you for one. What think you of the journey?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried, *I told you this before;* and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

The prince showed by his countenance, that he was extremely dissatisfied with Cottington's discourse; but Buckingham broke out into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling; particulars, of which he might be a competent judge, having gone the road so often by post; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant who, he foresaw, would suffer for answering him honestly. Upon which he said with some emotion, "Nay, by God, Stenny, you are much to blame for using him so: he answered me directly to the question which I asked him, and very honestly and wisely: and yet, you know, he said no more than I told you before he was called in." However, after all this passion on both sides, James renewed his consent, and proper directions were given for the journey. Nor was he now at any loss to discover, that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterize the persons, seem to have been related by Cottington to lord Clarendon, from whom they are here transcribed; and though minute, are not undeserving of a place in history.

THE PRINCE'S JOURNEY TO SPAIN. *March* 9.

The prince and Buckingham, with their two attendants, and sir Richard Graham, master-of-horse to Buckingham, passed disguised and undiscovered through France; and they even ventured into a court-ball at Paris, where Charles saw the princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London, they arrived at Madrid; and surprised everybody by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him, and made warm protestations of a correspondent confidence and friendship. By the most studious civilities, he showed the respect which he bore to his royal guest. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have access to him at all hours: he took the left hand of him on every occasion, except in the apartments assigned to Charles; for there, he said, the prince was at home: Charles was introduced into the palace with the same pomp and ceremony that attends the kings of Spain on their coronation: the council received public orders to obey him as the king himself: Olivarez, too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence: all the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event the most honourable and most fortunate had happened to the monarchy: and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The infanta, however, was only shown to her lover in public; the Spanish ideas of decency being so strict, as not to allow of any further intercourse, till the arrival of the dispensation.

The point of honour was carried so far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty: their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but, upon the opposition of Bristol, accompanied with some reproaches, they immediately desisted. The pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation; and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the catholic religion by the infanta and her household. Nothing could reasonably be found fault with except one article, in which the king promised, that the children should be educated by the princess, till ten years of age. This condition could not be insisted on, but with a view of seasoning their minds with catholic principles; and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the pope insert that article, should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king; in which he promised to suspend the penal laws enacted against catholics, to procure a repeal of them in parliament, and to grant a toleration for the exercise of the catholic religion in private houses. Great murmurs, we may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince, that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil answer.

Meanwhile Gregory XV., who granted the dispensation, died, and Urban VIII. was chosen in his place. Upon this event, the nuncio refused to deliver the dispensation, till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that, during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The king of England, as well as the prince, became impatient. On the first hint, Charles obtained permission to return, and Philip graced his departure with all the circumstances of elaborate civility and respect which had attended his reception. He even erected a pillar on the spot where they took leave of each other, as a monument of mutual friendship; and the prince, having sworn to the observance of all the arti-

cles, entered on his journey, and embarked on board the English fleet at St. Andero.

The character of Charles, composed of decency, reserve, modesty, sobriety, virtues so agreeable to the manners of the Spaniards; the unparalleled confidence which he had reposed in their nation; the romantic gallantry which he had practised towards their princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favourable ideas of him. But, in the same proportion that the prince was beloved and esteemed, was Buckingham despised and hated. His behaviour, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could nor cared to disguise, qualities like these, could, most of them, be esteemed nowhere, but to the Spaniards were the objects of peculiar aversion. They could not conceal their surprise, that such a youth could intrude into a negociation now conducted to a period by so accomplished a minister as Bristol, and could assume to himself all the merit of it. They lamented the infanta's fate, who must be approached by a man whose temerity seemed to respect no laws, divine or human. And when they observed, that he had the imprudence to insult the Condé, duke of Olivarez, their prime-minister, every one, who was ambitious of paying court to the Spanish, became desirous of showing a contempt for the English favourite.

The duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the king of Spain was extreme; that he would contribute to every measure which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the infanta. But, he added, with a sincerity equally insolent and indiscreet, "With regard to you, sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition." The Condé duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him: and on these terms the favourites parted.

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the infanta, resolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment; by what colours he could disguise the ingratitude and imprudence of such a measure; these are totally unknown to us. We may only conjecture, that the many unavoidable causes of delay, which had so long prevented the arrival of the dispensation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendant over the gentle and modest temper of Charles; and when the prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project, which during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period. A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and indigent monarch. But, finding his only son bent against a match, which had always been opposed by his people and his parliament, he yielded to difficulties which he had not courage or strength of mind sufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negociation, and it was their business to seek for pretences, by which they could give a colour to their intended breach of treaty.

Though the restitution of the palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered, that this principality was now in the hands of the emperor and the duke of Bavaria; and that it was no longer in the king of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negociation; and many articles must of necessity be adjusted, before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could, for the present, be ascertained; and, dreading further delays of the marriage, so long wished for, he was resolved to trust the palatine's full restoration to the event of future counsels and deliberations.

MARRIAGE TREATY BROKEN.

This whole system of negociation Buckingham now reversed; and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy, which had been left in his hands, or to finish the marriage, till security were given for the full restitution of the palatinate. Philip understood this language. He had been acquainted with the disgust received by Buckingham; and deeming him a man capable of sacrificing to his own ungovernable passions the greatest interests of his master and of his country, he had expected, that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise, by which he bound himself to procure the restoration of the palatinate, either by persuasion, or by every other possible means; and when he found that this concession gave no satisfaction, he ordered the infanta to lay aside the title of princess of Wales, which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language. And thinking that such rash counsels, as now governed the court of England, would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.

Thus James, having, by means inexplicable from the ordinary rules of politics, conducted so near an honourable period the marriage of his son, and the restoration of his son-in-law, failed at last of his purpose, by means equally unaccountable.

But, though the expedients already used by Buckingham were sufficiently inglorious both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonourable.

1624. The king having broken with Spain, was obliged to concert new measures; and without the assistance of parliament, no effectual step of any kind could be taken. The benevolence, which, during the interval, had been rigorously exacted for recovering the palatinate, though levied for so popular an end, had procured to the king less money than ill-will from his subjects.* Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of summoning once

* To show by what violent measures benevolences were usually raised, Johnstoun tells us, in his *Rerum Britannicarum Historia*, that Barnes, a citizen of London, was the first who refused to contribute anything; upon which the treasurer sent him word, that he must immediately prepare himself to carry by post a dispatch into Ireland. The citizen was glad to make his peace, by paying a hundred pounds; and no one durst afterwards refuse the benevolence required. See further, Coke, p. 80.



more this assembly: and it might be hoped, that the Spanish alliance, which gave such umbrage, being abandoned, the commons would now be better satisfied with the king's administration. In his speech to the houses, (19th February,) James dropped some hints of his cause of complaint against Spain; and he graciously condescended to ask the advice of parliament, which he had ever before rejected, with regard to the conduct of so important an affair as his son's marriage. Buckingham delivered, to a committee of lords and commons, a long narrative, which he pretended to be true and complete, of every step taken in the negociations with Philip: but partly by the suppression of some facts, partly by the false colouring laid on others, this narrative was calculated entirely to mislead the parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said that, after many years' negociation, the king found not himself any nearer his purpose; and that Bristol had never brought the treaty beyond general professions and declarations: that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial: that he there found such artificial dealing as made him conclude all the steps taken towards the marriage to be false and deceitful: that the restitution of the palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain; and that, after enduring much bad usage, the prince was obliged to return to England, without any hopes, either of obtaining the infanta, or of restoring the elector-palatine.

This narrative, which, considering the importance of the occasion, and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the prince of Wales, who was present; and the king himself lent it, indirectly, his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles; unless his inexperience and youth, as is probable, [*See note* 5 M, *at the end of this Vol.*,] if not certain, really led him into error, and made him swallow all the falsities of Buckingham. And though the king was here hurried from his own measures by the impetuosity of others; nothing should have induced him to prostitute his character, and seem to vouch the impostures, at least false colourings, of his favourite, of which he had so good reason to entertain a suspicion.*

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances, as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it. Charmed with having obtained at length the opportunity, so long wished for, of going to war with papists, they little thought of future consequences; but immediately advised the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the palatinate. The people, ever greedy of war till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favourite of the public, and of the parliament. Sir Edward Coke, in the house of commons, called him the saviour of the nation. Every place resounded with his praises. And he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the puritanical members, who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops, and selling the dean and chapter lands, in order to defray the expenses of a Spanish war. And the king, though he still entertained projects for temporising, and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to parliament, to declare in favour of hostile measures, if they would engage to support him. Doubts of their sincerity in this respect, doubts which the event showed not to be ill-grounded, had probably been one cause of his former pacific and dilatory measures.

In his speech on this occasion, the king began with lamenting his own unhappiness, that, having so long valued himself on the epithet of the pacific monarch, he should now, in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expense requisite for military armaments; and besides supplies from time to time, as they should become necessary, he demanded a vote of six subsidies and twelve fifteenths, as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the sums remitted to the palatine; [*See note* 5 N, *at the end of this Vol.*;] but he added, that he did not insist on any supply for his own relief, and that it was sufficient for him, if the honour and security of the public were provided for. To remove all suspicion, he, who had ever strenuously maintained his prerogative, and who had even extended it in some points esteemed doubtful, now made an imprudent concession, of which the consequences might have proved fatal to royal authority: he voluntarily offered, that the money voted should be paid to a committee of parliament, and should be issued by them, without being intrusted to his management. The commons willingly accepted of this concession, so unusual in an English monarch; they voted him only three subsidies and three fifteenths:* and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and parliament, in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last house of commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there supposed, that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow-subjects; and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences has at last, through many contests, produced that singular and happy government which we enjoy at present. [*See Note* 5 O, *at the end of this Vol.*]

The house of commons also corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exercised in the case of chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The earl of Middlesex had been raised, by Buckingham's interest, from the rank of a London merchant, to be treasurer of England; and, by his activity and address, seemed not unworthy of that preferment. But as he incurred the displeasure of his patron, by scrupling or refusing some demands of money, during the prince's residence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an im-

* It must, however, be confessed, that the king afterwards warped the house of commons to take Buckingham's narrative for his, though it was laid before them by his own mouth. Parl. Hist. vol. vi. p. 104. James was persuaded, assured to have been carried so far by his favourite.

* 300,000 pounds.

peachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke, that they would live to have their fill of parliamentary prosecutions. In a speech to the parliament he endeavoured to apologize for Middlesex, and to soften the accusation against him. The charge, however, was still maintained by the commons; and the treasurer was found guilty by the peers, though the misdemeanors proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds a-piece, for passing two patents, was the article of greatest weight. His sentence was, to be fined 50,000 pounds for the king's use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This session an address was also made, very disagreeable to the king, craving the severe execution of the laws against catholics. His answer was gracious and condescending; though he declared against persecution, as being an improper measure for the suppression of any religion, according to the received maxim, "*That the blood of the martyrs was the seed of the church.*" He also condemned an entire indulgence of the catholics; and seemed to represent a middle course as the most humane and most politic. He went so far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to these religionists. The liberty of exercising their worship in private houses, which he had secretly agreed to in the Spanish treaty, did not appear to him deserving that name; and it was probably by means of this explication, he thought that he had saved his honour. And as Buckingham, in his narrative, confessed that the king had agreed to a temporary suspension of the penal laws against the catholics, which he distinguished from a toleration—a term at that time extremely odious—James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity, on account of this asseveration. After all these transactions, the parliament was prorogued by the king, (29th May,) who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness, in not supplying his necessities.

James, unable to resist so strong a combination as that of his people, his parliament, his son, and his favourite, had been compelled to embrace measures, for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Bristol he impatiently longed for; and it was by the assistance of that minister, whose wisdom he respected, and whose views he approved, that he hoped in time to extricate himself from his present difficulties.

RETURN OF BRISTOL.

During the prince's abode in Spain, that able negociator had ever opposed, though unsuccessfully, to the impetuous measures suggested by Buckingham, his own wise and well-tempered counsels. After Charles's departure, he still, upon the first appearance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labours should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints; and nothing but express orders from his master could engage him to make that demand which he was sensible must put a final period to the treaty. He was not therefore surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham than to keep Bristol at a distance both from the king and the parliament; lest the power of truth, enforced by so well-informed a speaker, should open scenes, which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied therefore to James, whose weakness, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England; and though he was soon released from confinement, yet orders were carried him from the king to retire to his country-seat, and to abstain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham, and, at his instigation, the prince, declared, that they would be reconciled to Bristol, if he would but acknowledge his errors and ill-conduct: but the spirited nobleman, jealous of his honour, refused to buy favour at so high a price. James had the equity to say, that the insisting on that condition was a strain of unexampled tyranny: but Buckingham scrupled not to assert, with his usual presumption, that neither the king, the prince, nor himself, were as yet satisfied of Bristol's innocence.

While the attachment of the prince to Buckingham, while the timidity of James, or the shame of changing his favourite, kept the whole court in awe, the Spanish ambassador, Inoiosa, endeavoured to open the king's eyes, and to cure his fears, by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him, that he was as much a prisoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conspired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to some of his hunting-seats, and to commit the whole administration to Charles; and that it was necessary for him, by one vigorous effort, to vindicate his authority, and to punish those who had so long and so much abused his friendship and beneficence.

RUPTURE WITH SPAIN.

What credit James gave to this representation does not appear. He only discovered some faint symptoms, which he instantly retracted, of dissatisfaction with Buckingham. All his public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family, and of war to be carried on for the recovery of the palatinate.

The states of the United Provinces were, at this time, governed by Maurice; and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprise and activity. In such a situation, nothing could be more welcome to the republic than the prospect of a rupture between James and the catholic king; and they flattered themselves, as well from the natural union of interests between them and England, as from the influence of the present conjuncture, that powerful succours would soon march to their relief. Accordingly, an army of six thousand men was levied in England, and sent over to Holland, commanded by four young noblemen, Essex, Oxford, Southampton,

and Willoughby, who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

TREATY WITH FRANCE.

It might reasonably have been expected that, as religious zeal had made the recovery of the palatinate appear a point of such vast importance in England; the same effect must have been produced in France, by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the king of France, therefore, to prevent the peaceable establishment of the emperor in his new conquests; and, both by the situation and greater power of his state, he was much better enabled than James to give succour to the distressed palatine. But though these views escaped not Louis, nor cardinal Richlieu, who now began to acquire an ascendant in the French court, that minister was determined to pave the way for his enterprises by first subduing the hugonots, and thence to proceed, by mature counsels, to humble the house of Austria. The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for conciliating a marriage between Charles and the princess Henrietta

Notwithstanding the sensible experience, which James might have acquired, of the unsurmountable antipathy entertained by his subjects against an alliance with catholics, he still persevered in the opinion, that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himself. The same allurements had not here place, which had so long entangled him in the Spanish negociation: the portion promised was much inferior; and the peaceable restoration of the palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride; and therefore, as soon as the French king demanded, for the honour of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promise to allow the infanta the education of her children till the age of thirteen, this article was here inserted in the treaty; and to that imprudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics were inserted in the marriage treaty merely to please the pope, and that their strict execution was, by an agreement with France, secretly dispensed with. [*See note* 5 P, *at the end of this Vol.*]

As much as the conclusion of the marriage treaty was acceptable to the king, as much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for such a scene of action.

During the Spanish negociation, Heidelberg and Manheim had been taken by the imperial forces; and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed, and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was still in his hands, Ferdinand, desirous of withdrawing his forces from the palatinate, and of leaving that state in security, was unwilling that so important a fortress should remain in the possession of the enemy. To compromise all differences, it was agreed to sequestrate it into the hands of the infanta, as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederic; though peace should not, at that time, be concluded between him and Ferdinand. After the unexpected rupture with Spain, the infanta, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe-conduct for the garrison through the Spanish Netherlands: but there was some territory of the empire interposed between her state and the palatinate; and for passage over that territory no terms were stipulated. By this chicane, which certainly had not been employed if amity with Spain had been preserved, the palatine was totally dispossessed of his patrimonial dominions.

MANSFELDT'S EXPEDITION.

The English nation, however, and James's warlike council, were not discouraged. It was still determined to reconquer the palatinate; a state lying in the midst of Germany, possessed entirely by the emperor and duke of Bavaria, surrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay: and an English army of twelve thousand foot and two hundred horse was levied by a general press throughout the kingdom. During the negociation with France, vast promises had been made, though in general terms, by the French ministry; not only that a free passage should be granted to the English troops, but that powerful succours should also join them in their march towards the palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops under Mansfeldt's command were embarked at Dover in December; but, upon sailing over to Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand; where it had also been neglected to concert proper measures for their disembarkation; and some scruples arose among the States on account of the scarcity of provisions. Meanwhile a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body to march into the palatinate.....1625. And thus ended this ill-concerted and fruitless expedition; the only disaster which happened to England during the prosperous and pacific reign of James.

DEATH OF THE KING.

That reign was now drawing towards a conclusion. With peace so successfully cultivated, and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that such a distemper, during that season, was health for a king, he replied, that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion; to protect the church of England; and to extend his care towards the unhappy family of the palatine. With decency and courage he prepared himself for his end; and he expired on the twenty-seventh of March, after a reign over England of twenty-two years and some days, and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history, it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

HIS CHARACTER.

No prince, so little enterprising, and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. And the factions, which began in his time, being still continued, have made his character be as much disputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of; but scarce any of them pure, or free from the contagion of the neighbouring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may perhaps be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people: while he endeavoured, by an exact neutrality, to acquire the goodwill of all his neighbours, he was able to preserve fully the esteem and regard of none. His capacity was considerable; but fitter to discourse on general maxims than to conduct any intricate business: his intentions were just; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: exposed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute; and thence chiefly is derived the strong prejudice which prevails against his personal bravery—an inference, however, which must be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3rd of March, 1619, in the forty-fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements; but possessed little taste in her pleasures. A great comet appeared about the time of her death; and the vulgar esteemed it the prognostic of that event. So considerable in their eyes are even the most insignificant princes!

He left only one son, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector-palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The archbishops of Canterbury, during this reign, were Whitgift, who died in 1604; Bancroft, in 1610; Abbot, who survived the king. The chancellors, lord Ellesmore, who resigned in 1617; Bacon was first lord-keeper till 1619; then was created chancellor, and was displaced in 1621: Williams, bishop of Lincoln, was created lord-keeper in his place. The high-treasurers were, the earl of Dorset, who died in 1609; the earl of Salisbury, in 1612; the earl of Suffolk, fined and displaced for bribery in 1618; lord Mandeville, resigned in 1621; the earl of Middlesex, displaced in 1624; the earl of Marlborough succeeded. The lord-admirals were, the earl of Nottingham, who resigned in 1618; the earl, afterwards duke of Buckingham. The secretaries of state were, the earl of Salisbury, sir Ralph Winwood, Nanton, Calvert, lord Conway, sir Albertus Moreton.

The numbers of the house of lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. Consequently James, during that period, created nineteen new peerages above those that expired.

The house of commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears, that four boroughs revived their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

APPENDIX

TO THE REIGN OF JAMES I.*

Civil Government of England during the Period — Ecclesiastical Government — Manners — Finances — Navy — Commerce — Manufactures — Colonies — Learning and Arts.

IT may not be improper, at this period, to make a pause; and to take a survey of the state of the kingdom with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

CIVIL GOVERNMENT OF ENGLAND.

We may safely pronounce, that the English government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high-commission and star-chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high-commission had been erected by Elizabeth, in consequence of an act of parliament, passed in the beginning of her reign: by this act, it was thought proper, during the great revolution of religion, to arm the sovereign with full powers, in order to discourage and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high-commission; and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach of the act of uniformity, every refusal of the ceremonies, was cognizable in this court; and during the reign of Elizabeth, had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation; nor was that punishment inflicted with rigour on every offender. Archbishop Spotswood tells us, that he was informed by Bancroft, the primate, several years after the king's accession, that not above forty-five clergymen had then been deprived. All the catholics too were liable to be punished by this court, if they exercised any act of their religion, or sent abroad their children or other relations, to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death; though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience, which we so highly and so justly value at present, was totally suppressed; and no exercise of any religion but the established was permitted throughout the kingdom. Any word or writing, which tended towards heresy or schism, was punishable by the high-commissioners, or any three of them: they alone were judges what expressions had that tendency: they proceeded not by information, but upon rumour, suspicion, or according to their discretion; they administered an oath, by which the party cited before them was bound to

* The history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens that some particulars delivered in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

answer any question which should be propounded to him. Whoever refused this oath, though he pleaded ever so justly, that he might thereby be brought to accuse himself, or his dearest friend, was punishable by imprisonment; and, in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince which erected the court, not by the act of parliament which empowered him. By reason of the uncertain limits which separate ecclesiastical from civil causes, all accusations of adultery and incest were tried by the court of high-commission; and every complaint of wives against their husbands was there examined and discussed. On like pretences, every cause which regarded conscience, that is, every cause, could have been brought under their jurisdiction.

But there was a sufficient reason, why the king would not be solicitous to stretch the jurisdiction of this court: the star-chamber possessed the same authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the most remote antiquity;* though it is pretended, that its power had first been carried to the greatest height by Henry VII. In all times, however, it is confessed, it enjoyed authority; and at no time was its authority circumscribed, or method of proceeding directed by any law or statute.

We have had already, or shall have sufficient occasion, during the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans† and benevolences, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must, at least, be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be intrusted to him, by which the property or personal liberty of any subject can be affected. The kings of England, however, had almost constantly exercised these powers; and if, on any occasion, the prince had been obliged to submit to laws enacted against them, he had ever, in practice, eluded these laws, and returned to the same arbitrary administration. During almost three centuries before the accession of James, the regal authority, in all these particulars, had never once been called in question.

We may also observe, that the principles in general, which prevailed during that age, were so favourable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefeisible.

The meetings of parliament were so precarious, their sessions so short, compared to the vacation, that, when men's eyes were turned upwards in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate, invested with the whole majesty and authority of the state. The great complaisance too of parliaments during so long a period, had extremely degraded and obscured those assemblies; and as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them. These examples, besides, of liberty had commonly in ancient times been accompanied with such circumstances of violence, convulsion, civil war, and disorder, that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England; and those popular assemblies were supposed to form only the ornament of the fabric, without being in any degree essential to its being and existence. [*See note 5 Q at the end of this Vol.*] The prerogative of the crown was represented by lawyers as something real and durable; like those eternal essences of the schools which no time or force could alter. The sanction of religion was by divines called in aid; and the monarch of heaven was supposed to be interested in supporting the authority of his earthly vicegerent. And though it is pretended that these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrines which *began* to be promulgated by the puritanical party. [*See note 5 R, at the end of this Vol.*]

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was by many supposed to possess an inexhaustible fund of latent powers, which might be exerted on any emergence. In every government, necessity, when real, supersedes all laws and levels all limitations: but in the English government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations, during all periods of the English history; and if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remarkable instance.

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty to such debtors as they found honest and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many, that this commission was contrary to law; and it was represented in that light to James. He forbore renewing the commission till the fifteenth of his reign; when complaints rose so high, with regard to the abuses practised in prisons, that he thought himself obliged to overcome his scruples, and to appoint new commissioners, invested with the same discretionary powers which Elizabeth had formerly conferred.

Upon the whole, we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority: an authority, in the judgment of all, not exactly limited; in the judgment of some, not limitable. But, at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms. And, for this reason, we need not wonder that the princes of that line were so extremely jealous of their prerogative; being sensible that, when those claims were ravished from them, they possessed no influence by which they could maintain their dignity, or support the laws. By the changes which have since been introduced, the liberty and independence of individuals has been rendered much more full, entire, and secure; that of the public more uncertain and precarious. And it seems a necessary, though perhaps a melancholy truth, that in every government, the magistrate must either possess a large revenue and a military force, or enjoy some discretionary powers, in order to execute the laws and support his own authority.

ECCLESIASTICAL GOVERNMENT.

We have had occasion to remark, in so many instances, the bigotry which prevailed in that age, that

* Rushworth, vol. ii. p. 475. In Chamber's case it was the unanimous opinion of the Court of King's Bench, that the court of star-chamber was not derived from the statute of Henry VII., but was several years before, and one of the most high and honourable courts of justice. See Cooke's Reports, Mich. 5 Car. I. See also Croke's Car. p. 254. edit. at Gibson.

† During several centuries, no reign had passed without some forced loan from the subject.

we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period; and no one reign since the Reformation had been free from like barbarities. Stowe says, that those Arians were offered their pardon at the stake, if they would merit it by a recantation. A madman who called himself the Holy Ghost was, without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a month could by law be levied on every one who frequented not the established worship. This rigorous law, however, had one indulgent clause, that the fines exacted should not exceed two-thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years; and to levy them all at once; to the utter ruin of such catholics as had incurred her displeasure. James was more humane in this, as in every other respect. The puritans formed a sect which secretly lurked in the church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with lukewarmness and indifference in the cause of religion. They maintained, that they themselves were the only pure church; that their principles and practices ought to be established by law; and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of persecutors, with regard to the puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies, were deprived of their livings, and sometimes in Elizabeth's reign were otherwise punished: and ought any man to accept of an office or benefice in an establishment, while he declines compliance with the fixed and known rules of that establishment? But puritans were never punished for frequenting separate congregations; because there were none such in the kingdom; and no protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the puritanical sect would have condemned a practice which in that age was universally, by statesmen and ecclesiastics, philosophers and zealots, regarded as subversive of civil society. Even so great a reasoner as lord Bacon thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries. Nothing but the imputation of idolatry, which was thrown on the catholic religion, could justify, in the eyes of the puritans themselves, the schism made by the hugonots and other protestants, who lived in popish countries.

In all former ages, not wholly excepting even those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous, if not pernicious to civil government, and were regarded as the source of faction, and private combination, and opposition to the laws. The magistrate, therefore, applied himself directly to the cure of this evil, as of every other; and very naturally attempted by penal statutes to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration.

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of star-chamber and high-commission, whose powers were unlimited, queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of star-chamber, that is, by her own will and pleasure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge: and another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet "against the form or meaning of any restraint or ordinance, contained, or to be contained, in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy-council, or against the true sense or meaning of any letters-patent, commissions, or prohibitions under the great seal of England." James extended the same penalties to the importing of such books from abroad. And, to render these edicts more effectual, he afterwards inhibited the printing of any book without a licence from the archbishop of Canterbury, the archbishop of York, the bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them.

In tracing the coherence among the systems of modern theology, we may observe, that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit; as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them by infinite degrees above the rest of mankind. All the first reformers adopted these principles; and the Jansenists too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to episcopal jurisdiction, their enthusiastic genius gradually decayed, and men had leisure to perceive the absurdity of supposing God to punish by infinite torments what he himself from all eternity had unchangeably decreed. The king, though at this time his Calvinistic education had rivetted him in the doctrine of absolute decrees, yet, being a zealous partisan of episcopacy, was insensibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets; and with him the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees: some noise was at first made about these innovations; but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amidst those violent disputes about civil and ecclesiastical power with which the nation was agitated. And at the Restoration, the church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without its being possible to assign the precise period in which the alteration was produced.

It may be worth observing, that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the papists and puritans. All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy: even to this day, no society has been instituted for the polishing and fixing of our language. The only encouragement which the sovereign in England has ever given to anything that has the appearance of science, was this short-lived establishment of James; an institution quite superfluous, considering the unhappy propension which at that time so universally possessed the nation for polemical theology.

MANNERS.

The manners of the nation were agreeable to the monarchical government which prevailed; and contained not that strange mixture which at present distinguishes England from all other countries. Such violent extremes were then unknown, of industry and debauchery, frugality and profusion, civility and rusti-

city, fanaticism and scepticism. Candour, sincerity, modesty, are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed; and it was by a dignity and stateliness of behaviour, that the gentry and nobility distinguished themselves from the common people. Great riches, acquired by commerce, were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real, that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expenses of the great consisted in pomp and show, and a numerous retinue, rather than in convenience and true pleasure. The earl of Nottingham, in his embassy to Spain, was attended by five hundred persons. The earl of Hertford, in that to Brussels, carried three hundred gentlemen along with him. Lord Bacon has remarked, that the English nobility in his time maintained a larger retinue of servants than the nobility of any other nation, except, perhaps, the Polanders.

Civil honours, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels too prevailed more than at any time before or since. This was the turn that the romantic chivalry for which the nation was formerly so renowned, had lately taken.

Liberty of commerce between the sexes was indulged; but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the females, nor were those young courtiers, of whom he was so fond, able to break through the established manners of the nation.

The first sedan chair seen in England was in this reign, and was used by the duke of Buckingham; to the great indignation of the people, who exclaimed, that he was employing his fellow-creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce, was just beginning to produce an inclination for the softer and the more civilised life of the city. James discouraged as much as possible this alteration of manners. "He was wont to be very earnest," as lord Bacon tells us, "with the country gentlemen to go from London to their country-seats. And sometimes he would say thus to them: 'Gentlemen, at London, you are like ships in a sea, which show like nothing; but in your country villages you are like ships in a river, which look like great things.'"

He was not content with reproof and exhortation. As queen Elizabeth had perceived with regret the increase of London, and had restrained all new buildings by proclamation; James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations in imitation of his predecessor, containing severe menaces against the gentry who lived in town. This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments which dissipate their fortune; to increase their subjection to ministers by attendance; to weaken their authority in the provinces by absence: these have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought too that by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country-seats; where, he hoped, they would bear a most submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: they could not be driven: and thus the system of the English government received a total and a sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The further progress of these advantages began during this reign to ruin the small proprietors of land; and, by both events, the gentry, or that rank which composed the house of commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles, whose fortunes, placing them above frugality, or even calculation, were soon dissipated in expensive pleasures. These improvements reached at last all men of property; and those of slender fortunes, who at that time were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands, coming to sale, swelled the estates of those who possessed riches sufficient for the fashionable expenses; but who were not exempted from some care and attention to their domestic economy.

The gentry also of that age were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.* Could human nature ever reach happiness, the condition of the English gentry under so mild and benign a prince, might merit that appellation.

FINANCES.

The amount of the king's revenue, as it stood in 1617, is thus stated:† of crown-lands, 80,000 pounds a year; by customs and new impositions, near 190,000; by wards and other various branches of revenue, beside purveyance, 180,000. The whole amounting to 450,000. The king's ordinary disbursements, by the same account, are said to exceed this sum thirty-six thousand pounds.‡ All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the States, and by the king of France, benevolences, &c., were in the whole about two millions two hundred thousand pounds: of which the sale of lands afforded seven hundred and seventy-five thousand pounds. The extraordinary disbursements of the king amounted to two millions; beside above four hundred thousand pounds given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly for want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the former method should always be tried before the latter, though a preferable one. When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the mer-

* Men seem then to have been ambitious of representing the counties, but cared little for boroughs. A seat in the house was in itself of small importance: but the latter became a point of honour among the gentlemen. Journ. 10 February, 1620. Townsmen had formerly neglected their right of sending members, now began to claim it. Journ. 26 Febr. Ars., 1623.

† An abstract or brief declaration of his Majesty's revenue, &c. &c. &c. signatures and declarations upon the same.

‡ The excess was formerly greater, as appears by Salisbury's Account. Stowe's Chron.

chants; and these the public may afterwards imitate in establishing proper rules for its officers.

The customs were supposed to amount to five per cent. of the value, and were levied upon exports as well as imports. Nay, the imposition upon exports, by James's additions, is said to amount in some few instances to twenty-five per cent. This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs in 1604, yielded 127,000 pounds a year, they rose to 190,000 towards the end of the reign.

Interest, during this reign, was at ten per cent. till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by parliament during this whole reign amounted not to more than 630,000 pounds; which, divided among twenty-one years, makes 30,000 pounds a-year. I do not include those supplies, amounting to 300,000 pounds, which were given to the king by his last parliament. These were paid in to their own commissioners; and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the palatine was a great burden on James, during part of his reign. The king, it is pretended, possessed not frugality proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly furniture, nor a luxurious table, nor prodigal mistresses. His buildings too were not sumptuous; though the Banqueting-house must not be forgotten, as a monument which does honour to his reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality, rather than of luxury.

One day, it is said, while he was standing amidst some of his courtiers, a porter passed by loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards earl of Holland, one of his handsome agreeable favourites, whispered something to one standing near him. Upon inquiry, he found that Rich had said, "How happy would that money make me!" Without hesitation James bestowed it all upon him, though it amounted to three thousand pounds. He added, "You think yourself very happy in obtaining so large a sum; but I am more happy in having an opportunity of obliging a worthy man, whom I love." The generosity of James was more the result of a benign humour or light fancy, than of reason or judgment. The objects of it were such as could render themselves agreeable to him in his loose hours; not such as were endowed with great merit, or who possessed talents or popularity which could strengthen his interest with the public.

The same advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and the rise of the commons, was now possessed by the people against the crown, during the continuance of a like interval. The sovereign had already lost that independent revenue by which he could subsist without regular supplies from parliament; and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the house of Stuart, soon rose to a great height, and were more or less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians; but neither the amount of these taxes nor the method of levying them have been well explained. It appears, that the fifteenths formerly corresponded to the name, and were that proportionable part of the moveables. But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth; because, there at first it was a tenth of the moveables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth as it is often more concisely called, was about 29,000 pounds. The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth a subsidy amounted to 120,000 pounds: in the fortieth it was not above 78,000. It afterwards fell to 70,000; and was continually decreasing. The reason is easily collected from the method of levying it. We may learn from the subsidy bills, that one subsidy was given for four shillings in the pound on land, and two shillings and eight pence on moveables throughout the counties; a considerable tax, had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James, there was not paid the twentieth part of that sum. The tax was so far personal that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property, and rated him accordingly. To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property, were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of money and rise of rents. But there was an evident reason why they continually decreased. The favour, as is natural to suppose, ran always against the crown; especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable, compared to former supplies. The assessors, though accustomed to have an eye to ancient estimations, were not bound to observe any such rule; but might rate anew any person according to his present income. When rents fell, or part of an estate was sold off, the proprietor was sure to represent these losses, and obtain a diminution of his subsidy; but where rents rose, or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change was taken against the crown; and the crown could obtain the advantage of none. And, to make the matter worse, the alterations which happened in property during this age were generally unfavourable to the crown. The small proprietors, or twenty pound men, went continually to decay; and when their estates were swallowed up by a greater, the new purchaser increased not his subsidy. So loose indeed is the whole method of rating subsidies, that the wonder was not how the tax should continually diminish; but how it yielded any revenue at all. It became at last so unequal and uncertain, that the parliament was obliged to change it into a land-tax.

The price of corn during this reign, and that of the other necessaries of life, was no lower, or was rather higher than at present. By a proclamation of James, establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines. These prices then are to be regarded as low; though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley. The best wool, during the greater part of James's reign, was at thirty-three shillings a tod. At present it is not above two-thirds of that value; though it is to be presumed that our exports in woollen goods are somewhat increased. The finer manufactures too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money. In Shakespeare, the hostess tells Falstaff, that the shirts she bought him were holland, at eight shillings a yard; a high price at this day, even supposing, what is not probable, that the best holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two and twenty shillings. It appears from Dr. Birch's life of

prince Henry, that that prince, by contract with his butcher, paid near a groat a pound throughout the year for all the beef and mutton used in his family. Besides, we must consider, that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture: a certain proof that the latter was found more profitable, and consequently that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market with regard to poultry and some other articles very early in Charles the First's reign; and the prices are high. A turkey-cock, four shillings and sixpence; a turkey-hen, three shillings; a pheasant-cock, six; a pheasant-hen, five; a partridge, one shilling; a goose, two; a capon, two and sixpence; a pullet, one and sixpence; a rabbit, eight pence; a dozen of pigeons, six shillings.* We must consider, that London at present is more than three times more populous than it was at that time—a circumstance which much increases the price of poultry, and of everything that cannot conveniently be brought from a distance—not to mention that these regulations by authority are always calculated to diminish, never to increase the market prices. The contractors for victualling the navy were allowed by government eight pence a day for the diet of each man when in harbour, seven pence halfpenny when at sea; which would suffice at present. The chief difference in expense between that age and the present consists in the imaginary wants of men, which have since extremely multiplied. These † are the principal reasons why James's revenue would go further than the same money in our time; though the difference is not near so great as is usually imagined.

ARMS.

The public was entirely free from the danger and expense of a standing army. While James was vaunting his divine vicegerency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims: a sufficient proof that he sincerely believed his pretensions to be well grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to 160,000 men, was the sole defence of the kingdom. It is pretended that they were kept in good order during this reign. The city of London procured officers who had served abroad, and who taught the trained bands their exercise in Artillery-garden—a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appeared that the natural propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys at this time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view. Sir Edward Harwood, in a memorial composed at the beginning of the subsequent reign, says, that England was so unprovided with horses fit for war, that two thousand men could not possibly be mounted throughout the whole kingdom. At present the breed of horses is so much improved, that almost all those which are employed either in the plough, waggon, or coach, would be fit for that purpose.

The disorders of Ireland obliged James to keep up some forces there, and put him to great expense. The common pay of a private man in the infantry was eight pence a day; a lieutenant, two shillings; an ensign, eighteen pence. The armies in Europe were not near so numerous during that age; and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.

In the year 1583 there was a general review made of all the men in England capable of bearing arms; and these were found to amount to 1,172,000 men, according to Raleigh.* It is impossible to warrant the exactness of this computation; or, rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably, since that time, increased in populousness. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600 it doubled every forty years; and consequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almost the only town that affords society and amusement. The affection which the English bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the residence of the king, and by being the seat of government, and of all the courts of justice, can prevail over their passion for their rural villas.

London at this time was almost entirely built of wood, and in every respect was certainly a very ugly city. The earl of Arundel first introduced the general practice of brick buildings.

NAVY.

The navy of England was esteemed formidable in Elizabeth's time, yet it consisted only of thirty-three ships, besides pinnaces: and the largest of these would not equal our fourth-rates at present. Raleigh advises never to build a ship of war above six hundred tons.† James was not negligent of the navy. In five years preceding 1623, he built ten new ships, and expended fifty thousand pounds a-year on the fleet, besides the value of thirty-six thousand pounds in timber, which he annually gave from the royal forests.‡ The largest ship that had ever come from the English docks was built during this reign. She was only fourteen hundred tons, and carried sixty-four guns. The merchant ships, in cases of necessity, were instantly converted into ships of war. The king affirmed to the parliament, that the navy had never before been in so good a condition.

COMMERCE.

Every session of parliament during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery: such violent propensity have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money, which he heard so much exaggerated. It may, however, be affirmed, that during no preceding period of English history was there a more sensible increase than during the reign of this monarch, of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favourable to industry and commerce: his turn of mind inclined him to promote the peaceful arts: and trade being yet in its infancy, all additions to it must have been the more evident to every eye, which was not blinded by melancholy prejudices. [*See note 3 S, at the end of this Vol.*]

* We may make of the great increase of provisions by this circumstance, that the purveyors [illegible] for a dozen of pigeons [illegible] Journ. 5 Mar. 1603.

† [illegible] years [illegible] of 1746. [illegible] the present [illegible] hundred and forty.

‡ [illegible] Navigation. [illegible] that delivered by Sir Edward Coke to the house of commons [illegible].

† R. Raleigh [illegible], in his discourse of the first invention of shipping, [illegible] the [illegible] of thirteen ships, [illegible]. He probably reckoned [illegible] me to be [illegible].

‡ [illegible] Sir Henry Monson makes the annual amount [illegible] ships, [illegible].

By an account which seems judicious and accurate, it appears that all the seamen employed in the merchant service amounted to ten thousand men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says, that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter. Sir William Monson computed the English naval power to be little or nothing inferior to the Dutch, which is surely an exaggeration. The Dutch at this time traded to England with six hundred ships; England to Holland with sixty only.

MANUFACTURES.

A catalogue of the manufactures for which the English were then eminent, would appear very contemptible, in comparison of those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Shipbuilding, and the founding of iron cannon, were the sole in which the English excelled. They seem, indeed, to have possessed alone the secret of the latter, and great complaints were made every parliament against the exportation of English ordnance.

Nine-tenths of the commerce of the kingdom consisted in woollen goods. Wool, however, was allowed to be exported, till the nineteenth of the king. Its exportation was then forbidden by proclamation, though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch; who gained, it is pretended, seven hundred thousand pounds a year by this manufacture.* A proclamation issued by the king against exporting cloth in that condition, had succeeded so ill during one year, by the refusal of the Dutch to buy the dressed cloth, that great murmurs arose against it; and this measure was retracted by the king, and complained of by the nation, as if it had been the most impolitic in the world. It seems indeed to have been premature.

In so little credit was the fine English cloth even at home, that the king was obliged to seek expedients by which he might engage the people of fashion to wear it. The manufacture of fine linen was totally unknown in the kingdom.

The company of merchant-adventurers, by their patent, possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt made during the reign of Elizabeth to lay open this important trade had been attended with bad consequences for a time, by a conspiracy of the merchant-adventurers, not to make any purchases of cloth: and the queen immediately restored them their patent.

It was the groundless fear of a like accident that enslaved the nation to those exclusive companies, which confined so much every branch of commerce and industry. The parliament, however, annulled, in the third of the king, the patent of the Spanish company; and the trade to Spain, which was at first very insignificant, soon became the most considerable in the kingdom. It is strange that they were not thence encouraged to abolish all the other companies, and that they went no further than obliging them to enlarge their bottom, and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622. One of the reasons assigned in the commission, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable, however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine, whether a greater freedom of trade, and an exemption from the restraint of exclusive companies, would not be beneficial. Men were then fettered by their own prejudices; and the king was justly afraid of embracing a bold measure, whose consequences might be uncertain. The digesting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewise recommended to the commissioners. The arbitrary powers then commonly assumed by the privy-council, appear evidently through the whole tenor of the commission.

The silk manufacture had no footing in England: but, by James's direction, mulberry-trees were planted, and silk-worms introduced. The climate seems unfavourable to the success of this project. The planting of hops increased much in England during this reign.

Greenland is thought to have been discovered about this period; and the whale fishery was carried on with success; but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the north-west passage; and many fruitless attempts were made for that purpose. In such noble projects, despair ought never to be admitted, till the absolute impossibility of success be fully ascertained.

The passage to the East Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East India company received a new patent, enlarged their stock to 1,500,000 pounds, and fitted out several ships on these adventures. In 1609 they built a vessel of 1,200 tons, the largest merchant ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete victory over forces much superior. During the following years the Dutch company was guilty of great injuries towards the English, in expelling many of their factors, and destroying their settlements: but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the earl of Oxford,* and lay in wait for the return of the Dutch East India fleet. By reason of cross-winds, Oxford failed of his purpose, and the Dutch escaped. Some time after, one rich ship was taken by vice-admiral Merwin; and it was stipulated by the Dutch to pay 70,000 pounds to the English company, in consideration of the losses which that company had sustained. But neither this stipulation, nor the fear of reprisals, nor the sense of that friendship which subsisted between England and the States, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice-trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna; and on very improbable, and even absurd pretences, seized all the factors, with their families, and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects, and the intrigues of his favourite, was constrained to make a breach with Spain; and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable that the nation, almost without a murmur, submitted to this injury from their protestant confederates; an injury which, besides the horrid enormity of the action, was of much deeper importance to national interest, than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas 1612 to Christmas 1613 are computed at 2,487,435 pounds

* In 1620.

* Journ. 20 May, 1614. Bacon, in his Observations, computes the [illegible] pounds to the nation. There [illegible] exported yearly, [illegible] and [illegible] dressed cloths a year [illegible] pounds.

the imports at 2,141,151: so that the balance in favour of England was 346,284. But in 1622 the exports were 2,320,436 pounds the imports 2,619,315; which makes a balance of 298,879 pounds against England. The coinage in England from 1599 to 1619 amounted to 4,779,314 pounds thirteen shillings and fourpence: a proof that the balance in the main was considerably in favour of the kingdom. As the annual imports and exports together rose to near five millions, and the customs never yielded so much as 200,000 pounds a year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole, amount to one shilling in the pound, and consequently were still inferior to the intention of the original grant of parliament. The East India company usually carried out a third of their cargo in commodities. The trade to Turkey was one of the most gainful to the nation. It appears that copper halfpence and farthings began to be coined in this reign. Tradesmen had commonly carried on their retail business, chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was no where to be found.

COLONIES.

What chiefly renders the reign of James memorable, is the commencement of the English colonies in America; colonies established on the noblest footing that has been known in any age or nation. The Spaniards, being the first discoverers of the new world, immediately took possession of the precious mines which they found there; and, by the allurement of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of sloth to those of avidity and barbarity, which had attended their adventurers in those renowned enterprises. That fine coast was entirely neglected, which reaches from St. Augustin to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more to the industrious planter. Peopled gradually from England by the necessitous and indigent, who at home increased neither wealth nor populousness, the colonies which were planted along that tract have promoted the navigation, encouraged the industry, and even perhaps multiplied the inhabitants of their mother-country. The spirit of independency, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had sought for freedom amidst those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards honour and fortune, the nation began to second the pacific intentions of its monarch, and to seek a surer, though slower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a settlement, which the company erected by patent for that purpose in London and Bristol, took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the track of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade-winds, and then turned northward, till they reached the English settlements. The same year, five hundred persons, under sir Thomas Gates and sir George Somers, were embarked for Virginia. Somers's ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delawar afterwards undertook the government of the English colonies; but notwithstanding all his care, seconded by supplies from James, and by money raised from the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries, that in 1614 there were not alive more than four hundred men, of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health, gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain. By degrees, new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The island of Barbadoes was also planted in this reign.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother-country of inhabitants, they would soon shake off her yoke, and erect an independent government in America; but time has shown, that the views entertained by those who encouraged such generous undertakings, were more just and solid. A mild government and great naval force have preserved, and may still preserve during some time, the dominion of England over her colonies. And such advantages have commerce and navigation reaped from these establishments, that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign considerable improvements were made, as in most arts, so in this the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry, which were written about this time. The nation, however, was still dependent on foreigners for daily bread; and though its exportation of grain now forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was in that period a regular importation from the Baltic, as well as from France; and if it ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh in his Observations computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had been allowed in England; and Camden observes, that agriculture from that moment received new life and vigour.

The endeavours of James, or, more properly speaking, those of the nation, for promoting trade, were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period; and the monarch himself was not a little infected with it.

LEARNING AND ARTS.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion, that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glaring figures of discourse, the pointed antithesis, the unnatural conceit, the jingle of words

such false ornaments were not employed by early writers; not because they were rejected, but because they scarcely ever occurred to them. An easy, unforced strain of sentiment runs through their compositions; though at the same time we may observe, that amidst the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unsought for, and which the author had not acquired critical observation enough to condemn.* A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere surfeited by them: they multiply every day more and more in the fashionable compositions: nature and good sense are neglected: laboured ornaments studied and admired; and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens: hence that tinsel eloquence which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgment of the public is yet raw and unformed, this false glitter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition; and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period during which letters were cultivated in Italy was so short as scarcely to allow leisure for correcting this adulterated relish.

The more early French writers are liable to the same reproach. Voiture, Balzac, even Corneille, have too much affected those ambitious ornaments, of which the Italians in general, and the least pure of the ancients, supplied them with so many models. And it was not till late, that observation and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers: such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticism of the writers of that age would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The natural prepossessions which prevail will perhaps render the former liberty not the least perilous for an author.

If Shakespeare be considered as a MAN, born in a rude age, and educated in the lowest manner, without any instruction, either from the world or from books, he may be regarded as a prodigy: if represented as a POET, capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret, that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and at the same time, we perhaps admire the more those beauties, on account of their being surrounded with such deformities. A striking peculiarity of sentiment, adapted to a single character, he frequently hits, as it were, by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions as well as descriptions abound in him; but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect, yet, as it affects the spectator, rather than the reader, we can more easily excuse, than that want of taste which often prevails in his productions, and which gives way only by intervals to irradiations of genius. A great and fertile genius he certainly possessed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof, how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts. And there may even remain a suspicion that we overrate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic, on account of their being disproportioned and misshapen. He died in 1616, aged fifty-three years.

Jonson possessed all the learning which was wanting to Shakespeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakespeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakespeare's spirit and character; and thence it has proceeded, that the nation has undergone, from all its neighbours, the reproach of barbarism, from which its valuable productions in some other parts of learning would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged sixty-three.

Fairfax had translated Tasso with an elegance and ease, and at the same time with an exactness, which for that age are surprising. Each line in the original is faithfully rendered by a correspondent line in the translation. Harrington's translation of Ariosto is not likewise without its merit. It is to be regretted that these poets should have imitated the Italians in their stanza, which has a prolixity and uniformity in it that displeases in long performances. They had otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of English versification.

In Donne's satires, when careful inspected, there appear some flashes of wit and ingenuity; but these totally suffocated and buried by the hardest and most uncouth expression that is anywhere to be met with.

If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable still to greater objections. Though the latter appears the more easy, as it is the more natural method of composition, it has ever in practice been found the more rare and difficult; and there scarcely is an instance in any language, that it has reached a degree of perfection before the refinement of poetical numbers and expression. English prose, during the reign of James, was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall indeed venture to affirm, that whatever uncouth phrases and

* The name of Polynices, one of Œdipus's sons, means in the original *much quarrelling*. In the altercations between the two brothers, in Æschylus, Sophocles, and Euripides, this conceit is employed; and it is remarkable, that so poor a conundrum could not be rejected by any of these three poets, so justly celebrated for their taste and simplicity. What could Shakespeare have done worse? Terence has his "incredibilem amentiam, hominem amantem." Many similar instances will occur to the learned. It is well known, that Aristotle treats very seriously of puns, divides them into several classes, and recommends the use of them to orators.

expressions occur in old books, they were chiefly owing to the unformed taste of the author; and that the language spoken in the courts of Elizabeth and James was very little different from that which we meet with at present in good company. Of this opinion the little scraps of speeches which are found in the parliamentary journals, and which carry an air so opposite to the laboured orations, seems to be a sufficient proof; and there want not productions of that age which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention sir John Davis's Discovery, Throgmorton's, Essex's, and Nevil's letters. In a more early period, Cavendish's life of cardinal Wolsey, the pieces that remain of bishop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this island during the reign of James, was lord Bacon. Most of his performances were composed in Latin; though he possessed neither the elegance of that, nor of his native tongue. If we consider the variety of talents displayed by this man; as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher; he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, though very estimable, he was yet inferior to his contemporary Galilæo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy: Galilæo both pointed it out to others, and made himself considerable advances in it. The Englishman was ignorant of geometry; the Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus: the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid; his wit, though often brilliant, is also often unnatural and far-fetched; and he seems to be the original of those pointed similes and long-spun allegories which so much distinguish the English authors: Galilæo is a lively and agreeable, though somewhat a prolix, writer. But Italy, not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and on Bacon among the rest, such praises and acclamations as may often appear partial and excessive. He died in 1626, in the sixty-sixth year of his age.

If the reader of Raleigh's history can have the patience to wade through the Jewish and Rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style which some writers would affect to revive at present. He was beheaded in 1618, aged sixty-six years.

Camden's history of Queen Elizabeth may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged seventy-three years.

We shall mention the king himself at the end of these English writers: because that is *his* place, when considered as an author. It may safely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which his memory labours, and which is often carried by party-writers to a great extreme It is remarkable how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Cæsar to Severus, above the half were authors; and though few of them seem to have been eminent in that profession, it is always remarked, to their praise, that by their example, they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers, whose works remain, were men of the highest quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be ascribed to the invention of printing; which has rendered books so common, that even men of slender fortunes can have access to them.

That James was but a middling writer may be allowed: that he was a contemptible one, can by no means be admitted. Whoever will read his Basilicon Doron, particularly the last two books, the true law of free monarchies, his answer to cardinal Perron, and almost all his speeches and messages to parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions, who in that age did not admit the reality of these fictitious beings? If he has composed a commentary on the Revelations, and proved the pope to be antichrist, may not a similar reproach be extended to the famous Napier, and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions, we may infer the ignorance of an age; but never should pronounce concerning the folly of an individual, from his admitting popular errors, consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them, merits the preeminence above those that excel the most in the common and vulgar professions. The speaker of the house of commons is usually an eminent lawyer; yet the harangue of his majesty will always be found much superior to that of the speaker, in every parliament during this reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says, that geometry was almost totally abandoned and unknown in England. The best learning of that age was the study of the ancients. Casaubon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of three hundred pounds a year, as well as by church preferments. The famous Antonio di Dominis, archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation, by their gaining so considerable a proselyte from the papists. But the mortification followed soon after: the archbishop, though advanced to some ecclesiastical preferments, received not encouragement sufficient to satisfy his ambition: he made his escape into Italy, where he died in confinement.

CHAPTER L.

CHARLES I.

A Parliament at Westminster—at Oxford—Naval Expedition against Spain—Second Parliament—Impeachment of Buckingham—Violent Measures of the Court—War with France—Expedition to the Isle of Rhe.

1625. March 27. NO sooner had Charles taken into his hands the reins of government, than he showed

an impatience to assemble the great council of the nation; and he would gladly, for the sake of dispatch, have called together the same parliament which had sitten under his father, and which lay at that time under prorogation. But being told that this measure would appear unusual, he issued writs for summoning a new parliament on the 7th of May; and it was not without regret that the arrival of the princess Henrietta whom he had espoused by proxy, obliged him to delay, by repeated prorogations, their meeting till the 18th of June, when they assembled at Westminster for the dispatch of business. The young prince, unexperienced and impolitic, regarded as sincere all the praises and caresses with which he had been loaded, while active in procuring the rupture with the house of Austria. And besides that he laboured under great necessities, he hastened with alacrity to a period when he might receive the most undoubted testimony of the dutiful attachment of his subjects. His discourse to the parliament was full of simplicity and cordiality. He lightly mentioned the occasion which he had for supply. He employed no intrigue to influence the suffrages of the members. He would not even allow the officers of the crown who had seats in the house to mention any particular sum which might be expected by him. Secure of the affections of the commons, he was resolved that their bounty should be entirely their own deed; unasked, unsolicited; the genuine fruit of sincere confidence and regard.

The house of commons accordingly took into consideration the business of supply. They knew that all the money granted by the last parliament had been expended on naval and military armaments; and that great anticipations were likewise made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own subjects and from foreign princes. They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were sensible that the present war was very lately the result of their own importunate applications and entreaties, and that they had solemnly engaged to support their sovereign in the management of it. They were acquainted with the difficulty of military enterprises, directed against the whole house of Austria; against the king of Spain, possessed of the greatest riches and most extensive dominions of any prince in Europe; against the emperor Ferdinand, hitherto the most fortunate monarch of his age, who had subdued and astonished Germany by the rapidity of his victories. Deep impressions, they saw, must be made by the English sword, and a vigorous offensive war be waged against these mighty potentates, ere they would resign a principality, which they had now fully subdued, and which they held in secure possession, by its being surrounded with all their other territories.

To answer, therefore, all these great and important ends; to satisfy their young king in the first request which he made them; to prove their sense of the many royal virtues, particularly economy, with which Charles was endowed; the house of commons, conducted by the wisest and ablest senators that had ever flourished in England, thought proper to confer on the king a supply of two subsidies, amounting to 112,000 pounds.*

This measure, which discovers rather a cruel mockery of Charles than any serious design of supporting him, appears so extraordinary, when considered in all its circumstances, that it naturally summons up our attention, and raises an inquiry concerning the causes of a conduct, unprecedented in an English parliament. So numerous an assembly, composed of persons of various dispositions, was not, it is probable, wholly influenced by the same motives; and few declared openly their true reason. We shall, therefore, approach nearer to the truth, if we mention all the views which the present conjuncture could suggest to them.

It is not to be doubted but spleen and ill-will against the duke of Buckingham had an influence with many. So vast and rapid a fortune so little merited could not fail to excite public envy; and however men's hatred might have been suspended for a moment while the duke's conduct seemed to gratify their passions and their prejudices, it was impossible for him long to preserve the affections of the people. His influence over the modesty of Charles exceeded even that which he had acquired over the weakness of James; nor was any public measure conducted but by his counsel and direction. His vehement temper prompted him to raise suddenly to the highest elevation his flatterers and dependents: and upon the least occasion of displeasure, he threw them down with equal impetuosity and violence. Implacable in his hatred; fickle in his friendships: all men were either regarded as his enemies, or dreaded soon to become such. The whole power of the kingdom was grasped by his insatiable hand; while he both engrossed the entire confidence of his master, and held, invested in his single person, the most considerable offices of the crown.

However the ill-humour of the commons might have been increased by these considerations, we are not to suppose them the sole motives. The last parliament of James, amidst all their joy and festivity, had given him a supply very disproportioned to his demand and to the occasion. And as every house of commons which was elected during forty years, succeeded to all the passions and principles of their predecessors, we ought rather to account for this obstinacy from the general situation of the kingdom during that whole period, than from any circumstances which attended this particular conjuncture.

The nation was very little accustomed at that time to the burden of taxes, and had never opened their purses in any degree for supporting their sovereign. Even Elizabeth, notwithstanding her vigour and frugality and the necessary wars in which she was engaged, had reason to complain of the commons in this particular; nor could the authority of that princess, which was otherwise almost absolute, ever extort from them the requisite supplies. Habits, more than reason, we find in everything to be the governing principle of mankind. In this view likewise the sinking of the value of subsidies must be considered as a loss to the king. The parliament, swayed by custom, would not augment their number in the same proportion.

The puritanical party, though disguised, had a great authority over the kingdom; and many of the leaders among the commons had secretly embraced the rigid tenets of that sect. All these were disgusted with the court, both by the prevalence of the principles of civil liberty essential to their party, and on account of the restraint under which they were held by the established hierarchy. In order to fortify himself against the resentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans: but being secure of the confidence of Charles, he had since abandoned this party; and on that account was the more exposed to their hatred and resentment. Though the religious schemes of many of the puritans, when explained, appeared pretty frivolous, we are not thence to imagine that they were pursued by none but persons of weak understandings. Some men of the greatest parts and most extensive knowledge that the nation at this time produced, could not enjoy any peace of mind, because obliged to hear prayers offered up to the Divinity by a priest covered with a white linen vestment.

The match with France, and the articles in favour of catholics, which were suspected to be in the treaty, were likewise causes of disgust to this whole party: though it must be remarked, that the connexions

* A subsidy was rated at [illegible] pounds. Cabala, p. 251, first edit.

with that country were much less obnoxious to the parliament, and less agreeable to the nation, than the alliance formerly projected with Spain, and were therefore received rather with pleasure than dissatisfaction.

In all these causes concurred [illegible] considerable moment. The house of commons, we may observe, was almost entirely composed by a set of men of the most uncommon capacity, and the largest views: men who were now formed into a regular party, and united, as well by their views and projects, as by the [illegible] which some of them had undergone in prosecution of them. Among these, we may mention the names of sir Edward Coke, sir Edwin Sandys, sir Robert Phelips, sir Francis Seymour, sir Dudley Digges, sir John Eliot, sir T. Wentworth, Mr. Selden, and Mr Pym. Animated with a warm zeal for liberty, these generous patriots saw with regret an unlimited power exercised by the crown, and were resolved to seize the opportunity which the king's necessities offered them, of reducing the prerogative within more reasonable compass. Though their ancestors had [illegible] favourable to kingly power, and had been able, notwithstanding, to preserve some small remains of liberty; it would be impossible, they thought, when all those precedents were multiplied and [illegible] by the increasing knowledge of the age, to maintain any shadow of popular government, in opposition to such unlimited authority in the sovereign. It was necessary to fix a choice: either to abandon entirely the privileges of the people, or to secure them by firmer and more precise barriers than the constitution had hitherto provided for them. In this dilemma, men of such aspiring geniuses, and such independent fortunes, could not long deliberate: they boldly embraced the side of freedom, and resolved to grant no supplies to their necessities [illegible] without exacting concessions in favour of civil liberty. The end they esteemed beneficent and noble: the means, regular and constitutional. To grant or refuse supplies was the undoubted privilege of the commons. And as all human governments, particularly those of a mixed form, are in continual fluctuation, it was as natural in their opinion, and allowable, for popular assemblies to take advantage of favourable incidents, in order to secure the subject, as for the monarchs, in order to extend their authority. With pleasure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all [illegible] from foreigners. Perhaps, too, it had partly proceeded from expectations of this nature, that the [illegible] had been so eager for a rupture with Spain; nor is it credible, that religious zeal could so far have blinded all of them as to make them discover in such a measure any appearance of necessity, or any [illegible] of success.

But, however natural all these sentiments might appear to the country-party, it is not to be imagined that Charles would entertain the same ideas. Strongly prejudiced in favour of the duke, whom he had heard so highly extolled in parliament, he could not conjecture the cause of so sudden an alteration in their opinions. And when the war which they themselves had so earnestly solicited, was at last commenced, the immediate [illegible] of their measures would not have been very unaccountable. Even though no further motive had been suspected, the refusal of supply in such circumstances would necessarily [illegible] deceitful; but when he perceived that this measure proceeded from an intention of encroaching on his authority, he [illegible] to regard them as highly criminal and traitorous. Those lofty ideas of monarchical power which were very commonly entertained during that age, and to which the [illegible] nature of the English constitution gave [illegible] an appearance, were [illegible] by Charles; and [illegible] pretensions [illegible] the [illegible] and [illegible] possession of [illegible], joined to the late [illegible] precedents in favour of prerogative, had made [illegible] his [illegible] as [illegible] and uncontroverted. Taught to consider even the ancient laws and constitution more as lines to direct his conduct, than barriers to withstand his power; a conspiracy to erect new [illegible] in order to [illegible] the [illegible], appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design, that he seems even unwilling to impute it to the commons: and though he was constrained to adjourn the parliament, (11th July,) by reason of the plague, which at that time raged in London, he immediately recalled them to Oxford, (1st August,) and made a new attempt to get from them some supplies in such an urgent necessity.

PARLIAMENT AT OXFORD.

Charles [illegible] from that delicacy which he had formerly maintained. By himself or his ministers, he entered into a particular detail both of the alliances which he had formed, and of the military operations which he had projected. He told the parliament, that by a promise of subsidies, he had engaged the king of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouse to arms those princes who [illegible] the liberty of the empire: that Mansfelt had undertaken to penetrate with an English army into the palatinate, and by that quarter to excite the members of the evangelical union; that the States must be supported in the unequal warfare which they maintained with Spain; that no less a sum than 700,000 pounds a year had been found, by computation, requisite for all these purposes; that the maintenance of the fleet, and the defence of Ireland, demanded an annual expense of 400,000 pounds; that he himself had already exhausted and anticipated in the public service his whole revenue, and had scarcely left sufficient for the daily subsistence of himself and his family; that on his accession to the crown, he found a debt of above 300,000 pounds, contracted by his father in support of the palatine; and that, while prince of Wales, he had himself contracted debts, notwithstanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all these facts, the king even condescended to use entreaties. He said, that his request was the first that he had ever made them; that he was young and in the commencement of his reign; and if he now met with kind and dutiful usage, it would endear to him the use of parliaments, and would for ever preserve an entire harmony between [illegible] and his people.

To these reasons the commons remained inexorable. Notwithstanding that the king's measures, on the supposition of a [illegible] war, [illegible] extremely [illegible], were [illegible] to, they obstinately refused any further aid. Some members favourable to the court having insisted on an addition of two fifteenths to the former supply, even this pittance was refused; though it was known that a fleet and army were lying at Portsmouth in great want of pay and provisions; and that Buckingham, the admiral, and the treasurer of the navy, had advanced on their own credit near a hundred thousand pounds for the sea-service. Besides all their other motives, the house of commons [illegible] a [illegible] as they [illegible] but a pretence for their refusal, inflamed them against the court and against the duke of Buckingham.

When James [illegible] the Spanish alliance, and courted that of France, he had promised to furnish Louis, who was entirely destitute of naval force, with

one ship of war, together with seven armed vessels fitted out by the merchants. These the French court had projected they would employ against the Genoese, who, being firm and useful allies to the Spanish monarchy, were naturally regarded with an evil eye both by the king of France and of England. When these vessels by Charles's orders arrived at Dieppe, there arose a strong suspicion that they were to serve against Rochelle. The sailors were inflamed. That race of men, who are at present both careless and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonstrance to Pennington, their commander; and signing all their names in a circle, lest he should discover the ringleaders, they laid it under his prayer-book. Pennington declared, that he would rather be hanged in England for disobedience, than fight against his brother protestants in France. The whole squadron sailed immediately to the Downs. There they received new orders from Buckingham, lord-admiral, to return to Dieppe. As the duke knew that authority alone would not suffice, he employed much art and many subtilties to engage them to obedience; and a rumour which was spread that peace had been concluded between the French king and the hugonots, assisted him in his purpose. When they arrived at Dieppe they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the vessels, broke through and returned to England. All the officers and sailors of all the other ships, notwithstanding great offers made them by the French, immediately deserted. One gunner alone preferred duty towards his king to the cause of religion; and he was afterwards killed in charging a cannon before Rochelle. The care which historians have taken to record this frivolous event, proves with what pleasure the news was received by the nation.

The house of commons, when informed of these transactions, showed the same attachment with the sailors for the protestant religion; nor was their zeal much better guided by reason and sound policy. It was not considered, that it was highly probable the king and the duke themselves had here been deceived by the artifices of France, nor had they any hostile intention against the hugonots; that were it otherwise, yet might their measures be justified by the most obvious and most received maxims of civil policy; that if the force of Spain were really so exorbitant as the commons imagined, the French monarch was the only prince that could oppose its progress, and preserve the balance of Europe; that his power was at present fettered by the hugonots, who, being possessed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealousy and inquietude; that an insurrection had been at that time wantonly and voluntarily formed by their leaders, who, being disgusted in some court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet, employed against the inhabitants of Rochelle; that the Spanish monarch, sensible of the same consequences, secretly supported the protestants in France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in parliament. The huguenots, though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England, as if they had taken arms in defence of their liberties and religion against the persecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that of all European nations, the British were at that time, and till long after, the most under the influence of that religious spirit which tends rather to inflame bigotry than increase peace and mutual charity.

On this occasion, the commons renewed the eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one. They demanded a strict execution of the penal laws against the catholics, and remonstrated against some late pardons granted to priests. They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately published, and which, to their great disgust, saved virtuous catholics, as well as other Christians from eternal torments. Charles gave them a gracious and a compliant answer to all their remonstrances. He was, however, extremely averse to these furious measures. Though a determined protestant by principle as well as inclination, he had entertained no violent horror against popery; and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments, nor the humour of that age, to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithstanding that their regular execution had never been promised or expected, required of him some indulgence. But so unfortunate was this prince, that no measure embraced during his whole reign was ever attended with more unhappy and more fatal consequences.

The extreme rage against popery was a sure characteristic of puritanism. The house of commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies. They also enacted laws for the strict observance of Sunday, which the puritans affected to call the Sabbath, and which they sanctified by the most melancholy indolence. It is to be remarked, that the different appellations of this festival were at that time known symbols of the different parties.

The king finding that the parliament was resolved to grant him no supply, and would furnish him with nothing but empty protestations of duty, or disagreeable complaints of grievances, took advantage of the plague,* which began to appear at Oxford, and on that pretence immediately dissolved them. By finishing the session with a dissolution, instead of a prorogation, he sufficiently expressed his displeasure at their conduct.

NAVAL EXPEDITION AGAINST SPAIN.

To supply the want of parliamentary aids, Charles issued privy-seals for borrowing money from his subjects. (12th August.) The advantage reaped by this expedient was a small compensation for the disgust which it occasioned: by means, however, of that supply, and by other expedients, he was, though with difficulty, enabled to equip his fleet. (1st October.) It consisted of eighty vessels, great and small; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created viscount Wimbleton, was intrusted with the command. He sailed immediately for Cadiz, and found the bay full of Spanish ships of great value. He either neglected to attack these ships, or attempted it preposterously. The army was landed and a fort taken: but the undisciplined soldiers, finding store of wine, could not be restrained from the utmost excesses. Further stay appearing fruitless, they were re-embarked; and the fleet put to sea with an intention of intercepting the Spanish galleons. But the plague having seized the sailors and soldiers, they were obliged to abandon all hopes of this prize, and return to England, (in November.) Loud complaints were

* The plague was really so violent, that it had been moved in the house at the beginning of the session, to petition the king to adjourn them. Journ. 21st June, 1625. So it was impossible to enter upon grievances, even if there had been any. The only business of the parliament was to give supply, which was so much wanted by the king, in order to carry on the war in which they had engaged him.

mand against the court for intrusting so important a command to a man like Cecil, whom, though he possessed great experience, the people, judging by the event, esteemed of slender capacity.

SECOND PARLIAMENT. 1626

Charles, having failed of so rich a prize, was obliged again to have recourse to a parliament. Though the ill success of his enterprises diminished his authority, and showed every day more plainly the imprudence of the Spanish war; though the increase of his necessities rendered him more dependent, and more exposed to the encroachments of the commons, he was resolved to try once more that regular and constitutional expedient for supply. Perhaps, too, a little political art, which at that time he practised, was much trusted to. He had named four popular leaders sheriffs of counties; sir Edward Coke, sir Robert Philips, sir Thomas Wentworth, and sir Francis Seymour; and, though the question had been formerly much contested,* he thought that he had by that means incapacited them from being elected members. But his intention being so evident, rather put the commons more upon their guard. Enough of patriots still remained to keep up the ill-humour of the house; and men needed but little instruction or rhetoric to recommend to them practices which increased their own importance and consideration. The weakness of the court also could not more evidently appear than by its being reduced to use so ineffectual an expedient, in order to obtain an influence over the commons.

The views, therefore, of the last parliament were immediately adopted; (6th February;) as if the same men had been everywhere elected, and no time had intervened since their meeting. When the king laid before the house his necessities, and asked for supply, they immediately voted him three subsidies and three fifteenths; and though they afterwards added one subsidy more, the sum was little proportioned to the greatness of the occasion, and ill fitted to promote those views of success and glory for which the young prince in his first enterprise so ardently longed. But this circumstance was not the most disagreeable one. The supply was only voted by the commons. The passing of that vote into a law was reserved till the end of the session. A condition was thereby made, in a very undisguised manner, with their sovereign. Under colour of redressing grievances, which during this short reign could not be very numerous, they were to proceed in regulating and controlling every part of government which displeased them: and if the king either cut them short in this undertaking, or refused compliance with their demands, he must not expect any supply from the commons. Great dissatisfaction was expressed by Charles at a treatment which he deemed so harsh and undutiful. But his urgent necessities obliged him to submit; and he waited with patience, observing to what side they would turn themselves.

IMPEACHMENT OF BUCKINGHAM.

The duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the symptoms which appeared both of his want of temper and prudence, and of the uncontrolled ascendant which he had acquired over his master.† Two violent attacks he was obliged this session to sustain: one from the earl of Bristol, another from the house of commons.

As long as James lived, Bristol, secure of the concealed favour of that monarch, had expressed all duty and obedience; in expectation that an opportunity would offer of reinstating himself in his former credit and authority. Even after Charles's accession, he despaired not. He submitted to the king's commands of remaining at his country-seat, and of absenting himself from parliament. Many trials he made to regain the good opinion of his master; but finding them all fruitless, and observing Charles to be entirely governed by Buckingham, his implacable enemy, he resolved no longer to keep any measures with the court. A new spirit, he saw, and a new power, arising in the nation; and to these he was determined for the future to trust for his security and protection.

When the parliament was summoned, Charles, by a stretch of prerogative, had given orders that no writ, as is customary, should be sent to Bristol. That nobleman applied to the house of lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was sent him, but accompanied with a letter from the lord-keeper, Coventry, commanding him, in the king's name, to absent himself from parliament. This letter Bristol conveyed to the lords, and asked advice how to proceed in so delicate a situation. The king's prohibition was withdrawn, and Bristol took his seat. Provoked at these repeated instances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accusation of high-treason against him. By way of recrimination, Bristol accused Buckingham of high-treason. Both the earl's defence of himself and accusation of the duke remain; and, together with some original letters still extant, contain the fullest and most authentic account of all the negociations with the house of Austria. From the whole, the great imprudence of the duke evidently appears, and the sway of his ungovernable passions; but it would be difficult to collect thence any action which in the eye of the law could be deemed a crime; much less could subject him to the penalty of treason.

The impeachment of the commons was still less dangerous to the duke, were it estimated by the standard of law and equity. The house, after having voted upon some queries of doctor Turner's, *that common fame was a sufficient ground of accusation by the commons*, proceeded to frame regular articles against Buckingham. They accused him of having united many offices in his person; of having bought two of them; of neglecting to guard the seas, insomuch that many merchant ships had fallen into the hands of the enemy; of delivering ships to the French king, in order to serve against the hugonots; of being employed in the sale of honours and offices; of accepting extensive grants from the crown; of procuring many titles of honour for his kindred; and of administering physic to the late king without acquainting his physicians. All these articles appear, from comparing the accusation and reply, to be either frivolous, or false, or both. The only charge which could be regarded as important was, that he had extorted a sum of ten thousand pounds from the East-India company, and that he had confiscated some goods belonging to French merchants, on pretence of their being the property of Spanish. The impeachment never came to a full determination; so that it is difficult for us to give a decisive opinion with regard to these articles. But it must be confessed, that the duke's answer in these particulars, as in all the rest, is so clear and satisfactory, that it is impossible to refuse our assent to it. His faults and blemishes were in many respects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the commons, though so much at a loss to find articles of charge against Buckingham, never adopted Bristol's accusation, or impeached the duke for his conduct in the Spanish treaty, the most blameable circumstance in his whole life. He had reason to believe the Spaniards sincere in their professions; yet, in order to gratify his private pas-

* It is always an express clause in the writ of summons, that no sheriff shall be chosen: but the contrary practice had often prevailed. D'Ewes, p. 36. Yet still great doubts were entertained on this head. See Journ. 9th April, 1614.

† His credit with the king had given him such influence, that he had no less than twenty proxies granted him this parliament by so many peers, which occasioned a vote, that no peer should have above two proxies. The earl of Leicester in 1585 had once ten proxies. D'Ewes, p. 314.

sions, he had hurried his master and his country into a war pernicious to the interests of both. But so inveterate throughout the nation were the prejudices which ascribed to Spanish deceit and falsehood, that very few of the commons seem as yet to have been convinced that they had been seduced by Buckingham's narratives: a certain proof that a discovery of this nature was not, as is imagined by several historians, the cause of so sudden and surprising a variation in the measures of the parliament. [*See note* 5T, *at the end of this Vol.*]

While the commons were thus warmly engaged against Buckingham, the king seemed desirous of embracing every opportunity by which he could express a contempt and disregard for them. No one was at that time sufficiently sensible of the great weight which the commons bore in the balance of the constitution. The history of England had never hitherto afforded one instance where any great movement or revolution had proceeded from the lower house. And as their rank, both considered in a body and as individuals, was but the second in the kingdom, nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly.

The earl of Suffolk, chancellor of the university of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-interest, chosen in his place. The commons resented and loudly complained of this affront; and the more to enrage them, the king himself wrote a letter to the university, extolling the duke, and giving them thanks for his election.

The lord-keeper, in the king's name, expressly commanded the house not to meddle with his minister and servant, Buckingham; and ordered them to finish, in a few days, the bill which they had begun for the subsidies, and to make some addition to them; otherwise they must not expect to sit any longer. And though these harsh commands were endeavoured to be explained and modified, a few days after, by a speech of Buckingham's, they failed not to leave a disagreeable impression behind them.

Besides a more stately style which Charles in general affected to this parliament than to the last, he went so far, in a message, as to threaten the commons, that if they did not furnish him with supplies, he should be obliged to try *new counsels*. This language was sufficiently clear: yet, lest any ambiguity should remain, sir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you, consider," said he, "what these new counsels are, or may be. I fear to declare those that I conceive. In all Christian kingdoms, you know that parliaments were in use anciently, by which those kingdoms were governed in a most flourishing manner; until the monarchs began to know their own strength, and seeing the turbulent spirit of their parliaments, at length they by little and little began to stand on their prerogatives, and at last overthrew the parliaments, throughout Christendom, except here only with us.—Let us be careful then to preserve the king's good opinion of parliaments, which bringeth such happiness to the nation, and makes us envied of all others, while there is this sweetness between his majesty and the commons; lest we lose the repute of a free people by our turbulency in parliament." These imprudent suggestions rather gave warning than struck terror. A precarious liberty, the commons thought, which was to be preserved by unlimited complaisance, was no liberty at all. And it was necessary, while yet in their power, to secure the constitution by such invincible barriers, that no king or minister should ever, for the future, dare to speak such language to any parliament, or even entertain such a project against them.

Two members of the house, sir Dudley Digges and sir John Elliott, who had been employed as managers of the impeachment against the duke, were thrown into prison. The commons immediately declared that they would proceed no further upon business, till they had satisfaction in their privileges. Charles alleged, as the reason of this measure, certain seditious expressions, which, he said, had, in their accusation of the duke, dropped from these members. Upon inquiry it appeared that no such expressions had been used. The members were released, and the king reaped no other benefit from this attempt than to exasperate the house still further, and to show some degree of precipitancy and indiscretion.

Moved by this example, the house of peers were roused from their inactivity, and claimed liberty for the earl of Arundel, who had been lately confined in the Tower. After many fruitless evasions, the king, though somewhat ungracefully, was at last obliged to comply. And in this incident it sufficiently appeared, that the lords, how little soever inclined to popular courses, were not wanting in a just sense of their own dignity.

The ill-humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, sought other objects, on which it might exert itself. The never-failing cry of popery here served them instead. They again claimed the execution of the penal laws against catholics; and they presented to the king a list of persons intrusted with offices, most of them insignificant, who were either convicted or suspected recusants. In this particular, they had, perhaps, some reason to blame the king's conduct. He had promised to the last house of commons a redress of this religious grievance: but he was apt, in imitation of his father, to imagine that the parliament, when they failed of supplying his necessities, had, on their part, freed him from the obligation of a strict performance. A new odium likewise, by these representations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a professed catholic; his wife was not free from suspicion: and the indulgence given to catholics was of course supposed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a sufficient reason for disqualifying any one from holding an office, that his wife or relations or companions were papists, though he himself was a conformist.

It is remarkable, that persecution was here chiefly pushed on by laymen; and that the church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewise of Montague failed not anew to meet with severe censures from that zealous assembly.

The next attack made by the commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of parliament. This article, together with the new impositions laid on merchandise by James, constituted near half of the crown revenues; and by depriving the king of these resources, they would have reduced him to total subjection and dependence. While they retained such a pledge, besides the supply already promised, they were sure that nothing could be refused them. Though, after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous minister; and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils.

The king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favourite. All the other complaints against him were mere pretences. A little before, he was the idol of the people. No new crime had since been discovered. After the most diligent inquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea he asked, must all mankind entertain of

his honour, should he sacrifice his innocent friend to pecuniary considerations? What further authority should he retain in the nation, were he capable, in the beginning of his reign, to give, in so signal an instance, such matter of triumph to his enemies, and discouragement to his adherents? To-day the commons pretend to wrest his minister from him. To-morrow they will attack some branch of his prerogative. By their remonstrances, and promises, and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him, and refused him all reasonable supply. It was evident, that they desired nothing so much as to see him plunged in inextricable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, reduced from its ancient and legal height; but when once pushed downwards, it soon became contemptible, and would easily, by the continuance of the same effort, now encouraged by success, be carried to the lowest extremity.

Prompted by these plausible motives, Charles was determined immediately to dissolve the parliament. When this resolution was known, the house of peers, whose compliant behaviour entitled them to some authority with him, endeavoured to interpose; and they petitioned him that he would allow the parliament to sit some time longer. "Not a moment longer," cried the king hastily; and he soon after ended the session by a dissolution.

As this measure was foreseen, the commons took care to finish and disperse their remonstrance, which they intended as a justification of their conduct to the people. The king, likewise, on his part, published a declaration, (15th June,) in which he gave the reasons of his disagreement with the parliament, and of their sudden dissolution, before they had time to conclude any one act. These papers furnished the partisans on both sides with ample matter of apology or of recrimination. But all impartial men judged, "*That* the commons, though they had not as yet violated any law, yet, by their unpliableness and independence, were insensibly changing, perhaps improving the spirit and genius, while they preserved the form of the constitution: and *that* the king was acting altogether without any plan; running on in a road surrounded on all sides with the most dangerous precipices, and concerting no proper measures, either for submitting to the obstinacy of the commons, or for subduing it."

After a breach with the parliament, which seemed so difficult to repair, the only rational counsel which Charles could pursue, was, immediately to conclude a peace with Spain, and to render himself, as far as possible, independent of his people, who discovered so little inclination to support him, or rather who seem to have formed a determined resolution to abridge his authority. Nothing could be more easy in the execution than this measure, nor more agreeable to his own and to national interest. But, besides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averse to pacific counsels. There are two circumstances in Charles's character, seemingly incompatible, which attended him during the whole course of his reign, and were in part the cause of his misfortunes:—he was very steady and even obstinate in his purpose; and he was easily governed, by reason of his facility, and of his deference to men much inferior to himself both in morals and understanding. His great ends he inflexibly maintained: but the means of attaining them he readily received from his ministers and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a desire of revenge for injuries which he himself had committed, and animated with a love of glory which he had not talents to merit, had, at this time, notwithstanding his profuse, licentious life, acquired an invincible ascendant over the virtuous and gentle temper of the king.

VIOLENT MEASURES OF THE COURT.

The *new counsels*, which Charles had mentioned to the parliament, were now to be tried, in order to supply his necessities. Had he possessed any military force, on which he could rely, it is not improbable, that he had at once taken off the mask, and governed without any regard to parliamentary privileges: so high an idea had he received of kingly prerogative, and so contemptible a notion of the rights of those popular assemblies, from which, he very naturally thought, he had met with such ill usage. But his army was new levied, ill paid, and worse disciplined; nowise superior to the militia, who were much more numerous, and who were in a great measure under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiously, and to cover his enterprises under the pretence of ancient precedents, which, considering the great authority commonly enjoyed by his predecessors, could not be wanting to himself.

A commission was openly granted, to compound with the catholics, and agree for dispensing with the penal laws enacted against them. By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to these religionists: but he could not have employed any branch of prerogative which would have been more disagreeable, or would have appeared more exceptionable to his protestant subjects.

From the nobility he desired assistance: from the city he required a loan of a hundred thousand pounds. The former contributed slowly: but the latter, covering themselves under many pretences and excuses, gave him at last a flat refusal.

In order to equip a fleet, a distribution, by order of council, was made to all the maritime towns; and each of them was required, with the assistance of the adjacent counties, to arm so many vessels as were appointed them. The city of London was rated at twenty ships. This is the first appearance in Charles's reign of ship-money; a taxation which had once been imposed by Elizabeth, but which afterwards, when carried some steps further by Charles, created such violent discontents.

Of some, loans were required: to others, the way of benevolence was proposed: methods supported by precedent, but always invidious, even in times more submissive and compliant. In the most absolute governments such expedients would be regarded as irregular and unequal.

These counsels for supply were conducted with some moderation; till news arrived that a great battle was fought (26th August) between the king of Denmark and count Tilly, the imperial general; in which the former was totally defeated. Money now, more than ever, became necessary, in order to repair so great a breach in the alliance, and to support a prince who was so nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, solicitations, and promises of the English monarch. After some deliberation, an act of council was passed, importing, that as the urgency of affairs admitted not the way of parliament, the most speedy, equal, and convenient method of supply was by a GENERAL LOAN from the subject, according as every man was assessed in the rolls of the last subsidy. That precise sum was required which each would have paid, had the vote of four subsidies passed into a law: but care was taken to inform the people, that the sums exacted were not to be called subsidies, but loans. Had any doubt remained, whether forced loans, however authorized by precedent, and

even by statute, were a violation of liberty, and must, by necessary consequence, render all parliaments superfluous, this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII., who had once, in his arbitrary reign, practised a like method of levying a regular supply, was generally deemed a very insufficient authority.

The commissioners appointed to levy these loans, among other articles of secret instruction, were enjoined, "If any shall refuse to lend, and shall make delays or excuses, and persist in his obstinacy, that they examine him upon oath, whether he has been dealt with to deny or refuse to lend, or make an excuse for not lending? Who has dealt with him, and what speeches or persuasions were used to that purpose? And that they also shall charge every such person, in his majesty's name, upon his allegiance, not to disclose to any one what his answer was." So violent an inquisitorial power, so impracticable an attempt at secrecy, were the objects of indignation, and even, in some degree, of ridicule.

That religious prejudices might support civil authority, sermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court industriously spread them over the kingdom. Passive obedience was there recommended in its full extent, the whole authority of the state was represented as belonging to the king alone, and all limitations of law and a constitution were rejected as seditious and impious. So openly was this doctrine espoused by the court, that archbishop Abbot, a popular and virtuous prelate, was, because he refused to licence Sibthorpe's sermon, suspended from the exercise of his office, banished from London, and confined to one of his country-seats. Abbot's principles of liberty, and his opposition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church party did the prerogatives of the crown; and nothing tended further to recommend among the people, who always take opinions in the lump, the whole system and all the principles of the former sect. The king soon found, by fatal experience, that this engine of religion, which with so little necessity was introduced into politics, falling under more fortunate management, was played with the most terrible success against him.

While the king, instigated by anger and necessity, thus employed the whole extent of his prerogative, the spirit of the people was far from being subdued. Throughout England, many refused these loans; some were even active in encouraging their neighbours to insist upon their common rights and privileges. By warrant of the council *these* were thrown into prison. Most of them with patience submitted to confinement, or applied by petition to the king, who commonly released them. Five gentlemen alone, sir Thomas Darnel, sir John Corbet, sir Walter Earl, sir John Heveningham, and sir Edmond Hambden, had spirit enough, at their own hazard and expense, to defend the public liberties, and to demand releasement, not as a favour from the court, but as their due, by the laws of their country. No particular cause was assigned of their commitment. The special command alone of the king and council was pleaded; and it was asserted, that by law, this was not sufficient reason for refusing bail or releasement to the prisoners.

In November, this question was brought to a solemn trial before the king's bench; and the whole kingdom was attentive to the issue of a cause, which was of much greater consequence than the event of many battles.

By the debates on this subject it appeared, beyond controversy, to the nation, that their ancestors had been so jealous of personal liberty, as to secure it against arbitrary power in the crown, by six several statutes, and by an article of the GREAT CHARTER: its 16, the most sacred foundation of the laws and constitution. But the kings of England, who had not been able to prevent the enacting of these laws, had sufficient authority, when the tide of liberty was spent, to obstruct their regular execution; and they deemed it superfluous to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred, when the safety of the people absolutely required the confinement of factious leaders; and by the genius of the old constitution, the prince, of himself, was accustomed to assume every branch of prerogative, which was found necessary for the preservation of public peace and of his own authority. Expediency at other times would cover itself under the appearance of necessity; and, in proportion as precedents multiplied, the will alone of the sovereign was sufficient to supply the place of expediency, of which he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace, was the exertion of such prompt and discretionary powers in the crown; and the public itself had become so sensible of the necessity, that those ancient laws in favour of personal liberty, while often violated, had never been challenged or revived, during the course of near three centuries. Though rebellious subjects had frequently, in the open field, resisted the king's authority: no person had been found so bold, when confined and at mercy, as to set himself in opposition to regal power, and to claim the protection of the constitution against the will of the sovereign. It was not till this age, when the spirit of liberty was universally diffused, when the principles of government were nearly reduced to a system, when the tempers of men, more civilized, seemed less to require those violent exertions of prerogative, that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe, that a power exercised by his predecessors, almost without interruption, was found, upon trial, to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command of the king; because the persons committed had seldom or never dared to demand it, at least to insist on their demand.

1627. Sir Randolph Crew, chief-justice, had been displaced, as unfit for the purposes of the court: sir Nicholas Hyde, esteemed more obsequious, had obtained that high office; yet the judges, by his direction, went no further than to remand the gentlemen to prison, and refuse the bail which was offered. Heathe, the attorney-general, insisted, that the court, in imitation of the judges in the 34th of Elizabeth, should enter a general judgment, that no bail could be granted, upon a commitment by the king or council. But the judges wisely declined complying. The nation, they saw, was already to the last degree exasperated. In the present disposition of men's minds, universal complaints prevailed, as if the kingdom were reduced to slavery. And the most invidious prerogative of the crown, it was said, that of imprisoning the subject, is here openly and solemnly, and in numerous instances, exercised for the most invidious purpose—in order to extort loans, or rather subsidies, without consent of parliament.

But this was not the only hardship of which the nation then thought they had reason to complain. The army, which had made the fruitless expedition to Cadiz, was dispersed throughout the kingdom; and money was levied upon the counties for the payment of their quarters.

The soldiers were billeted upon private houses, contrary to custom, which required that, in all ordinary cases, they should be quartered in inns and public houses.

Those who had refused or delayed the loan, were

sure to be loaded with a great number of these dangerous and disorderly guests.

Many too, of low condition, who had shown a refractory disposition, were pressed into the service, and enlisted in the fleet or army. Sir Peter Hayman, for the same reason, was dispatched on an errand to the palatinate. Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy.

The soldiers, ill paid and undisciplined, committed many crimes and outrages, and much increased the public discontents. To prevent these disorders, martial law, so requisite to the support of discipline, was exercised upon the soldiers. By a contradiction, which is natural when the people are exasperated, the outrages of the army were complained of; the remedy was thought still more intolerable. Though the expediency, if we are not rather to say the necessity, of martial law, had formerly been deemed, of itself, a sufficient ground for establishing it; men, now become more jealous of liberty, and more refined reasoners in questions of government, regarded as illegal and arbitrary every exercise of authority which was not supported by express statute or uninterrupted precedent.

It may safely be affirmed, that, except a few courtiers or ecclesiastics, all men were displeased with this high exertion of prerogative, and this new spirit of administration. Though ancient precedents were pleaded in favour of the king's measures; a considerable difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually, and at intervals, be exercised by a prince, for the sake of dispatch or expediency; and yet liberty still subsist in some tolerable degree under his administration. But where all these were reduced into a system, were exerted without interruption, were studiously sought for, in order to supply the place of laws, and subdue the refractory spirit of the nation, it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor did moderate men esteem the provocation which the king had received, though great, sufficient to warrant all these violent measures. The commons, as yet, had nowise invaded his authority: they had only exercised, as best pleased them, their own privileges. Was he justifiable, because from one house of parliament he had met with harsh and unkind treatment, to make in revenge an invasion on the rights and liberties of the whole nation?

WAR WITH FRANCE.

But great was at this time the surprise of all men, when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted by the most invidious and most dangerous measures; as if the half of Europe, now his enemy, were not sufficient for the exercise of military prowess; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels this war with France, and represent him as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Louis, and Charles, who were nearly of the same age, and who had resigned the government of themselves, and of their kingdoms, to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reins of government, than he formed at once three mighty projects—to subdue the turbulent spirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance; he discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people, while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy; at the very time when the incapacity of Buckingham encouraged the free spirit of the commons to establish in England a regular system of liberty.

However unequal the comparison between these ministers, Buckingham had entertained a mighty jealousy against Richelieu; a jealousy not founded on rivalship of power and politics, but of love and gallantry; where the duke was as much superior to the cardinal, as he was inferior in every other particular.

At the time when Charles married by proxy the princess Henrietta, the duke of Buckingham had been sent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curiosity towards that man, who had enjoyed the unlimited favour of two successive monarchs, and who, from a private station, had mounted in the earliest youth to the absolute government of three kingdoms. The beauty of his person, the gracefulness of his air, the splendour of his equipage, his fine taste in dress, festivals, and carousals, corresponded to the prepossessions entertained in his favour: the affability of his behaviour, the gaiety of his manners, the magnificence of his expense, increased still further the general admiration which was paid him. All business being already concerted, the time was entirely spent in mirth and entertainments; and, during those splendid scenes among that gay people, the duke found himself in a situation where he was perfectly qualified to excel. But his great success at Paris proved as fatal as his former failure at Madrid. Encouraged by the smiles of the court, he dared to carry his ambitious addresses to the queen herself; and he failed not to make impression on a heart not undisposed to the tender passions. That attachment, at least of the mind, which appears so delicious, and is so dangerous, seems to have been encouraged by the princess; and the duke presumed so far on her good graces, that, after his departure, he secretly returned upon some pretence, and, paying a visit to the queen, was dismissed with a reproof which savoured more of kindness than of anger.

Information of this correspondence was soon carried to Richelieu. The vigilance of that minister was here further roused by jealousy. He too, either from vanity or politics, had ventured to pay his addresses to the queen. But a priest, past middle age, of a severe character, and occupied in the most extensive plans of ambition or vengeance, was but an unequal match in that contest, for a young courtier, entirely disposed to gaiety and gallantry. The cardinal's disappointment strongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embassy to Paris, a message was sent him from Louis, that he must not think of such a journey. In a romantic passion he swore, "*That he would see the queen, in spite of all the power of France;*" and, from that moment, he determined to engage England in a war with that kingdom.

He first took advantage of some quarrels excited by the queen of England's attendants; and he persuaded Charles to dismiss at once all her French servants, contrary to the articles of the marriage treaty. He encouraged the English ships of war and privateers to seize vessels belonging to French merchants; and *these* he forthwith condemned as prizes, by a sentence of the court of admiralty. But finding that all these injuries produced only remonstrances and embassies, or at most reprisals, on the part of France, he resolved to second the intrigues of the duke of Soubize, and to undertake at once a military expedition against that kingdom.

Soubize, who, with his brother the duke of Rohan, was the leader of the hugonot faction, was at that time in London, and strongly solicited Charles to embrace the protection of these distressed religionists. He represented, that after the inhabitants of Rochelle had been repressed by the combined squadrons of England and Holland, after peace was concluded with the French king under Charles's mediation, the ambitious cardinal was still meditating the destruction of the hugonots; that preparations were silently making in every province of France for the suppression of their religion; that forts were erected in order to bridle Rochelle, the most considerable bulwark of the protestants; that the reformed in France cast their eyes on Charles as the head of their faith, and considered him as a prince engaged by interest, as well as inclination, to support them; that, so long as their party subsisted, Charles might rely on their attachment as much as on that of his own subjects; but if their liberties were once ravished from them, the power of France, freed from this impediment, would soon become formidable to England, and to all the neighbouring nations.

EXPEDITION TO THE ISLE OF RHE. *July* 9.

Though Charles probably bore but small favour to the hugonots, who so much resembled the puritans in discipline and worship, in religion and politics, he yet allowed himself to be gained by these arguments, enforced by the solicitations of Buckingham. A fleet of a hundred sail, and an army of seven thousand men, were fitted out for the invasion of France, and both of them intrusted to the command of the duke, who was altogether unacquainted both with land and sea-service. The fleet appeared before Rochelle; but so ill-concerted were Buckingham's measures, that the inhabitants of that city shut their gates, and refused to admit allies, of whose coming they were not previously informed. All his military operations showed equal incapacity and inexperience. Instead of attacking Oleron, a fertile island and defenceless, he bent his course to the isle of Rhé, which was well garrisoned and fortified: having landed his men, though with some loss, he followed not the blow, but allowed Toiras, the French governor, five days respite; during which St. Martin was victualled and provided for a siege. He left behind him the small fort of Prie, which could at first have made no manner of resistance: though resolved to starve St. Martin, he guarded the sea negligently, and allowed provisions and ammunition to be thrown into it: despairing to reduce it by famine, he attacked it without having made any breach, and rashly threw away the lives of the soldiers: having found that a French army had stolen over in small divisions, and had landed at Prie, the fort which he had at first overlooked, he began to think of a retreat (28th October); but made it so unskilfully, that it was equivalent to a total rout: he was the last of the army that embarked; and he returned to England, having lost two-thirds of his land-forces; totally discredited both as an admiral and a general; and bringing no praise with him, but the vulgar one of courage and personal bravery.

The duke of Rohan, who had taken arms as soon as Buckingham appeared upon the coast, discovered the dangerous spirit of the sect, without being able to do any mischief: the inhabitants of Rochelle, who had at last been induced to join the English, hastened the vengeance of their master, exhausted their provisions in supplying their allies, and were threatened with an immediate siege. Such were the fruits of Buckingham's expedition against France.

CHAPTER LI.

[illegible]

THIRD PARLIAMENT. 1628.

THERE was reason to apprehend some disorder or insurrection from the discontents which prevailed among the people in England. Their liberties, they believed, were ravished from them; illegal taxes extorted; their commerce, which had met with a severe check from the Spanish, was totally annihilated by the French war; those military honours transmitted to them from their ancestors had received a grievous stain by two unsuccessful and ill-conducted expeditions; scarce an illustrious family but mourned, from the last of them, the loss of a son or brother; greater calamities were dreaded from the war with these powerful monarchies, concurring with the internal disorders under which the nation laboured. And these ills were ascribed, not to the refractory disposition of the two former parliaments, to which they were partly owing; but solely to Charles's obstinacy, in adhering to the counsels of Buckingham; a man nowise entitled, by his birth, age, services, or merit, to that unlimited confidence reposed in him. To be sacrificed to the interest, policy, and ambition of the great, is so much the common lot of the people, that they may appear unreasonable who would pretend to complain of it; but to be the victim of the frivolous gallantry of a favourite, and of his boyish caprices, seemed the object of peculiar indignation.

In this situation, it may be imagined, the king and the duke dreaded above all things the assembling of a parliament: but so little foresight had they possessed in their enterprising schemes, that they found themselves under an absolute necessity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very slowly, and had left such ill-humour in the nation, that it appeared dangerous to renew the experiment. The absolute necessity of supply, it was hoped, would engage the commons to forget all past injuries; and having experienced the ill effects of former obstinacy they would probably assemble with a resolution of making some reasonable compliances. The more to soften them, it was concerted, by sir Robert Cotton's advice, that Buckingham should be the first person that proposed in council the calling of a new parliament. Having laid in this stock of merit, he expected that all his former misdemeanors would be overlooked and forgiven; and that, instead of a tyrant and oppressor, he should be regarded as the first patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons assembled, (17th March,) they appeared to be men of the same independent spirit with their predecessors, and possessed of such riches, that their property was computed to surpass three times that of the house of peers; they were deputed by boroughs and counties, inflamed all of them by the late violations of liberty; many of the members themselves had been cast into prison, and had suffered by the measures of the court; yet notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered

upon business with perfect temper and decorum. They considered, that the king, disgusted at these popular assemblies, and little prepossessed in favour of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them in his first speech, that "if they should not do their duties, in contributing to the necessities of the state, he must, in discharge of his conscience, use those other means which God had put into his hands, in order to save that which the follies of some particular men may otherwise put in danger. Take not this for a threatening," added the king, "for I scorn to threaten any but my equals; but as an admonition from him who, by nature and duty, has most care of your preservation and prosperity." The lord-keeper, by the king's direction, subjoined, "This way of parliamentary supplies, as his majesty told you, he hath chosen not as the only way, but as the fittest; not because he is destitute of others, but because it is most agreeable to the goodness of his own most gracious disposition, and to the desire and weal of his people. If this be deferred, necessity and the sword of the enemy make way for the others. Remember his majesty's admonition; I say, remember it." From these avowed maxims, the commons foresaw that, if the least handle were afforded, the king would immediately dissolve them, and would thenceforward deem himself justified for violating in a manner still more open all the ancient forms of the constitution. No remedy could then be looked for, but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws which would, no doubt, appear harsh to a prince so enamoured of his prerogative; and it was requisite to temper, by the decency and moderation of their debates, the rigour which must necessarily attend their determinations. Nothing can give us a higher idea of the capacity of those men who now guided the commons, and of the great authority which they had acquired, than the forming and executing of so judicious and so difficult a plan of operations.

The decency, however, which the popular leaders had prescribed to themselves, and recommended to others, hindered them not from making the loudest and most vigorous complaints against the grievances under which the nation had lately laboured. Sir Francis Seymour said, "This is the great council of the kingdom; and here with certainty, if not here only, his majesty may see, as in a true glass, the state of the kingdom. We are called hither by his writs, in order to give him faithful counsel, such as may stand with his honour: and this we must do without flattery. We are also sent hither by the people, in order to deliver their just grievances: and this we must do without fear. Let us not act like Cambyses's judges, who, when their approbation was demanded by the prince to some illegal measure, said, that, 'Though there was a written law, the Persian kings might follow their own will and pleasure.' This was base flattery, fitter for our reproof than our imitation; and as fear, so flattery taketh away the judgment. For my part, I shall shun both; and speak my mind with as much duty as any man to his majesty, without neglecting the public.

"But how can we express our affections, while we retain our fears; or speak of giving, till we know whether we have any thing to give? For if his majesty may be persuaded to take what he will, what need we give?

"That this hath been done, appeareth by the billeting of soldiers; a thing nowise advantageous to the king's service, and a burden to the commonwealth: by the imprisonment of gentlemen for refusing the loan; who, if they had done the contrary for fear, had been as blameable as the projectors of that oppressive measure. To countenance these proceedings, hath it not been preached in the pulpit, or rather prated, that 'All we have is the king's by divine right?' But when preachers forsake their own calling, and turn ignorant statesmen, we see how willing they are to exchange a good conscience for a bishopric.

"He, I must confess, is no good subject, who would not, willingly and cheerfully, lay down his life, when that sacrifice may promote the interests of his sovereign, and the good of the commonwealth. But he is not a good subject, he is a slave, who will allow his goods to be taken from him against his will, and his liberty against the laws of the kingdom. By opposing these practices, we shall but tread in the steps of our forefathers, who still preferred the public before their private interest, nay, before their very lives. It will in us be a wrong done to ourselves, to our posterities, to our consciences, if we forego this claim and pretension."

"I read of a custom," said sir Robert Philips, "among the old Romans, that, once every year, they held a solemn festival, in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds, and, on the conclusion of the festival, the slaves severally returned to their former servitudes.

"This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time, and the grievous sufferance of many violent oppressions, we have now, at last, as those slaves, obtained, for a day, some liberty of speech; but shall not, I trust, be hereafter slaves: for we are born free. Yet, what new illegal burdens our estates and persons have groaned under, my heart yearns to think of, my tongue falters to utter.——

"The grievances, by which we are oppressed, I draw under two heads—acts of power against law, and the judgments of lawyers against our liberty."

Having mentioned three illegal judgments passed within his memory—that by which the Scots, born after James's accession, were admitted to all the privileges of English subjects; that by which the new impositions had been warranted; and the late one, by which arbitrary imprisonments were authorized—he thus proceeded:—

"I can live, though another, who has no right, be put to live along with me; nay, I can live, though burdened with impositions, beyond what at present I labour under: but to have my liberty, which is the soul of my life, ravished from me; to have my person pent up in a jail, without relief by law, and to be so adjudged,——O, improvident ancestors! O, unwise forefathers! to be so curious in providing for the quiet possession of our lands, and the liberties of parliament; and, at the same time, to neglect our personal liberty, and let us lie in prison, and that during pleasure, without redress or remedy! If this be law, why do we talk of liberties! Why trouble ourselves with disputes about a constitution, franchises, property of goods, and the like? What may any man call his own, if not the liberty of his person?

"I am weary of treading these ways; and therefore conclude to have a select committee, in order to frame a petition to his majesty for redress of these grievances. And this petition being read, examined, and approved, may be delivered to the king; of whose gracious answer we have no cause to doubt, our desires being so reasonable, our intentions so loyal, and the manner so dutiful. Neither need we fear, that this is the critical parliament, as has been insinuated; or that this is the way to distraction: but assure ourselves of a happy issue. Then shall the king, as he calls us his great council, find us his true council, and own us his good council."

The same topics were enforced by sir Thomas Wentworth. After mentioning projectors and ill ministers of state, "These," said he, "have introduced a privy-council ravishing at once the spheres of all ancient

government; destroying all liberty; imprisoning us without bail or bond. They have taken from us—— What shall I say? Indeed, what have they left us? By tearing up the roots of all property, they have taken from us every means of supplying the king, and of ingratiating ourselves by voluntary proofs of our duty and attachment towards him.

"To the making whole all these breaches, I shall apply myself; and, to all these diseases, shall propound a remedy. By one and the same thing have the king and the people been hurt; and by the same must they be cured. We must vindicate: What? New things? No: our ancient, legal, and vital liberties: by re-enforcing the laws enacted by our ancestors; by setting such a stamp upon them, that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a parliament? No: our desires are modest and just. I speak both for the interest of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt of a favourable reception from his goodness."

These sentiments were unanimously embraced by the whole house. Even the court party pretended not to plead in defence of the late measures anything but the necessity to which the king had been reduced, by the obstinacy of the two former parliaments. A vote, therefore, was passed without opposition against arbitrary imprisonments and forced loans. And the spirit of liberty having obtained some contentment by this exertion, the reiterated messages of the king, who pressed for supply, were attended to with more temper. Five subsidies were voted him; with which, though much inferior to his wants, he declared himself well satisfied; and even tears of affection started in his eye, when he was informed of this concession. The duke's approbation too was mentioned by secretary Coke; but the conjunction of a subject with the sovereign was ill received by the house. Though disgusted with the king, the jealousy which they felt for his honour was more sensible than that which his unbounded confidence in the duke would allow even himself to entertain.

The supply, though voted, was not, as yet, passed into a law; and the commons resolved to employ the interval, in providing some barriers to their rights and liberties, so lately violated. They knew that their own vote, declaring the illegality of the former measures, had not, of itself, sufficient authority to secure the constitution against future invasion. Some act to that purpose must receive the sanction of the whole legislature; and they appointed a committee to prepare the model of so important a law. By collecting into one effort all the dangerous and oppressive claims of his prerogative, Charles had exposed them to the hazard of one assault; and had further, by presenting a nearer view of the consequences attending them, roused the independent genius of the commons. Forced loans, benevolences, taxes without consent of parliament, arbitrary imprisonments, the billeting of soldiers, martial law; these were the grievances complained of, and against these an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unusual powers or privileges: they aimed only at securing those which had been transmitted them from their ancestors: and their law they resolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the ancient constitution, not any infringement of royal prerogative, or acquisition of new liberties.

While the committee was employed in framing the Petition of Right, the favourers of each party, both in parliament and throughout the nation, were engaged in disputes about this bill, which, in all likelihood, was to form a memorable era in the English government.

That the statutes, said the partisans of the commons, which secure English liberty, are not become obsolete, appears hence, that the English have ever been free, and have ever been governed by law and a limited constitution. Privileges in particular, which are founded on the GREAT CHARTER, must always remain in force, because derived from a source of never-failing authority; regarded in all ages, as the most sacred contract between king and people. Such attention was paid to this charter by our generous ancestors, that they got the confirmation of it reiterated thirty several times; and even secured it by a rule, which, though vulgarly received, seems in the execution impracticable. They have established it as a maxim, "That even a statute, which should be enacted in contradiction to any article of that charter, cannot have force or validity." But with regard to that important article which secures personal liberty; so far from attempting, at any time, any legal infringement of it, they have corroborated it, by six statutes, and put it out of all doubt and controversy. If in practice it has often been violated, abuses can never come in the place of rules; nor can any rights or legal powers be derived from injury and injustice. But the title of the subject to personal liberty not only is founded on ancient, and therefore the most sacred, laws, it is confirmed by the whole ANALOGY of the government and constitution. A free monarchy in which every individual is a slave, is a glaring contradiction; and it is requisite, where the laws assign privileges to the different orders of the state, that it likewise secure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would such immediate danger ensue, from that concession, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial, is so egregious an exercise of tyranny, that it must at once shock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiscate a man's fortune, besides its being a most atrocious act of violence, exposes the monarch so much to the imputation of avarice and rapacity, that it will seldom be attempted in any civilized government. But confinement, though a less striking, is no less severe a punishment; nor is there any spirit so erect and independent, as not to be broken by the long continuance of the silent and inglorious suffering of a jail. The power of imprisonment, therefore, being the most natural and potent engine of arbitrary government, it is absolutely necessary to remove it from a government which is free and legal.

The partisans of the court reasoned after a different manner. The true rule of government, said they, during any period, is that to which the people, from time immemorial, have been accustomed, and to which they naturally pay a prompt obedience. A practice which has ever struck their senses, and of which they have seen and heard innumerable precedents, has an authority with them much superior to that which attends maxims derived from antiquated statutes and mouldy records. In vain do the lawyers establish it as a principle, that a statute can never be abrogated by opposite custom, but requires to be expressly repealed by a contrary statute: while they pretend to inculcate an axiom peculiar to English jurisprudence, they violate the most established principles of human nature; and even, by necessary consequence, reason in contradiction to law itself, which they would represent as so sacred and inviolable. A law, to have any authority, must be derived from a legislature, which has right. And whence do all legislatures derive their right but from long custom and established practice? If a statute contrary to public good has, at any time, been rashly voted and assented to, either from the violence of faction, or the inexperience of senates and princes, it cannot be more effectually abrogated, than by a train of contrary precedents, which prove, that, by common consent, it has tacitly been set aside, as inconvenient and impracticable. Such has been the case with all those statutes enacted during turbulent times, in order

to limit royal prerogative, and cramp the sovereign in his protection of the public, and his execution of the laws. But above all branches of prerogative, that which is most necessary to be preserved, is the power of imprisonment. Faction and discontent, like diseases, frequently arise in every political body; and during these disorders, it is by the salutary exercise alone of this discretionary power, that rebellions and civil wars can be prevented. To circumscribe this power is to destroy its nature: entirely to abrogate it, is impracticable; and the attempt itself must prove dangerous if not pernicious to the public. The supreme magistrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the state to perish, while there remains a remedy, which, how irregular soever, it is still in his power to apply. And if, moved by a regard to public good, he employs any exercise of power condemned by recent and express statute, how greedily, in such dangerous times, will factious leaders seize this pretence of throwing on his government the imputation of tyranny and despotism? Were the alternative quite necessary, it were surely much better for human society to be deprived of liberty than to be destitute of government.

Impartial reasoners will confess, that this subject is not, on both sides, without its difficulties. Where a general and rigid law is enacted against arbitrary imprisonment, it would appear, that government cannot, in times of sedition and faction, be conducted but by temporary suspensions of the law; and such an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory, to serve in cases of urgent necessity. Nor was it then conceived, that the king did not possess of himself sufficient power for the security and protection of his people, or that the authority of these popular assemblies was ever to become so absolute, that the prince must always conform himself to it, and could never have any occasion to guard against *their* practices, as well as against those of his other subjects.

Though the house of lords was not insensible to the reasons urged in favour of the pretensions of the commons, they deemed the arguments pleaded in favour of the crown still more cogent and convincing. That assembly seems, during this whole period, to have acted, in the main, a reasonable and a moderate part; and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will the liberties and privileges of the nation. Ashley, the king's serjeant, having asserted, in a pleading before the peers, that the king must sometimes govern by acts of state as well as by law, this position gave such offence, that he was immediately committed to prison, and was not released but upon his recantation and submission. Being, however, afraid lest the commons should go too far in their projected petition, the peers proposed a plan of one more moderate, which they recommended to the consideration of the other house. It consisted merely in a general declaration, that the Great Charter, and the six statutes conceived to be explanations of it, stand still in force, to all intents and purposes; that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods, and a fundamental liberty of his person; that this property and liberty are as entire at present as during any former period of the English government; that in all common cases, the common law ought to be the standard of proceedings: "And in case, that, for the security of his majesty's person, the general safety of his people, or the peaceable government of the kingdom, the king shall find just cause, for reasons of state, to imprison or restrain any man's person, he was petitioned graciously to declare, that, within a *convenient* time, he shall and will express the cause of the commitment or restraint, either general or special, and upon a cause so expressed, will leave the prisoner immediately to be tried according to the common law of the land."

Archbishop Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the house of commons. The prelate, as was, no doubt, foreseen from his known principles, was not extremely urgent in his applications; and the lower house was fully convinced that the general declarations signified nothing, and that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which should contain expressions more precise, and more favourable to public freedom.

The king could easily see the consequence of these proceedings. Though he had offered, at the beginning of the session, to give his consent to any law for the security of the rights and liberties of the people, he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he sent a message, wherein he acknowledged past errors, and promised that, hereafter, there should be no just cause of complaint. And he added, "That the affairs of the kingdom press him so, that he could not continue the session above a week or two longer: and if the house be not ready, by that time, to do what is fit for themselves, it shall be their own fault." On a subsequent occasion, he asked them, "Why demand explanations, if you doubt not the performance of the statutes, according to their true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be said, What need a new law to confirm an old, if you repose confidence in the declarations which his majesty made to both houses?" The truth is, the Great Charter and the old statutes were sufficiently clear in favour of personal liberty: but as all kings of England had ever, in cases of necessity or expediency, been accustomed, at intervals, to elude them; and as Charles, in a complication of instances, had lately violated them; the commons judged it requisite to enact a new law, which might not be eluded or violated, by any interpretation, construction, or contrary precedent. Nor was it sufficient, they thought, that the king promised to return into the way of his predecessors. His predecessors, in all times, had enjoyed too much discretionary power; and by his recent abuse of it, the whole world had reason to see the necessity of entirely retrenching it.

The king still persevered in his endeavours to elude the petition. He sent a letter to the house of lords, in which he went so far as to make a particular declaration, "That neither he nor his privy-council shall or will, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause, which in his conscience he thought not to concern the public good, and the safety of king and people." And he further declared, "That he never would be guilty of so base an action as to pretend any cause, of whose truth he was not fully satisfied." But this promise, though enforced to the commons by the commendation of the upper house, made no more impression than all the former messages.

Among the other evasions of the king, we may reckon the proposal of the house of peers to subjoin to the intended Petition of Right the following clause: "We humbly present this petition to your majesty, not only with a care of preserving our own liberties, but with due regard to leave entire that *sovereign power* with which your majesty is intrusted for the protection, safety, and happiness of your people." Less penetration than was possessed by the leaders of the house of commons, could easily discover how captious this clause was, and how much it was calculated to elude the whole force of the petition.

These obstacles, therefore, being surmounted, the Petition of Right passed the commons, and was sent to the upper house. [*See note 5U, at the end of this Vol.*] The peers, who were probably well pleased in secret

that all their solicitations had been eluded by the commons quickly passed the petition without any material alteration; and nothing but the royal assent was wanting to give it the force of a law. The king accordingly came to the house of peers; sent for the commons; and, being seated in his chair of state, the petition was read to him. Great was now the astonishment of all men, when, instead of the usual concise and clear form, by which a bill is either confirmed or rejected, Charles said, in answer to the petition, "The king willeth, that right be done according to the laws and customs of the realm, and that the statutes be put into execution; that his subjects may have no cause to complain of any wrong or oppression, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative."

It is surprising that Charles, who had seen so many instances of the jealousy of the commons, who had himself so much roused that jealousy by his frequent evasive messages during this session, could imagine that they would rest satisfied with an answer so vague and undeterminate. It was evident, that the unusual form alone of the answer must excite their attention; that the disappointment must inflame their anger; and that therefore it was necessary, as the petition seemed to bear hard on royal prerogative, to come early to some fixed resolution, either gracefully to comply with it, or courageously to reject it.

It happened as might have been foreseen. The commons returned in very ill-humour. Usually, when in that disposition, their zeal for religion, and their enmity against the unfortunate catholics, ran extremely high. But they had already, in the beginning of the session, presented their petition of religion, and had received a satisfactory answer; though they expected that the execution of the laws against papists would, for the future, be no more exact and rigid, than they had hitherto found it. To give vent to their present indignation, they fell with their utmost force on Dr. Manwaring.

There is nothing which tends more to excuse, if not justify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of such general principles as were altogether incompatible with a limited government. Manwaring had preached a sermon, which the commons found, upon inquiry, to be printed by special command of the king; and, when this sermon was looked into, it contained doctrines subversive of all civil liberty. It taught, that though property was commonly lodged in the subject, yet, whenever any exigency required supply, all property was transferred to the sovereign; that the consent of parliament was not necessary for the imposition of taxes; and that the divine laws required compliance with every demand, how irregular soever, which the prince should make upon his subjects. For these doctrines the commons impeached Manwaring. The sentence, pronounced upon him by the peers, was, that he should be imprisoned during the pleasure of the house, be fined a thousand pounds to the king, make submission and acknowledgment of his offence, be suspended during three years, be incapable of holding any ecclesiastical dignity or secular office, and that his book be called in and burnt.

It may be worthy of notice, that no sooner was the session ended, than this man, so justly obnoxious to both houses, received a pardon, and was promoted to a living of considerable value. Some years after, he was raised to the see of St. Asaph. If the republican spirit of the commons increased, beyond all reasonable bounds, the monarchical spirit of the court; this latter, carried to so high a pitch, tended still further to augment the former. And thus extremes were everywhere effected, and the just medium was gradually deserted by all men.

From Manwaring, the house of commons proceeded to censure the conduct of Buckingham, whose name hitherto they had cautiously forborne to mention. In vain did the king send them a message, in which he told them, that the session was drawing near to a conclusion; and desired, that they would not enter upon new business, nor cast any aspersions on his government and ministry. Though the court endeavoured to explain and soften this message by a subsequent message, as Charles was apt hastily to correct any hasty step which he had taken, it served rather to inflame than appease the commons: as if the method of their proceedings had here been prescribed to them. It was foreseen, that a great tempest was ready to burst on the duke; and in order to divert it, the king thought proper, upon a joint application of the lords and commons, to endeavour giving them satisfaction with regard to the Petition of Right. He came therefore to the house of peers, and, pronouncing the usual form of words, "Let it be law, as is desired," gave full sanction and authority to the petition. The acclamations with which the house resounded, and the universal joy diffused over the nation, showed how much this petition had been the object of all men's vows and expectations.

It may be affirmed, without any exaggeration, that the king's assent to the Petition of Right produced such a change in the government, as was almost equivalent to a revolution; and by circumscribing, in so many articles, the royal prerogative, gave additional security to the liberties of the subject. Yet were the commons far from being satisfied with this important concession. Their ill-humour had been so much irritated by the king's frequent evasions and delays, that it could not be presently appeased by an assent, which he allowed to be so reluctantly extorted from him. Perhaps too, the popular leaders, implacable and artful, saw the opportunity favourable; and, turning against the king those very weapons with which he had furnished them, resolved to pursue the victory. The bill, however, for five subsidies, which had been formerly voted, immediately passed the house, because the granting of that supply was, in a manner, tacitly contracted for, upon the royal assent to the petition; and had faith been here violated, no further confidence could have subsisted between king and parliament. Having made this concession, the commons continued to carry their scrutiny into every part of government. In some particulars their industry was laudable; in some it may be liable to censure.

A little after writs were issued for summoning this parliament, a commission had been granted to sir Thomas Coventry, lord-keeper, the earl of Marlborough, treasurer, the earl of Manchester, president of the council, the earl of Worcester, privy-seal, the duke of Buckingham, high-admiral, and all the considerable officers of the crown; in the whole thirty-three. By this commission, which, from the number of persons named in it, could be no secret, the commissioners were empowered to meet and to concert among themselves the methods of levying money by impositions, or otherwise; "Where form and circumstance," as expressed in the commission, "must be dispensed with, rather than the substance be lost or hazarded." In other words, this was a scheme for finding expedients, which might raise the prerogative to its greatest height, and render parliaments entirely useless. The commons applied for cancelling the commission; and were, no doubt, desirous that all the world should conclude the king's principles to be extremely arbitrary, and should observe what little regard he was disposed to pay to the liberties and privileges of his people.

A commission had likewise been granted, and some money remitted, in order to raise a thousand German horse, and transport them into England. These were supposed to be levied, in order to support the projected impositions or excises: though the number seems insufficient for such a purpose. The house took notice of this design in severe terms: and no measure, surely, could be projected more generally odious to the whole nation. It must, however, be confessed that the king

was so far right, that he had now at last fallen on the only effectual method for supporting his prerogative. But at the same time he should have been sensible that, till provided with a sufficient military force, all his attempts, in opposition to the rising spirit of the nation, must, in the end, prove wholly fruitless; and that the higher he screwed up the springs of government, while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out, when any accident occurred to restore them to their natural action.

The commons next resumed their censure of Buckingham's conduct and behaviour, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance which could render the whole administration despicable and odious. The compositions with catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonour and disprofit to his majesty, and of extreme scandal and grief to his good people; they took notice of the violations of liberty above mentioned, against which the Petition of Right seems to have provided a sufficient remedy: they mentioned the decay of trade, the unsuccessful expeditions to Cadiz and the isle of Rhé, the encouragement given to Arminians, the commission for transporting German horse, that for levying illegal impositions; and all these grievances they ascribed solely to the ill-conduct of the duke of Buckingham. This remonstrance was, perhaps, not the less provoking to Charles, because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return which he met with for his late beneficial concessions, and for his sacrifices of prerogative, the greatest by far ever made by an English sovereign, nothing could be more the object of just and natural indignation.

It was not without good grounds that the commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands, which they thought ensured them success in all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully, this session, concealed their intention of invading that branch of revenue, till the royal assent had been obtained to the Petition of Right, which they justly deemed of such importance. They then openly asserted, that the levying of tonnage and poundage without consent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the Petition of Right, so lately granted. The king, in order to prevent the finishing and presenting of this remonstrance, came suddenly to the parliament, (26th June,) and ended this session by a prorogation.

Being freed for some time from the embarrassment of this assembly, Charles began to look towards foreign wars, where all his efforts were equally unsuccessful, as in his domestic government. The earl of Denbigh, brother-in-law to Buckingham, was dispatched to the relief of Rochelle, now closely besieged by land, and threatened with a blockade by sea: but he returned without effecting anything; and having declined to attack the enemy's fleet, he brought on the English arms the imputation either of cowardice or ill-conduct. In order to repair this dishonour, the duke went to Portsmouth, where he had prepared a considerable fleet and army, on which all the subsidies given by parliament had been expended. This supply had very much disappointed the king's expectations. The same mutinous spirit which prevailed in the house of commons, had diffused itself over the nation; and the commissioners appointed for making the assessments had connived at all frauds which might diminish the supply, and reduce the crown to still greater necessities. This national discontent, communicated to a desperate enthusiast, soon broke out in an event, which may be considered as remarkable.

There was one Felton, of a good family, but of an ardent, melancholic temper, who had served under the duke in the station of lieutenant. His captain being killed in the retreat at the isle of Rhé, Felton had applied for the company; and when disappointed, he threw up his commission, and retired in discontent from the army. While private resentment was boiling in his sullen, unsociable mind, he heard the nation resound with complaints against the duke; and he met with the remonstrance of the commons, in which his enemy was represented as the cause of every national grievance, and as the great enemy of the public. Religious fanaticism further inflamed these vindictive reflections; and he fancied that he should do heaven acceptable service, if, at one blow, he dispatched this dangerous foe to religion and to his country. Full of these dark views he secretly arrived at Portsmouth, at the same time with the duke, and watched for an opportunity of effecting his bloody purpose.

DEATH OF BUCKINGHAM. *August* 23.

Buckingham had been engaged in conversation with Soubize and other French gentlemen; and a difference of sentiment having arisen, the dispute, though conducted with temper and decency, had produced some of those vehement gesticulations and lively exertions of voice, in which that nation, more than the English, are apt to indulge themselves. The conversation being finished, the duke drew towards the door; and in that passage, turning himself to speak to sir Thomas Fryar, a colonel in the army, he was, on the sudden, over sir Thomas's shoulder, struck upon the breast with a knife. Without uttering other words than, "The villain has killed me," in the same moment pulling out the knife, he breathed his last.

No man had seen the blow, nor the person who gave it; but in the confusion every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whose angry tone of voice had been heard, while their words had not been understood by the bystanders. In the hurry of revenge, they had instantly been put to death, had they not been saved by some of more temper and judgment, who, though they had the same opinion of their guilt, thought proper to reserve them for a judicial trial and examination.

Near the door there was found a hat, in the inside of which was sewed a paper, containing four or five lines of that remonstrance of the commons which declared Buckingham an enemy to the kingdom; and under these lines was a short ejaculation, or attempt towards a prayer. It was easily concluded that this hat belonged to the assassin: but the difficulty still remained, *Who that person should be?* For the writing discovered not the name; and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was seen walking very composedly before the door. One crying out, "Here is the fellow who killed the duke;" everybody ran to ask, "Which is he?" The man very sedately answered, "I am he." The more furious immediately rushed upon him with drawn swords; others, more deliberate, defended and protected him: he himself, with open arms, calmly and cheerfully exposed his breast to the swords of the most enraged; being willing to fall a sudden sacrifice to their anger, rather than be reserved for that public justice which, he knew, must be executed upon him.

He was now known to be that Felton who had served in the army. Being carried into a private room, it was thought proper so far to dissemble as to tell him, that Buckingham was only grievously wounded, but not without hopes of recovery. Felton smiled, and told

them, that the duke, he knew, full well, had received a blow which had terminated all their hopes. When asked, at whose instigation he had performed that horrid deed? he replied, that they needed not trouble themselves in that inquiry; that no man living had credit enough with him to have disposed him to such an action; that he had not even intrusted his purpose to any one; that the resolution proceeded only from himself, and the impulse of his own conscience; and that his motives would appear, if his hat were found: for that, believing he should perish in the attempt, he had there taken care to explain them.

When the king was informed of this assassination, he received the news in public with an unmoved and undisturbed countenance; and the courtiers, who studied his looks, concluded, that secretly he was not displeased to be rid of a minister so generally odious to the nation. But Charles's command of himself proceeded entirely from the gravity and composure of his temper. He was still, as much as ever, attached to his favourite; and, during his whole life, he retained an affection for Buckingham's friends, and a prejudice against his enemies. He urged, too, that Felton should be put to the question, in order to extort from him a discovery of his accomplices: but the judges declared, that though that practice had formerly been very useful, it was altogether illegal. So much more exact reasoners, with regard to law, had they become, from the jealous scruples of the house of commons.

Meanwhile the distress of Rochelle had risen to the utmost extremity. That vast genius of Richelieu, which made him form the greatest enterprises, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all succour, he had dared to project the throwing across the harbour a mole of a mile's extent in that boisterous ocean; and having executed his project, he now held the town closely blockaded on all sides. The inhabitants, though pressed with the greatest rigours of famine, still refused to submit; being supported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the earl of Lindesey; who, arriving before Rochelle, made some attempts to break through the mole, and force his way into the harbour: but by the delays of the English, that work was now fully finished and fortified; and the Rochellers, finding their last hopes to fail them, were reduced to surrender at discretion, (18th October,) even in sight of the English admiral. Of fifteen thousand persons shut up in the city, four thousand alone survived the fatigues and famine which they had undergone.

This was the first necessary step towards the prosperity of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendour. By a steady prosecution of wise plans both of war and policy, it gradually gained an ascendant over the rival power of Spain; and every order of the state, and every sect, were reduced to pay submission to the lawful authority of the sovereign. The victory, however, over the hugonots, was at first pushed by the French king with great moderation. A toleration was still continued to them; the only avowed and open toleration which, at that time, was granted in any European kingdom.

NEW SESSION OF PARLIAMENT, *January* 20, 1629.

The failure of an enterprise, in which the English nation, from religious sympathy, so much interested themselves, could not but diminish the king's authority in the parliament during the approaching session: but the commons, when assembled, found many other causes of complaint. Buckingham's conduct and character with some had afforded a reason, with others a pretence, for discontent against public measures: but after his death, there wanted not new reasons and new pretences for general dissatisfaction. Manwaring's pardon and promotion were taken notice of: Sibthorpe and Cosins, two clergymen, who, for like reasons, were no less obnoxious to the commons, had met with like favour from the king: Montague, who had been censured for moderation towards the catholics, the greatest of crimes, had been created bishop of Chichester. They found, likewise, upon inquiry, that all the copies of the Petition of Right, which were dispersed, had, by the king's orders, annexed to them the first answer, which had given so little satisfaction to the commons. An expedient by which Charles endeavoured to persuade the people that he had nowise receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the house, that one Savage, contrary to the Petition of Right, had been punished with the loss of his ears, by a discretionary or arbitrary sentence of the star-chamber. So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers which, from immemorial custom, were supposed inherent in it.

TONNAGE AND POUNDAGE.

But the great article on which the house of commons broke with the king, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V., and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent, that each king had ever claimed it from the moment of his accession; and the first parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived or remedied; though nothing could have been easier than for the parliament to have prevented it. By granting this duty to each prince, during his own life, and, for a year after his demise, to the successor, all inconveniences had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during those rude ages: and as so complicated and jealous a government as the English cannot subsist without many such refinements, it is easy to see how favourable every inaccuracy must formerly have proved to royal authority, which on all emergencies was obliged to supply, by discretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII. till the sixth of his reign: yet this prince, who had not then raised his power to its greatest height, continued, during that whole time, to levy the imposition: the parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expression of that bill may seem ambiguous, they employ the plainest terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority. Four reigns, and above a whole century, had since elapsed; and this revenue had still been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

During that short interval which passed between Charles's accession and his first parliament, he had followed the example of his predecessors; and no fault was found with his conduct in this particular.

But what was most remarkable in the proceedings of that house of commons, and what proved beyond controversy that they had seriously formed a plan for reducing their prince to subjection, was, that instead of granting this supply during the king's lifetime, as it had been enjoyed by all his immediate predecessors, they voted it only for a year; and, after that should be elapsed, reserved to themselves the power of renewing or refusing the same concession. But the house of peers, who saw that this duty was now become more necessary than ever to supply the growing necessities of the crown, and who did not approve of this encroaching spirit in the commons, rejected the bill; and the dissolution of that parliament followed so soon after, that no attempt seems to have been made for obtaining tonnage and poundage in any other form. [*See note 5 X. at the end of this Vol.*]

Charles, meanwhile, continued still to levy this duty by his own authority; and the nation was so accustomed to that exertion of royal power, that no scruple was at first entertained of submitting to it. But the succeeding parliament excited doubts in every one, The commons took there some steps towards declaring it illegal to levy tonnage and poundage without consent of parliament; and they openly showed their intention of employing this engine, in order to extort from the crown concessions of the most important nature. But Charles was not yet sufficiently tamed to compliance; and the abrupt dissolution of that parliament, as above related, put an end, for the time, to their further pretensions.

The following interval between the second and third parliament was distinguished by so many exertions of prerogative, that men had little leisure to attend to the affair of tonnage and poundage, where the abuse of power in the crown might seem to be of a more disputable nature. But after the commons, during the precedent session, had remedied all these grievances by means of their Petition of Right, which they deemed so necessary; they afterwards proceeded to take the matter into consideration, and they showed the same intention as formerly of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their sudden prorogation prevented them from bringing their pretensions to a full conclusion.

When Charles opened this session, he had foreseen that the same controversy would arise; and he therefore took care, very early, among many mild and reconciling expressions, to inform the commons, "That he had not taken these duties as appertaining to his hereditary prerogative; but that it ever was, and still is, his meaning to enjoy them as a gift of his people: and that, if he had hitherto levied tonnage and poundage, he pretended to justify himself only by the necessity of so doing, not by any right which he assumed." This concession, which probably arose from the king's moderate temper, now freed from the impulse of Buckingham's violent counsels, might have satisfied the commons, had they entertained no other view than that of ascertaining their own powers and privileges. But they carried their pretensions much higher. They insisted, as a necessary preliminary, that the king should once entirely desist from levying these duties; after which, they were to take it into consideration, how far they would restore him to the possession of a revenue, of which he had clearly divested himself. But, besides that this extreme rigour had never been exercised towards any of his predecessors, and many obvious inconveniencies must follow from the intermission of the customs, there were other reasons which deterred Charles from complying with so hard a condition. It was probable that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependence: they certainly would cut off the new impositions which Mary and Elizabeth, but especially James, had levied, and which formed no despicable part of the public revenue: and they openly declared, that they had at present many important pretensions, chiefly with regard to religion; and if compliance were refused, no supply must be expected from the commons.

It is easy to see in what an inextricable labyrinth Charles was now involved. By his own concessions by the general principles of the English government and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, consequently, might be withdrawn at their pleasure. If unreasonable in their refusal, they still refused nothing but what was their own. If public necessity required this supply, it might be thought also to require the king's compliance with those conditions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the seas, it did not follow, that because he guarded the seas, he was therefore entitled to this revenue, without further formality: since the people had still reserved to themselves the right of judging how far that service merited such a supply. But Charles, notwithstanding his public declaration, was far from assenting to this conclusion in its full extent. The plain consequence, he saw, of all these rigours and refinements, and inferences, was, that he, without any public necessity, and without any fault of his own, must, of a sudden, even from his accession, become a magistrate of a very different nature from any of his predecessors, and must fall into a total dependence on subjects over whom former kings, especially those immediately preceding, had exercised an authority almost unlimited. Entangled in a chain of consequences which he could not easily break, he was inclined to go higher, and rather deny the first principle, than admit of conclusions which to him appeared so absurd and unreasonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he esteemed the essence and soul of the English government; and whatever other power pretended to annihilate, or even abridge, the royal authority, must necessarily, he thought, either in its nature or exercise, be deemed no better than an usurpation. Willing to preserve the ancient harmony of the constitution, he had ever intended to comply, as far as he *easily* could, with the ancient forms of administration: but when these forms appeared to him, by the inveterate obstinacy of the commons, to have no other tendency than to disturb that harmony, and to introduce a new constitution, he concluded, that, in this violent situation, what was subordinate must necessarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to be degraded into a slave of his insolent, ungrateful subjects, seemed, of all indignities, the greatest; and nothing, in his judgment, could exceed the humiliation attending such a state, but the meanness of tamely submitting to it, without making some efforts to preserve the authority transmitted to him by his predecessors.

Though these were the king's reflections and resolutions before the parliament assembled, he did not immediately break with them, upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take, if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative. He contented himself, for the present, with soliciting the house by messages and speeches. But the commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion, which was the only grievance to which, in their opinion, they had not as yet, by their Petition of Right, applied a sufficient remedy.

ARMINIANISM.

It was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free-will, which, being strongly interwoven both with philosophy and theology, had, in all ages, thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed, upon that system, all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians, finding more encouragement from the superstitious spirit of the church than from the fanaticism of the puritans, gradually incorporated themselves with the former: and some of that sect, by the indulgence of James and Charles, had attained the highest preferments in the hierarchy. But their success with the public had not been altogether answerable to that which they met with in the church and the court. Throughout the nation, they still lay under the reproach of innovation and heresy. The commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized; their tenets canvassed; their views represented as dangerous and pernicious. To impartial spectators surely, if any such had been at that time in England, it must have given great entertainment, to see a popular assembly, inflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers, in the tranquillity of retreat, had never hitherto been able to find any satisfactory solution.

Amidst that complication of disputes in which men were then involved, we may observe, that the appellation *puritan* stood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the highest principles of civil liberty; the puritans in discipline, who were averse to the ceremonies and episcopal government of the church; and the doctrinal puritans, who rigidly defended the speculative system of the first reformers. In opposition to all these, stood the court party, the hierarchy, and the Arminians; only with this distinction, that the latter sect, being introduced a few years before, did not, as yet, comprehend all those who were favourable to the church and to monarchy. But, as the controversies on every subject grew daily warmer, men united themselves more intimately with their friends, and separated themselves wider from their antagonists; and the distinction gradually became quite uniform and regular.

This house of commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better serve their cause than by branding and punishing the Arminian sect, which, introducing an innovation in the church, were the least favoured and least powerful of all their antagonists. From this measure it was easily foreseen, that, besides gratifying the animosity of the doctrinal puritans, both the puritans in discipline, and those in politics, would reap considerable advantages. Laud, Neile, Montague, and other bishops, who were the chief supporters of episcopal government, and the most zealous partisans of the discipline and ceremonies of the church, were all supposed to be tainted with Arminianism. The same men and their disciples were the strenuous preachers of passive obedience, and of entire submission to princes; and if these could once be censured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow the ceremonies be less rigidly insisted on, and the king, deprived of his most faithful friends, be obliged to abate those high claims of prerogative on which at present he insisted.

But Charles, besides a view of the political consequences which must result from a compliance with such pretensions, was strongly determined, from principles of piety and conscience, to oppose them. Neither the dissipation incident to youth, nor the pleasures attending a high fortune, had been able to prevent this virtuous prince from embracing the most sincere sentiments of religion; and that character which, in that religious age, should have been of infinite advantage to him, proved in the end the chief cause of his ruin: merely because the religion adopted by him was not of that precise mode and sect which *began* to prevail among his subjects. His piety, though remote from popery, had a tincture of superstition in it; and, being averse to the gloomy spirit of the puritans, was represented by them as tending towards the abominations of antichrist. Laud also had unfortunately acquired a great ascendant over him: and as all those prelates, obnoxious to the commons, were regarded as his chief friends and most favourite courtiers, he was resolved not to disarm and dishonour himself, by abandoning them to the resentment of his enemies. Being totally unprovided with military force, and finding a refractory independent spirit to prevail among the people, the most solid basis of his authority, he thought, consisted in the support which he received from the hierarchy.

In the debates of the commons which are transmitted to us, it is easy to discern so early some sparks of that enthusiastic fire which afterwards set the whole nation in combustion. One Rouse made use of an allusion, which, though familiar, seems to have been borrowed from the writings of lord Bacon. "If a man meet a dog alone," said he, "the dog is fearful, though ever so fierce by nature: but if the dog have his master with him, he will set upon that man from whom he fled before. This shows that lower natures, being backed by higher, increase in courage and strength; and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are possible to him that believes; and where all things are possible, there is a kind of omnipotency. Wherefore, let it be the unanimous consent and resolution of us all to make a vow and covenant henceforth to hold fast our God and our religion; and then shall we henceforth expect, with certainty, happiness in this world."

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in these debates as complaining of one who, he was told, preached flat popery. It is amusing to observe the first words of this fanatical hypocrite correspond so exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with these theological or metaphysical controversies. The officers of the custom-house were summoned before the commons, to give an account by what authority they had seized the goods of merchants who had refused to pay these duties: the barons of the exchequer were questioned concerning their decrees on that head. One of the sheriffs of London was committed to the Tower for his activity in supporting the officers of the custom-house: the goods of Rolles, a merchant, and member of the house, being seized for his refusal to pay the duties, complaints were made of this violence, as if it were a breach of privilege; Charles supported his officers in all these measures; and the quarrel grew every day higher between him and the commons. Mention was made in the house of impeaching sir Richard Weston, the treasurer; and the king began to entertain thoughts of finishing the session by a dissolution.

Sir John Elliot framed a remonstrance against levying tonnage and poundage without consent of parlia-

ment, and offered it to the clerk to read. It was refused. He read it himself. The question being then called for, the speaker, sir John Finch, said, "That he had a command from the king to adjourn, and to put no question."* Upon which he rose and left the chair. The whole house was in an uproar. The speaker was pushed back into the chair, and forcibly held in it by Hollis and Valentine; till a short remonstrance was framed, and was passed by acclamation rather than by vote. Papists and Arminians were there declared capital enemies to the commonwealth. Those who levied tonnage and poundage were branded with the same epithet. And even the merchants who should voluntarily pay these duties, were denominated betrayers of English liberty, and public enemies. The doors being locked, the gentleman usher of the house of lords, who was sent by the king, could not get admittance till the remonstrance was finished. By the king's order, he took the mace from the table, which ended their proceedings. And a few days after, (10th March,) the parliament was dissolved.

The discontents of the nation ran high, on account of this violent rupture between the king and parliament. These discontents Charles inflamed by his affectation of a severity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to prison, on account of the last tumult in the house, which was called sedition. With great difficulty, and after several delays, they were released; and the law was generally supposed to be wrested, in order to prolong their imprisonment. Sir John Elliot, Hollis, and Valentine, were summoned to their trial in the king's bench, for seditious speeches and behaviour in parliament; but refusing to answer before an inferior court for their conduct as members of a superior, they were condemned to be imprisoned during the king's pleasure, to find sureties for their good behaviour, and to be fined, the two former a thousand pounds a-piece, the latter five hundred. This sentence, procured by the influence of the crown, served only to show the king's disregard to the privileges of parliament, and to acquire an immense stock of popularity to the sufferers, who had so bravely, in opposition to arbitrary power, defended the liberties of their native country. The commons of England, though an immense body, and possessed of the greater part of national property, were naturally somewhat defenceless, because of their personal equality, and their want of leaders: but the king's severity, if these prosecutions deserve the name, here pointed out leaders to them whose resentment was inflamed, and whose courage was nowise daunted by the hardships which they had undergone in so honourable a cause.

So much did these prisoners glory in their sufferings, that though they were promised liberty on that condition, they would not condescend even to present a petition to the king, expressing their sorrow for having offended him. They unanimously refused to find sureties for their good behaviour; and disdained to accept of deliverance on such easy terms. Nay, Hollis was so industrious to continue his meritorious distress, that, when one offered to bail him, he would not yield to the rule of court, and be himself bound with his friend. Even Long, who had actually found sureties in the chief-justice's chamber, declared in court, that his sureties should no longer continue. Yet because sir John Elliot happened to die while in custody, a great clamour was raised against the administration; and he was universally regarded as a martyr to the liberties of England.

* The king's power of adjourning, as well as proroguing the parliament, was said is never questioned. In 1621 [1610?] the archbp. of York, the judges certified that the adjournment by the king kept the parliament in *statu quo* unto the next sitting; but that then no committees were to meet: but if the adjournment be by the house, then the committees and other matters do continue. Parl. Hist. v. vi. p. 96.

CHAPTER LII.

Peace with France—Peace with Spain—State of the Court and Military—Character of the Queen—Strafford—Laud—Innovations in the Church—Irregular Levies—Severities in the Star Chamber and High Commission—Ship-Money—Thirteen Parliaments.

THERE now opens to us a new scene. Charles, naturally disgusted with parliaments, who, he found, were determined to proceed against him with unmitigated rigour, both in invading his prerogative, and refusing him all supply, resolved not to call any more, till he should see greater indications of a compliant disposition in the nation. Having lost his great favourite, Buckingham, he became his own minister; and never afterwards reposed in any one such unlimited confidence. As he chiefly follows his own genius and disposition, his measures are henceforth less rash and hasty; though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

We shall endeavour to exhibit a just idea of the events which followed for some years; so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious; but the knowledge of them is necessary for understanding the subsequent transactions, which are so memorable.

PEACE WITH FRANCE AND SPAIN.

Charles, destitute of all supply, was necessarily reduced to embrace a measure which ought to have been the result of reason and sound policy: he made peace with the two crowns against which he had hitherto waged a war, entered into without necessity, and conducted without glory, Notwithstanding the distracted and helpless condition of England, no attempt was made, either by France or Spain, to invade their enemy; nor did they entertain any further project, than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between king and parliament had disarmed so formidable a power, they carefully avoided any enterprise which might rouse either the terror or anguish of the English, and dispose them to domestic union and submission. The endeavours to regain the good-will of the nation were carried so far by the king of Spain, that he generously released and sent home all the English prisoners taken in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was first signed with France. (14th April.) The situation of the king's affairs did not entitle him to demand any conditions for the hugonots, and they were abandoned to the will of their sovereign. Peace was afterwards concluded with Spain; (5th November, 1630;) where no conditions were made in favour of the palatine, except that Spain promised in general to use their good offices for his restoration. The influence of these two wars on domestic affairs, and on the dispositions of king and people, was of the utmost consequence; but no alteration was made by them on the foreign interests of the kingdom.

Nothing more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island. Their forces were so nearly counterpoised, that no apprehensions were entertained of any event which could suddenly disturb the balance of power between them. The Spanish monarch, deemed the most powerful, lay at greatest distance: and the English, by that means, possessed

the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The dispersed situation of the Spanish dominions rendered the naval power of England formidable to them, and kept that empire in external dependence. France, more vigorous and more compact, was every day rising in policy and discipline; and reached, at last, an equality of power with the house of Austria: but her progress, slow and gradual, left it still in the power of England, by a timely interposition, to check her superiority. And thus Charles, could he have avoided all dissensions with his own subjects, was in a situation to make himself be courted and respected by every power in Europe; and, what has scarcely ever since been attained by the princes of this island, he could either be active with dignity, or neutral with security.

A neutrality was embraced by the king; and during the rest of his reign, he seems to have little regarded foreign affairs, except so far as he was engaged by honour and by friendship for his sister and the palatine, to endeavour the procuring of some relief for that unhappy family. He joined his good offices to those of France, and mediated a peace between the kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppressed protestants in the empire. This was the famed Gustavus, whose heroic genius, seconded by the wisest policy, made him in a little time the most distinguished monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and assist him in his projected invasion of Germany, Charles agreed to furnish him with six thousand men; but, that he might preserve the appearance of neutrality, he made use of the marquis of Hamilton's name. That nobleman entered into an engagement with Gustavus; and enlisting these troops in England and Scotland at Charles's expense, he landed them in the Elbe. The decisive battle of Leipsic was fought soon after; where the conduct of Tilly and the valour of the imperialists were overcome by the superior conduct of Gustavus and the superior valour of the Swedes.

What remained of this hero's life was one continued series of victory, for which he was less beholden to fortune than to those personal endowments which he derived from nature and from industry. That rapid progress of conquest, which we so much admire in ancient history, was here renewed in modern annals; and without that cause to which in former ages it had ever been owing. Military nations were not now engaged against an undisciplined and unwarlike people; nor heroes set in opposition to cowards. The veteran troops of Ferdinand, conducted by the most celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an instant by the victorious Swede. But by this extraordinary and unexpected success of his ally, Charles failed of the purpose for which he framed the alliance. Gustavus elated by prosperity, began to form more extensive plans of ambition; and in freeing Germany from the yoke of Ferdinand, he intended to reduce it to subjection under his own. He refused to restore the palatine to his principality, except on conditions which would have kept him in total dependence. And thus the negociation was protracted, till the battle of Lutzen, where the Swedish monarch perished in the midst of a complete victory, which he obtained over his enemies.

We have carried on these transactions a few years beyond the present period, that we might not be obliged to return to them: nor be henceforth interrupted in our account of Charles's court and kingdoms.

STATE OF THE COURT AND MINISTRY.

When we consider Charles as presiding in his court, as associating with his family, it is difficult to imagine a character at once more respectable and more amiable. A kind husband, an indulgent father, a gentle master, a steadfast friend; to all these eulogies his conduct in private life fully entitled him. As a monarch too, in the exterior qualities, he excelled; in the essential, he was not defective. His address and manner, though perhaps inclining a little towards stateliness and formality, in the main corresponded to his high rank, and gave grace to that reserve and gravity which were natural to him. The moderation and equity which shone forth in his temper, *seemed* to secure him against rash and dangerous enterprises: the good sense which he displayed in his discourse and conversation, *seemed* to warrant his success in every reasonable undertaking. Other endowments likewise he had attained, which in a private gentleman would have been highly ornamental, and which in a great monarch might have proved extremely useful to his people. He was possessed of an excellent taste in all the fine arts, and the love of painting was in some degree his favourite passion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himself, no mean talent in composition. In any other age or nation, this monarch had been secure of a prosperous and a happy reign. But the high idea of his own authority which he had imbibed, made him incapable of giving way to the spirit of liberty, which *began* to prevail among his subjects. His politics were not supported by such vigour and foresight as might enable him to subdue their pretensions, and maintain his prerogative at the high pitch to which it had been raisedby his predecessors. And, above all, the spirit of enthusiasm, being universally diffused, disappointed all the views of human prudence, and disturbed the operation of every motive which usually influences society.

But the misfortunes arising from these causes were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures which he most affected.

CHARACTER OF THE QUEEN.

After the death of Buckingham, who had somewhat alienated Charles from the queen, she is to be considered as his chief friend and favourite. That rustic contempt of the fair sex, which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange, than the seat of a great prince, was very wide of the disposition of this monarch. But though full of complaisance to the whole sex, Charles reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit, as well as by her beauty, she justified the fondness of her husband; though it is allowed, that, being somewhat of a passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune, since it augmented the jealousy which prevailed against the court, and engaged her to procure for the catholics some indulgences which were generally distasteful to the nation.

In the former situation of the English government, when the sovereign was in a great measure independent of his subjects, the king chose his ministers either from personal favour, or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them, in expectation that they will afterwards become more careful not to diminish that power which has become their own. These politics were now embraced by Charles; a sure proof that a secret revolution had happened in the constitution, and had necessitated the prince to adopt new

maxims of government. But the views of the king were at this time so repugnant to those of the puritans, that the leaders, whom he gained, lost from that moment all interest with their party, and were even pursued as traitors with implacable hatred and resentment. This was the case with sir Thomas Wentworth, whom the king created first a baron, then a viscount, and afterwards earl of Strafford; made him president of the council of York, and deputy of Ireland; and regarded him as his chief minister and counsellor. By his eminent talents and abilities, Strafford merited all the confidence which his master reposed in him: his character was stately and austere; more fitted to procure esteem than love: his fidelity to the king was unshaken; but as he now employed all his counsels to support the prerogative, which he had formerly bent all his endeavours to diminish, his virtue seems not to have been entirely pure, but to have been susceptible of strong impressions from private interest and ambition. Sir Dudley Digges was about the same time created master of the rolls: Noy, attorney-general: Littleton, solicitor-general. All these had likewise been parliamentary leaders: and were men eminent in their profession.

In all ecclesiastical affairs, and even in many civil, Laud, bishop of London, had great influence over the king. This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise. He was disinterested; but with unceasing industry he studied to exalt the priestly and prelatical character, which was his own. His zeal was unrelenting in the cause of religion; that is, in imposing, by rigorous measures, his own tenets and pious ceremonies on the obstinate puritans, who had profanely dared to oppose him. In prosecution of his holy purposes, he overlooked every human consideration; or, in other words, the heat and indiscretion of his temper made him neglect the views of prudence and rules of good manners. He was in this respect happy, that all his enemies were also imagined by him the declared enemies to loyalty and true piety, and that every exercise of his anger, by that means, became in his eyes, a merit and a virtue. This was the man who acquired so great an ascendant over Charles, and who led him, by the facility of his temper, into a conduct which proved so fatal to himself and to his kingdoms.

INNOVATIONS IN THE CHURCH.

The humour of the nation ran at that time into the extreme opposite to superstition; and it was with difficulty that the ancient ceremonies to which men had been accustomed, and which had been sanctified by the practice of the first reformers, could be retained in divine service: yet was this the time which Laud chose for the introduction of new ceremonies and observances. Besides that these were sure to displease as innovations, there lay, in the opinion of the public, another very forcible objection against them. Laud, and the other prelates who embraced his measures, were generally well instructed in sacred antiquity, and had adopted many of those religious sentiments which prevailed during the fourth and fifth centuries; when the Christian church, as is well known, was already sunk into those superstitions which were afterwards continued and augmented by the policy of Rome. The revival, therefore of the ideas and practices of that age, could not fail of giving the English faith and liturgy some resemblance to the catholic superstition, which the kingdom in general, and the puritans in particular, held in the greatest horror and detestation. Men also were apt to think, that, without some secret purpose, such insignificant observances would not be imposed with such unrelenting zeal on the refractory nation; and that Laud's scheme was to lead back the English by gradual steps to the religion of their ancestors. They considered not, that the very insignificancy of these ceremonies recommended them to the superstitious prelate, and made them appear the more peculiarly sacred and religious, as they could serve to no other purpose. Nor was the resemblance to the Romish ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindness to the mother-church, as they called her, than to the sectaries and presbyterians, and frequently recommended her as a true Christian church; an appellation which they refused, or at least scrupled to give to the others. So openly were these tenets espoused, that not only the discontented puritans believed the church of England to be relapsing fast into Romish superstition: the court of Rome itself entertained hopes of regaining its authority in this island; and, in order to forward Laud's supposed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting. His answer was, as he says himself, "That something dwelt within him, which would not suffer his compliance, till Rome were other than it is."

A court lady, daughter of the earl of Devonshire, having turned catholic, was asked by Laud the reason of her conversion. "'Tis chiefly," said she, "because I hate to travel in a crowd." The meaning of this expression being demanded, she replied, "I perceive your grace and many others are making haste to Rome; and therefore, in order to prevent my being crowded, I have gone before you." It must be confessed, that though Laud deserved not the appellation of papist, the genius of his religion was, though in a less degree, the same with that of the Romish: the same profound respect was exacted to the sacerdotal character, the same submission required to the creeds and decrees of synods and councils, the same pomp and ceremony was affected in worship, and the same superstitious regard to days, postures, meats, and vestments. No wonder, therefore, that this prelate was, everywhere, among the puritans, regarded with horror, as the forerunner of antichrist.

As a specimen of the new ceremonies to which Laud sacrificed his own quiet and that of the nation, it may not be amiss to relate those which he was accused of employing in the consecration of St. Catherine's church, and which were the object of such general scandal and offence.

On the bishop's approach to the west door of the church, a loud voice cried, "Open, open, ye everlasting doors, that the king of glory may enter in!" Immediately the doors of the church flew open, and the bishop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered these words: "This place is holy, the ground is holy: in the name of the Father, Son, and Holy Ghost, I pronounce it holy."

Going towards the chancel, he several times took up from the floor some of the dust, and threw it in the air. When he approached, with his attendants, near to the communion-table, he bowed frequently towards it: and on their return, they went round the church, repeating, as they marched along, some of the psalms: and then said a form of prayer, which concluded with these words: "We consecrate this church, and separate it unto thee as holy ground, not to be profaned any more to common uses."

After this, the bishop, standing near the communion-table, solemnly pronounced many imprecations upon such as should afterwards pollute that holy place by musters of soldiers, or keeping in it profane law-courts, or carrying burdens through it. On the conclusion of every curse, he bowed towards the east, and cried, "Let all the people say, Amen."

The imprecations being all so piously finished, there were poured out a number of blessings upon such as had any hand in framing and building that sacred and beautiful edifice, and on such as had given, or should hereafter give to it, any chalices, plate, ornaments, or utensils. At every benediction, he in like manner

bowed towards the east, and cried, "Let all the people say, Amen."

The sermon followed; after which, the bishop consecrated and administered the sacrament in the following manner:

As he approached the communion-table, he made many lowly reverences: and coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin in which the bread was placed. When he beheld the bread, he suddenly let fall the napkin, flew back a step or two, bowed three several times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

Next, he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice towards it. He approached again; and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, started back, and bowed as before. Then he received the sacrament, and gave it to others. And many prayers being said, the solemnity of the consecration ended. The walls and floor and roof of the fabric were then supposed to be sufficiently holy.

Orders were given and rigorously insisted on, that the communion-table should be removed from the middle of the area, where it hitherto stood in all churches, except in cathedrals. It was placed at the east end, railed in, and denominated an ALTAR; as the clergyman who officiated received commonly the appellation of PRIEST. It is not easy to imagine the discontents excited by this innovation, and the suspicions which it gave rise to.

The kneeling at the altar, and the using of copes, a species of embroidered vestment, in administering the sacrament, were also known to be great objects of scandal, as being popish practices: but the opposition rather increased than abated the zeal of the prelate for the introduction of these habits and ceremonies.

All kinds of ornaments, especially pictures, were necessary for supporting that mechanical devotion, which was purposed to be raised in this model of religion; but as these had been so much employed by the church of Rome, and had given rise to so much superstition, or what the puritans called idolatry, it was impossible to introduce them into English churches, without exciting general murmurs and complaints. But Laud, possessed of present authority, persisted in his purpose, and made several attempts towards acquiring these ornaments. Some of the pictures introduced by him were also found, upon inquiry, to be the very same that might be met with in the mass-book. The crucifix, too, that eternal consolation of all pious catholics, and terror to all sound protestants, was not forgotten on this occasion.

It was much remarked, that Sherfield, the recorder of Salisbury, was tried in the star-chamber, for having broken, contrary to the bishop of Salisbury's express injunctions, a painted window of St. Edmond's church, in that city. He boasted, that he had destroyed these monuments of idolatry: but for this effort of his zeal, he was fined five hundred pounds, removed from his office, condemned to make a public acknowledgment, and be bound to his good behaviour.

Not only such of the clergy as neglected to observe every ceremony were suspended and deprived by the high-commission court: oaths were, by many of the bishops, imposed on the churchwardens; and they were sworn to inform against any one who acted contrary to the ecclesiastical canons. Such a measure, though practised during the reign of Elizabeth, gave much offence; as resembling too nearly the practice of the Romish inquisition.

To show the great alienation from the churches reformed after the presbyterian model, Laud advised, that the discipline and worship of the church should be imposed on the English regiments and trading companies abroad. All foreigners of the Dutch and Walloon congregations were commanded to attend the established church; and indulgence was granted to none after the children of the first denizens. Scudamore too, the king's ambassador at Paris, had orders to withdraw himself from the communion of the hugonots. Even men of sense were apt to blame this conduct, not only because it gave offence in England, but because in foreign countries it lost the crown the advantage of being considered as the head and support of the Reformation.

On pretence of pacifying disputes, orders were issued from the council, forbidding, on both sides, all preaching and printing with regard to the controverted points of predestination and free-will. But it was complained of, and probably with reason, that the impartiality was altogether confined to the orders, and that the execution of them was only meant against the Calvinists.

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occasion, the regal authority, and to treat with the utmost disdain or detestation, all puritanical pretensions to a free and independent constitution. But while these prelates were so liberal in raising the crown at the expense of public liberty, they made no scruple of encroaching themselves on the royal rights the most incontestable in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romish church had borrowed from some of the fathers, and which freed the spiritual from subordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apostolical charter was insisted on, preferably to a legal and parliamentary one. The sacerdotal character was magnified as sacred and indefeisible; all right to spiritual authority, or even to private judgment in spiritual subjects, was refused to profane laymen: ecclesiastical courts were held by the bishops in their own name, without any notice taken of the king's authority: and Charles, though extremely jealous of every claim in popular assemblies, seemed rather to encourage than repress those encroachments of his clergy. Having felt many sensible inconveniences from the independent spirit of parliaments, he attached himself entirely to those who professed a devoted obedience to his crown and person; nor did he foresee that the ecclesiastical power which he exalted, not admitting of any precise boundary, might in time become more dangerous to public peace, and no less fatal to royal prerogative, than the other.

So early as the coronation, Laud was the person, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impression on many of the bystanders. After the usual ceremonies these words were recited to the king: "Stand and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the bishops and servants of God. And, as you see the clergy to come nearer the altar than others, so remember that, in all places convenient, you give them greater honour; that the Mediator of God and man may establish you on the kingly throne, to be a mediator betwixt the clergy and the laity; and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords."

The principles which exalted prerogative, were not entertained by the king merely as soft and agreeable to his royal ears: they were also put in practice during the time that he ruled without parliaments. Though frugal and regular in his expense, he wanted money for the support of government; and he levied it either by the revival of obsolete laws, or by violations, some more open, some more disguised, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few severities in the star-chamber

and high-commission, which seemed necessary, in order to support the present mode of administration, and repress the rising spirit of liberty throughout the kingdom. Under these two heads may be reduced all the remarkable transactions of this reign, during some years: for, in peaceable and prosperous times, where a neutrality in foreign affairs is observed, scarcely anything is remarkable, but what is, in some degree blamed or blameable. And, lest the hope of relief or protection from parliament might encourage opposition, Charles issued a proclamation, in which he declared, "That whereas, for several ill ends, the calling again of a parliament is divulged; though his majesty has shown, by frequent meetings with the people, his love to the use of parliaments: yet the late abuse having, for the present, driven him unwillingly out of that course; he will account it presumption for any one to prescribe to him any time for the calling of that assembly." This was generally construed as a declaration, that, during this reign, no more parliaments were intended to be summoned. And every measure of the king's confirmed a suspicion so disagreeable to the generality of the people.

IRREGULAR LEVIES OF MONEY.

Tonnage and poundage continued to be levied by the royal authority alone. The former additional impositions were still exacted. Even new impositions were laid on several kinds of merchandise.

The custom-house officers received orders from the council to enter into any house, warehouse, or cellar; to search any trunk or chest; and to break any bulk whatever; in default of the payment of customs.

In order to exercise the militia, and to keep them in good order, each county, by an edict of the council, was assessed in a certain sum, for maintaining a muster-master, appointed for that service.

Compositions were openly made with recusants, and the popish religion became a regular part of the revenue. This was all the persecution which it underwent during the reign of Charles.

A commission was granted for compounding with such as were possessed of crown-lands upon defective titles; and on this pretence, some money was exacted from the people.

There was a law of Edward II., That whoever was possessed of twenty pounds a year in land, should be obliged, when summoned, to appear and to receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to two hundred in the seventeenth century; and it seemed just, that the king should not strictly insist on the letter of the law, and oblige people of so small revenue to accept of that expensive honour. Edward VI., and queen Elizabeth, who had both of them made use of this expedient for raising money, had summoned only those who were possessed of forty pounds a year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example, in granting the same indulgence. Commissioners were appointed for fixing the rates of composition; and instructions were given to these commissioners, not to accept of a less sum than would have been due by the party, upon a tax of three subsidies and a half. Nothing proves more plainly, how ill-disposed the people were to the measures of the crown, than to observe, that they loudly complained of an expedient, founded on positive statute, and warranted by such recent precedents. The law was pretended to be obsolete; though only one reign had intervened since the last execution of it.

SEVERITIES OF THE STAR-CHAMBER AND HIGH-COMMISSION.

Barnard, lecturer of St. Sepulchre's, London, used this expression in his prayer before sermon, "Lord, open the eyes of the queen's majesty, that she may see Jesus Christ, whom she has pierced with her infidelity, superstition, and idolatry." He was questioned in the high-commission court for this insult on the queen; but, upon his submission, dismissed. Leighton, who had written libels against the king, the queen, the bishops, and the whole administration, was condemned by a very severe, if not a cruel, sentence; but the execution of it was suspended for some time, in expectation of his submission. All the severities, indeed, of this reign were exercised against those who triumphed in their sufferings, who courted persecution, and braved authority: and, on that account, their punishment may be deemed the more just, but the less prudent. To have neglected them entirely, had it been consistent with order and public safety, had been the wisest measure that could have been embraced; as perhaps it had been the most severe punishment that could have been inflicted on these zealots.

1631. In order to gratify the clergy with a magnificent fabric, subscriptions were set on foot, for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking. By order of the privy-council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral Some houses and shops likewise were pulled down; and compensation was made to the owners. As there was no immediate prospect of assembling a parliament, such acts of power in the king became necessary; and in no former age would the people have entertained any scruple with regard to them. It must be remarked, that the puritans were extremely averse to the raising of this ornament to the capital. It savoured, as they pretended, of popish superstition.

A stamp duty was imposed on cards: a new tax, which, of itself, was liable to no objection; but appeared of dangerous consequence, when considered as arbitrary and illegal.

Monopolies were revived; an oppressive method of levying money, being unlimited, as well as destructive of industry. The last parliament of James, which abolished monopolies, had left an equitable exception in favour of new inventions; and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company who paid a sum for their patent. Leather, salt, and many other commodities, even down to linen rags, were put under restrictions.

It is affirmed by Clarendon, that so little benefit was reaped from these projects, that of two hundred thousand pounds thereby levied on the people, scarcely fifteen hundred came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures; this fact, it must be owned, appears somewhat incredible. The same author adds, that the king's intention was to teach his subjects how unthrifty a thing it was to refuse reasonable supplies to the crown. An imprudent project! to offend a whole nation, under the view of punishment; and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

1632. The council of York had been first erected, after a rebellion, by a patent from Henry VIII., without any authority of parliament; and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but, besides some innovations introduced by James, Charles thought proper, some time after Wentworth was made president, to extend its powers and to give it a large civil jurisdiction, and that in some respects discretionary. It is not improbable that the king's intention was only to prevent inconveniences, which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster-hall: but the consequence, in the meantime, of this measure, was the putting of all the northern counties

out of the protection of ordinary law, and subjecting them to an authority somewhat arbitrary. Some irregular acts of that council were, this year, complained of.

1633. The court of star-chamber extended its authority; and it was matter of complaint, that it encroached upon the jurisdiction of the other courts; imposing heavy fines and inflicting severe punishment, beyond the usual course of justice. Sir David Foulis was fined five thousand pounds, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood.

Prynne, a barrister of Lincoln's Inn, had written an enormous quarto of a thousand pages, which he called *Histrio-Mastyx*. Its professed purpose was to decry stage-plays, comedies, interludes, music, dancing; but the author likewise took occasion to declaim against hunting, public festivals, Christmas-keeping, bonfires, and Maypoles. His zeal against all these levities, he says, was first moved by observing, that plays sold better than the choicest sermons, and that they were frequently printed on finer paper than the Bible itself. Besides, that the players were often papists, and desperately wicked, the playhouses, he affirms, are Satan's chapels; the play-hunters little better than incarnate devils; and so many steps in a dance, so many paces to hell. The chief crime of Nero he represents to have been, his frequenting and acting of plays; and those who nobly conspired his death were principally moved to it, as he affirms, by their indignation at that enormity. The rest of his thousand pages is of a like strain. He had obtained a licence from archbishop Abbot's chaplain; yet was he indicted in the star-chamber as a libeller. It was thought somewhat hard, that general invectives against plays should be interpreted into satires against the king and queen, merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes, which were represented at court. The author, it must be owned, had, in plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worship, and the new superstitions, introduced by Laud;* and this, probably, together with the obstinacy and petulance of his behaviour before the star-chamber, was the reason why his sentence was so severe. He was condemned to be put from the bar; to stand on the pillory in two places, Westminster and Cheapside; to lose both his ears, one in each place; to pay five thousand pounds fine to the king; and to be imprisoned during life.

This same Prynne was a great hero among the puritans; and it was chiefly with a view of mortifying that sect, that, though of an honourable profession, he was condemned by the star-chamber to so ignominious a punishment. The thorough-paced puritans were distinguishable by the sourness and austerity of their manners, and by their aversion to all pleasure and society. To inspire them with better humour was certainly, both for their own sake and that of the public, a laudable intention in the court; but whether pillories, fines, and prisons, were proper expedients for that purpose, may admit of some question.

Another expedient which the king tried in order to infuse cheerfulness into the national devotion, was not much more successful. He renewed his father's edict for allowing sports and recreations on Sunday to such as attended public worship; and he ordered his proclamation for that purpose to be publicly read by the clergy after divine service. Those who were puritanically affected refused obedience, and were punished by suspension or deprivation. The differences between the sects were before sufficiently great; nor was it necessary to widen them further by these inventions.

Some encouragement and protection, which the king and the bishops gave to wakes, church-ales, bride-ales, and other cheerful festivals of the common people, were the objects of like scandal to the puritans.

On the 12th of June, Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to pass through the ceremony of his coronation. The nobility and gentry of both kingdoms rivalled each other, in expressing all duty and respect to the king, and in showing mutual friendship and regard to each other. No one could have suspected, from exterior appearances, that such dreadful scenes were approaching.

One chief article of business (for it deserves the name) which the king transacted in this parliament, was, besides obtaining some supply, to procure authority for ordering the habits of clergymen. The act did not pass without opposition and difficulty. The dreadful surplice was before men's eyes; and they apprehended, with some reason, that, under sanction of this law, it would soon be introduced among them. Though the king believed that his prerogative entitled him to a power, in general, of directing whatever belonged to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the sanction of a particular statute.

Immediately after the king's return to England, he heard of archbishop Abbot's death: and, without delay, he conferred that dignity on his favourite, Laud; who, by this accession of authority, was now enabled to maintain ecclesiastical discipline with greater rigour, and to aggravate the general discontent in the nation.

Laud obtained the bishopric of London for his friend Juxon; and, about a year after the death of sir Richard Weston, created earl of Portland, had interest enough to engage the king to make that prelate high-treasurer. Juxon was a person of great integrity, mildness, and humanity, and endued with a good understanding. Yet did this last promotion give general offence. His birth and character were deemed too obscure for a man raised to one of the highest offices of the crown. And the clergy, it was thought, were already to much elated by former instances of the king's attachment to them, and needed not this further encouragement to assume dominion over the laity. The puritans, likewise, were much dissatisfied with Juxon, notwithstanding his eminent virtues, because he was a lover of profane field-sports, and hunting.

SHIP-MONEY. 1634.

Ship-money was now introduced. The first writs of this kind had been directed to seaport towns only: but ship-money was at this time levied on the whole kingdom; and each county was rated at a particular sum, which was afterwards assessed upon individuals. The amount of the whole tax was very moderate, little exceeding two hundred thousand pounds: it was levied upon the people with equality: the money was entirely expended on the navy, to the great honour and advantage of the kingdom: as England had no military force, while all the other powers of Europe were strongly armed, a fleet seemed absolutely necessary for her security; and it was obvious that a navy must be built and equipped at leisure, during peace; nor could it possibly be fitted out on a sudden emergence, when the danger became urgent: yet all these considerations could not reconcile the people to the imposition. It was entirely arbitrary: by the same right any other tax might be imposed; and men thought a powerful fleet, though very desirable both for the credit and safety of the kingdom, but an unequal recompense for their liberties, which they apprehended were thus sacrificed to the obtaining of it.

England, it must be owned, was, in this respect, unhappy in its present situation, that the king had entertained a very different idea of the constitution from that which *began* in general to prevail among his subjects. He did not regard national privileges as so

* The music in the churches, he affirmed not to be the noise of men, but a bleating of brute beasts; choristers, bellow the tenor, as it were oxen; bark a counterpart, as it were a kennel of dogs; roar out a treble, as it were a sort of bulls; and grunt out a base, as it were a number of hogs. Christmas, as it is kept, is the Devil's Christmas. And Prynne employed a great number of pages to persuade men to affect the name of *Puritan*, as if Christ had been a puritan; and so he saith in his Index. Rushworth, vol. ii. p. 223.

sacred and inviolable, that nothing but the most extreme necessity could justify an infringement of them. He considered himself as the supreme magistrate, to whose care heaven, by his birthright, had committed his people, whose duty it was to provide for their security and happiness, and who was vested with ample discretionary powers for that salutary purpose. If the observance of ancient laws and customs was consistent with the present convenience of government, he thought himself obliged to comply with that rule; as the easiest, the safest, and what procured the most prompt and willing obedience. But when a change of circumstances, especially if derived from the obstinacy of the people, required a new plan of administration, national privileges, he thought, must yield to supreme power; nor could any order of the state oppose any right to the will of the sovereign, directed to the good of the public. That these principles of government were derived from the uniform tenor of the English laws, it would be rash to affirm. The fluctuating nature of the constitution, the impatient humour of the people, and the variety of events had, no doubt, in different ages, produced exceptions and contradictions. These observations alone may be established on both sides, *that* the appearances were sufficiently strong in favour of the king to apologize for his following such maxims; and *that* public liberty must be so precarious under this exorbitant prerogative, as to render an opposition not only excusable, but laudable in the people. [*See note* 5 Y, *at the end of this Vol.*]

Some laws had been enacted, during the reign of Henry VII., against depopulation, or the converting of arable lands into pasture. By a decree of the star-chamber, sir Anthony Roper was fined four thousand pounds for an offence of that nature. This severe sentence was intended to terrify others into composition; and above thirty thousand pounds were levied by that expedient. Like compositions, or, in default of them, heavy fines, were required for encroachments on the king's forests; whose bounds, by decrees deemed arbitrary, were extended much beyond what was usual. The bounds of one forest, that of Rockingham, were increased from six miles to sixty. The same refractory humour which made the people refuse to the king voluntary supplies, disposed them with better reason to murmur against these irregular methods of taxation.

Morley was fined ten thousand pounds for reviling, challenging, and striking, in the court of Whitehall, sir George Theobald, one of the king's servants. This fine was thought exorbitant; but whether it was compounded as was usual in fines imposed by the star-chamber, we are not informed.

Allison had reported, that the archbishop of York had incurred the king's displeasure, by asking a limited toleration for the catholics, and an allowance to build some churches for the exercise of their religion. For this slander against the archbishop, he was condemned in the star-chamber to be fined a thousand pounds, to be committed to prison, to be bound to his good behaviour during life, to be whipped, and to be set in the pillory at Westminster, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a sentence equally severe. Such events are rather to be considered as rare and detached incidents, collected by the severe scrutiny of historians, than as proofs of the prevailing genius of the king's administration, which seems to have been more gentle and equitable than that of most of his predecessors: there were, on the whole, only five or six such instances of rigour during the course of fifteen years, which elapsed before the meeting of the long parliament. And it is also certain, that scandal against the great, though seldom prosecuted at present, is, however, in the eye of the law, a great crime, and subjects the offender to very heavy penalties.

There are other instances of the high respect paid to the nobility and to the great in that age; when the powers of monarchy, though disputed, still maintained themselves in their pristine vigour. Clarendon tells us a pleasant incident to this purpose: a waterman belonging to a man of quality, having a squabble with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan; and thence insisted on better treatment from the citizen. But the other replied carelessly, that he did not trouble his head about that goose. For this offence he was summoned before the marshal's court; was fined, as having opprobriously defamed the nobleman's crest, by calling the swan a goose; and was in effect reduced to beggary.

Sir Richard Granvile had thought himself ill-used by the earl of Suffolk in a law-suit; and he was accused before the star-chamber of having said of that nobleman, that he was a base lord. The evidence against him was somewhat lame; yet, for this slight offence, insufficiently proved, he was condemned to pay a fine of eight thousand pounds; one half to the earl, the other to the king.

Sir George Markham, following a chase where lord Darcy's huntsman was exercising his hounds, kept closer to the dogs than was thought proper by the huntsman, who, besides other rudeness, gave him foul language, which sir George returned with a stroke of his whip. The fellow threatened to complain to his master: the knight replied, if his master should justify such insolence, he would serve him in the same manner, or words to that effect. Sir George was summoned before the star-chamber, and fined ten thousand pounds. *So fine a thing was it in those days to be a lord!*—a natural reflection of lord Lansdown's, in relating this incident.* The people, in vindicating their liberties from the authority of the crown, threw off also the yoke of the nobility. It is proper to remark, that this last incident happened early in the reign of James. The present practice of the star-chamber was far from being an innovation; though the present dispositions of the people made them repine more at this servitude.

1635. Charles had imitated the example of Elizabeth and James, and had issued proclamations forbidding the landed gentleman and the nobility to live idly in London, and ordering them to retire to their country-seats. For disobedience to this edict, many were indicted by the attorney-general, and were fined in the star-chamber. This occasioned discontents; and the sentences were complained of, as illegal. But if proclamations had authority, of which nobody pretended to doubt, must they not be put in execution? In no instance, I must confess, does it more evidently appear, what confused and uncertain ideas were, during that age, entertained concerning the English constitution.

Ray, having exported fullers' earth, contrary to the king's proclamation, was, besides the pillory, condemned in the star-chamber to a fine of two thousand pounds. Like fines were levied on Terry, Eman, and others, for disobeying a proclamation which forbade the exportation of gold. In order to account for the subsequent convulsions, even these incidents are not to be overlooked, as frivolous or contemptible. Such severities were afterwards magnified into the greatest enormities.

There remains a proclamation of this year, prohibiting hackney-coaches from standing in the street. We are told, that there were not above twenty coaches of that kind in London. There are at present, near eight hundred.

1636. The effects of ship money began now to appear. A formidable fleet of sixty sail, the greatest that England had ever known, was equipped under the earl of Northumberland, who had orders to attack

* Lord Lansdown, p. 515. This story is told differently in Hobart's Reports, p. 120. It there appears, that Markham was fined only five hundred pounds, and very deservedly; for he gave the lie and wrote a challenge to lord D'Arcy. James was anxious to discourage the practice of dueling, which was then very prevalent.

the herring-busses of the Dutch, which fished in what were called the British seas. The Dutch were content to pay thirty thousand pounds for a licence during this year. They openly denied, however, the claim of dominion in the seas beyond the friths, bays, and shores; and it may be questioned, whether the laws of nations warrant any further pretensions.

This year the king sent a squadron against Sallee; and with the assistance of the emperor of Morocco, destroyed that receptacle of pirates, by whom the English commerce and even the English coasts, had long been infested.

1637. Burton, a divine, and Bastwick, a physician, were tried in the star-chamber for seditious and schismatical libels, and were condemned to the same punishment that had been inflicted on Prynne. Prynne himself was tried for a new offence; and, together with another fine of five thousand pounds, was condemned to lose what remained of his ears. Besides that these writers had attacked with great severity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the very answers which they gave into the court were so full of contumacy and of invectives against the prelates, that no lawyer could be prevailed on to sign them. The rigours, however, which they underwent, being so unworthy men of their profession, gave general offence; and the patience, or rather alacrity, with which they suffered, increased still further the indignation of the public. The severity of the star-chamber, which was generally ascribed to Laud's passionate disposition, was, perhaps, in itself somewhat blameable; but will naturally, to us, appear enormous, who enjoy, in the utmost latitude, that liberty of the press which is esteemed so necessary in every monarchy, confined by strict legal limitations. But as these limitations were not regularly fixed during the age of Charles, nor at any time before, so was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever set an example of such an indulgence: and it seems unreasonable to judge of the measures embraced during one period, by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned, among others, that a certain Wednesday had been appointed for a fast, and that the fast was ordered to be celebrated without any sermons. The intention, as he pretended, of that novelty was, by the example of a fast without sermons, to suppress all the Wednesday's lectures in London. It is observable, that the church of Rome and that of England, being both of them lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical sectaries, who find that the latter method of address, being directed to a numerous audience present and visible, is more inflaming and animating, have always regarded it as the chief part of divine service. Such circumstances, though minute, it may not be improper to transmit to posterity; that those, who are curious of tracing the history of the human mind, may remark how far its several singularities coincide in different ages.

Certain zealots had erected themselves into a society for buying-in of impropriations, and transferring them to the church; and great sums of money had been bequeathed to the society for these purposes. But it was soon observed, that the only use which they made of their funds, was, to establish lecturers in all the considerable churches; men, who, without being subjected to episcopal authority, employed themselves entirely in preaching and spreading the fire of puritanism. Laud took care, by a decree, which was passed in the court of exchequer, and which was much complained of, to abolish this society, and to stop their progress. It was, however, still observed, that throughout England the lecturers were all of them puritanically affected; and from them the clergymen, who contented themselves with reading prayers and homilies to the people, commonly received the reproachful appellation of *dumb dogs*.

The puritans, restrained in England, shipped themselves off for America, and laid there the foundations of a government which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. But their enemies, unwilling that they should anywhere enjoy ease and contentment, and dreading, perhaps, the dangerous consequences of so disaffected a colony, prevailed on the king to issue a proclamation, debarring these devotees access even into those inhospitable deserts. Eight ships, lying in the Thames, and ready to sail, were detained by order of the council; and in these were embarked sir Arthur Hazelrig, John Hambden, John Pym, and Oliver Cromwell,* who had resolved for ever to abandon their native country, and fly to the other extremity of the globe; where they might enjoy lectures and discourses of any length or form which pleased them. The king had afterwards full leisure to repent this exercise of his authority.

The bishop of Norwich, by rigorously insisting on uniformity, had banished many industrious tradesmen from that city, and chased them into Holland. The Dutch began to be more intent on commerce than on orthodoxy; and thought that the knowledge of useful arts and obedience to the laws formed a good citizen; though attended with errors in subjects where it is not allowable for human nature to expect any positive truth or certainty.

Complaints about this time were made, that the Petition of Right was, in some instances, violated, and that, upon a commitment by the king and council, bail or releasement had been refused to Jennings, Pargiter, and Danvers.

Williams, bishop of Lincoln, a man of spirit and learning, a popular prelate, and who had been lord-keeper, was fined ten thousand pounds by the star-chamber, committed to the Tower during the king's pleasure, and suspended from his office. This severe sentence was founded on frivolous pretences, and was more ascribed to Laud's vengeance, than to any guilt of the bishop. Laud, however, had owed his first promotion to the good offices of that prelate with king James. But so implacable was the haughty primate, that he raised up a new prosecution against Williams, on the strangest pretence imaginable. In order to levy the fine above-mentioned, some officers had been sent to seize all the furniture and books of his episcopal palace of Lincoln; and in rummaging the house, they found in a corner some neglected letters, which had been thrown by as useless. These letters were written by one Osbaldistone, a schoolmaster, and were directed to Williams. Mention was there made of *a little great man;* and in another passage, the same person was denominated *a little urchin*. By inferences and constructions, these epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received scandalous letters, and not discovering that private correspondence. For this offence another fine of eight thousand pounds was levied on him: Osbaldistone was likewise brought to trial, and condemned to pay a fine of five thousand pounds, and to have his ears nailed to the pillory before his own school. He saved himself by flight; and left a note in his study wherein he said, "That he was gone beyond Canterbury."

These prosecutions of Williams seem to have been the most iniquitous measure pursued by the court during the time that the use of parliaments was suspended. Williams had been indebted for all his fortune to the

* Mather's Hist. of New England, book i. Dugdale. Bates. Hutchinson's Hist. of Massachusets Bay, vol. i. p. 42. This last quoted author puts the matter beyond controversy. And it is a curious fact, as well with regard to the characters of the men, as of the times. Can any one doubt, that the ensuing quarrel was almost entirely theological; not political? What might be expected of the populace, when such was the character of the most enlightened leaders?

favour of James; but having quarrelled, first with Buckingham, then with Laud, he threw himself into the country party; and with great firmness and vigour opposed all the measures of the king. A creature of the court to become its obstinate enemy, a bishop to countenance puritans; these circumstances excited indignation, and engaged the ministers in those severe measures. Not to mention, what some writers relate, that, before the sentence was pronounced against him, Williams was offered a pardon upon his submission, which he refused to make. The court was apt to think, that so refractory a spirit must by any expedient be broken and subdued.

In the former trial which Williams underwent, (for these were not the first,) there was mentioned, in court, a story, which, as it discovers the genius of parties, may be worth relating. Sir John Lambe urging him to prosecute the puritans, the prelate asked, what sort of people these same puritans were? Sir John replied, "That to the world they seemed to be such as would not swear, whore, or be drunk; but they would lie, cozen, and deceive: that they would frequently hear two sermons a day, and repeat them too, and that sometimes they would fast all day long." This character must be conceived to be satirical; yet it may be allowed, that that sect was more averse to such irregularities as proceed from the excess of gaiety and pleasure, than to those enormities which are the most destructive of society. The former were opposite to the very genius and spirit of their religion; the latter were only a transgression of its precepts: and it was not difficult for a gloomy enthusiast to convince himself, that a strict observance of the one would atone for any violation of the other.

In 1632, the treasurer, Portland, had insisted with the vintners, that they should submit to a tax of a penny a quart upon all the wine which they retailed. But they rejected the demand. In order to punish them, a decree, suddenly, without much inquiry or examination, passed in the star-chamber, prohibiting them to sell or dress victuals in their houses. Two years after, they were questioned for the breach of this decree; and in order to avoid punishment, they agreed to lend the king six thousand pounds. Being threatened during the subsequent years with fines and prosecutions, they at last compounded the matter, and submitted to pay half of that duty which was at first demanded of them. It required little foresight to perceive that the king's right of issuing proclamations must, if prosecuted, draw on a power of taxation.

Lilburne was accused before the star-chamber of publishing and dispersing seditious pamphlets. He was ordered to be examined; but refused to take the oath usual in that court, that he would answer interrogatories, even though they might lead him to accuse himself. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and imprisoned. While he was whipped at the cart, and stood on the pillory, he harangued the populace, and declaimed violently against the tyranny of bishops. From his pockets also he scattered pamphlets, said to be seditious, because they attacked the hierarchy. The star-chamber, which was sitting at that very time, ordered him immediately to be gagged. He ceased not, however, though both gagged and pilloried, to stamp with his foot, and gesticulate, in order to show the people, that, if he had it in his power, he would still harangue them. This behaviour gave fresh provocation to the star-chamber; and they condemned him to be imprisoned in a dungeon, and to be loaded with irons. It was found difficult to break the spirits of men who placed both their honour and their conscience in suffering.

The jealousy of the church appeared in another instance less tragical. Archy, the king's fool, who, by his office, had the privilege of jesting on his master, and the whole court, happened unluckily to try his wit upon Laud, who was too sacred a person to be played with. News having arrived from Scotland of the first commotions excited by the liturgy, Archy, seeing the primate pass by, called to him, "Who's fool, now, my lord!" For this offence, Archy was ordered, by sentence of the council, to have his coat pulled over his head, and to be dismissed the king's service.

Here is another instance of that rigorous subjection in which all men were held by Laud. Some young gentlemen of Lincoln's Inn, heated by their cups, having drunk confusion to the archbishop, were at his instigation cited before the star-chamber. They applied to the earl of Dorset for protection. "Who bears witness against you?" said Dorset. "One of the drawers," they said. "Where did he stand, when you were supposed to drink his health?" subjoined the earl. "He was at the door," they replied, "going out of the room." "Tush," cried he, "the drawer was mistaken: you drank confusion to the archbishop of Canterbury's enemies: and the fellow was gone before you pronounced the last word." This hint supplied the young gentlemen with a new method of defence; and being advised by Dorset to behave with great humility and great submission to the primate; the modesty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, saved them from any severer punishment than a reproof and admonition, with which they were dismissed.

TRIAL OF HAMBDEN.

This year, John Hambden acquired, by his spirit, and courage, universal popularity throughout the nation, and has merited great renown with posterity, for the bold stand which he made in defence of the laws and liberties of his country. After the imposing of ship-money, Charles, in order to discourage all opposition, had proposed this question to the judges: "Whether, in a case of necessity, for the defence of the kingdom, he might not impose this taxation; and whether he were not sole judge of the necessity?" These guardians of law and liberty replied with great complaisance, "That in a case of necessity he might impose that taxation, and that he was sole judge of the necessity." Hambden had been rated at twenty shillings, for an estate which he possessed in the county of Buckingham: yet, notwithstanding this declared opinion of the judges, notwithstanding the great power, and sometimes rigorous maxims of the crown, notwithstanding the small prospect of relief from parliament; he resolved, rather than tamely submit to so illegal an imposition, to stand a legal prosecution, and expose himself to all the indignation of the court. The case was argued during twelve days, in the exchequer-chamber, before all the judges of England; and the nation regarded, with the utmost anxiety, every circumstance of the celebrated trial. The event was easily foreseen: but the principles, and reasonings, and behaviour of the parties engaged in the trial, were much canvassed and inquired into; and nothing could equal the favour paid to the one side, except the hatred which attended the other.

It was urged by Hambden's counsel, and by his partisans in the nation, that the plea of necessity was in vain introduced into a trial of law; since it was the nature of necessity to abolish all law, and, by irresistible violence, to dissolve all the weaker and more artificial ties of human society. Not only the prince, in cases of extreme distress, is exempted from the ordinary rules of administration: all orders of men are then levelled; and any individual may consult the public safety by any expedient which his situation enables him to employ. But to produce so violent an effect, and so hazardous to every community, an ordinary danger or difficulty is not sufficient; much less, a necessity which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of the society; and though all ancient rules of government are in that case abrogated, men will readily, of themselves submit to that irregular authority, which is

exerted for their preservation. But what is there in common between such suppositions, and the present condition of the nation? England enjoys a profound peace with all her neighbours: and, what is more, all her neighbours are engaged in furious and bloody wars among themselves, and by their mutual enmities further ensure her tranquillity. The very writs themselves, which are issued for the levying of ship-money, contradict the supposition of necessity, and pretend only that the seas are infested with pirates; a slight and temporary inconvenience, which may well await a legal supply from parliament. The writs likewise allow several months for equipping the ships; which proves a very calm and deliberate species of necessity, and one that admits of delay much beyond the forty days requisite for summoning that assembly. It is strange, too, that an extreme necessity which is always apparent, and usually comes to a sudden crisis, should now have continued, without interruption, for near four years, and should have remained, during so long a time, invisible to the whole kingdom. And as to the pretension, that the king is sole judge of the necessity; what is this but to subject all the privileges of the nation to his arbitrary will and pleasure? To expect that the public will be convinced by such reasoning, must aggravate the general indignation; by adding to violence against men's persons and their property, so cruel a mockery of their understanding.

In vain are precedents of ancient writs produced: these writs, when examined, are only found to require the seaports, sometimes at their own charge, sometimes at the charge of the counties, to send their ships for the defence of the nation. Even the prerogative, which empowered the crown to issue such writs, is abolished, and its exercise almost entirely discontinued from the time of Edward III.; and all the authority which remained, or was afterwards exercised, was to press ships into the public service, to be paid for by the public. How wide are these precedents from a power of obliging the people, at their own charge, to build new ships, to victual and pay them for the public: nay, to furnish money to the crown for that purpose! What security either against the further extension of this claim, or against diverting to other purposes the public money so levied? The plea of necessity would warrant any other taxation as well as that of ship-money: wherever any difficulty shall occur, the administration, instead of endeavouring to elude or overcome it by gentle and prudent measures, will instantly represent it as a reason for infringing all ancient laws and institutions: and if such maxims and such practices prevail, what has become of national liberty? What authority is left to the Great Charter, to the statutes, and to that very Petition of Right, which, in the present reign, had been so solemnly enacted by the concurrence of the whole legislature?

The defenceless condition of the kingdom while unprovided with a navy; the inability of the king, from his established revenues, with the utmost care and frugality, to equip and maintain one; the impossibility of obtaining, on reasonable terms, any voluntary supply from parliament: all these are reasons of state, not topics of law. If these reasons appear to the king so urgent as to dispense with the legal rules of government; let him enforce his edicts by his court of star-chamber, the proper instrument of irregular and absolute power; not prostitute the character of his judges by a decree which is not, and cannot possibly be legal. By this means the boundaries at least will be kept more distinct between ordinary law and extraordinary exertions of prerogative; and men will know that the national constitution is only suspended during a present and difficult emergence, but has not undergone a total and fundamental alteration.

Notwithstanding these reasons, the prejudiced judges, four excepted,* gave sentence in favour of the crown. Hambden, however, obtained by the trial the end for which he had so generously sacrificed his safety and his quiet: the people were roused from their lethargy, and became sensible of the danger to which their liberties were exposed. These national questions were canvassed in every company; and the more they were examined, the more evidently did it appear to many, that liberty was totally subverted, and an unusual and arbitrary authority exercised over the kingdom. Slavish principles, they said, concur with illegal practices; ecclesiastical tyranny gives aid to the civil usurpation; iniquitous taxes are supported by arbitrary punishments; and all the privileges of the nation, transmitted through so many ages, secured by so many laws, and purchased by the blood of so many heroes and patriots, now lie prostrate at the feet of the monarch. What though public peace and national industry increased the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the spirit of the English, the remains of their ancient freedom. What though the personal character of the king, amidst all his misguided counsels, might merit indulgence, or even praise? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be sacrificed to his prejudices and mistakes. Such, or more severe, were the sentiments promoted by a great party in the nation: no excuse on the king's part, or alleviation, how reasonable soever, could be hearkened to or admitted: and to redress these grievances, a parliament was impatiently longed for; or any other incident, however calamitous, that might secure the people against those oppressions which they felt, or the greater ills which they apprehended from the combined encroachments of church and state.

* See State Trials: article Ship-money, which contains the speeches of four judges in favour of Hambden.

CHAPTER LIII.

Discontents in Scotland — Introduction of the Canons and Liturgy — A Tumult at Edinburgh — The Covenant — A General Assembly — Episcopacy abolished — War — A Pacification — Renewal of the War — Fourth English Parliament — Dissolution — Discontents in England — Rout at Newburn — Treaty at Ripon — Great Council of the Peers.

THE grievances under which the English laboured, when considered in themselves, without regard to the constitution, scarcely deserve the name; nor were they either burdensome on the people's properties, or any way shocking to the natural humanity of mankind. Even the imposition of ship-money, independent of the consequences, was a great and evident advantage to the public, by the judicious use which the king made of the money levied by that expedient. And though it was justly apprehended that such precedents, if patiently submitted to, would end in a total disuse of parliaments, and in the establishment of arbitrary authority; Charles dreaded no opposition from the people, who are not commonly much affected with consequences, and require some striking motive to engage them in a resistance of established government. All ecclesiastical affairs were settled by law and uninterrupted precedent; and the church was become a considerable barrier to the power, both legal and illegal, of the crown. Peace, too, industry, commerce, opulence; nay, even justice and lenity of administration, notwithstanding some very few exceptions: all these were enjoyed by the people; and every other blessing of government, except liberty, or rather the present exercise of liberty and its proper security. It seemed probable, therefore, that affairs might long have continued on the same footing in England, had it not been for the neighbourhood of Scotland; a country more turbulent, and less disposed to submission and obedience. It was thence the commotions first arose;

and it is therefore time for us to return thither, and to give an account of the state of affairs in that kingdom.

DISCONTENTS IN SCOTLAND.

Though the pacific, and not unskilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had established law and order throughout the kingdom, the Scottish nobility were still possessed of the chief power and influence over the people. Their property was extensive; their hereditary jurisdictions and the feudal tenures increased their authority; and the attachment of the gentry to the heads of families established a kind of voluntary servitude under the chieftains. Besides that long absence had much loosened the king's connexions with the nobility, who resided chiefly at their country-seats, they were in general at this time, though from slight causes; much disgusted with the court. Charles, from the natural piety or superstition of his temper, was extremely attached to the ecclesiastics: and as it is natural for men to persuade themselves that their interest coincides with their inclination, he had established it as a fixed maxim of policy, to increase the power and authority of that order. The prelates, he thought, established regularity and discipline among the clergy; the clergy inculcated obedience and loyalty among the people: and as that rank of men had no separate authority, and no dependence but on the crown, the royal power, it would seem, might with the greater safety be intrusted in their hands. Many of the prelates, therefore, were raised to the chief dignities of the state: Spotswood, archbishop of St. Andrews, was created chancellor: nine of the bishops were privy-counsellors: the bishop of Ross aspired to the office of treasurer: some of the prelates possessed places in the exchequer: and it was even endeavoured to revive the first institution of the college of justice, and to share equally between the clergy and laity the whole judicial authority. These advantages, possessed by the church, and which the bishops did not always enjoy with suitable modesty, disgusted the haughty nobility, who, deeming themselves much superior in rank and quality to this new order of men, were displeased to find themselves inferior in power and influence. Interest joined itself to ambition, and begat a jealousy, lest the episcopal sees, which, at the Reformation, had been pillaged by the nobles, should again be enriched at the expense of that order. By a most useful and beneficial law, the impropriations had already been ravished from the great men: competent salaries had been assigned to the impoverished clergy from the tithes of each parish: and what remained, the proprietor of the land was empowered to purchase at a low valuation. The king likewise, warranted by ancient law and practice, had declared for a general resumption of all crown-lands, alienated by his predecessors; and though he took no step towards the execution of this project, the very pretension to such power had excited jealousy and discontent.

Notwithstanding the tender regard which Charles bore to the whole church, he had been able, in Scotland, to acquire only the affection of the superior rank among the clergy. The ministers in general equalled, if not exceeded, the nobility, in their prejudices against the court, against the prelates, and against episcopal authority. Though the establishment of the hierarchy might seen advantageous to the inferior clergy, both as it erected dignities to which all of them might aspire, and as it bestowed a lustre on the whole body, and allured men of family into it; these views had no influence on the Scottish ecclesiastics. In the present disposition of men's minds, there was another circumstance which drew consideration, and counterbalanced power and riches, the usual foundations of distinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous, of religious lectures and discourses. Checked by the prelates in the licence of preaching, the clergy regarded episcopal jurisdiction both as tyranny and an usurpation, and maintained a parity among ecclesiastics to be a divine privilege, which no human law could alter or infringe. While such ideas prevailed, the most moderate exercise of authority would have given disgust; much more, that extensive power, which the king's indulgence encouraged the prelates to assume. The jurisdiction of presbyteries, synods, and other democratical courts, was, in a manner, abolished by the bishops; and the general assembly itself had not been summoned for several years. A new oath was arbitrarily imposed on intrants, by which they swore to observe the articles of Perth, and submit to the liturgy and canons. And, in a word, the whole system of church government, during a course of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which prevailed among these two orders; and where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The same horror against popery, with which the English puritans were possessed, was observable among the populace in Scotland; and among these, as being more uncultivated and uncivilized, seemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed in the court and among the prelates, was of an opposite nature; and having some affinity to the Romish worship, led them to mollify, as much as possible, the severe prejudices, and to speak of the catholics in more charitable language, and with more reconciling expressions. From this foundation, a panic fear of popery was easily raised; and every new ceremony or ornament, introduced into divine service, was part of that great mystery of iniquity, which, from the encouragement of the king and the bishops, was to overspread the nation. The few innovations which James had made, were considered as preparatives to this grand design; and the further alterations attempted by Charles were represented as a plain declaration of his intentions. Through the whole course of this reign, nothing had more fatal influence in both kingdoms, than this groundless apprehension, which, with so much industry, was propagated, and with so much credulity, was embraced by all ranks of men.

Amidst these dangerous complaints and terrors of religious innovation, the civil and ecclesiastical liberties of the nation were imagined, and with some reason, not to be altogether free from invasion.

The establishment of the high-commission by James without any authority of law, seemed a considerable encroachment of the crown, and erected the most dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the steps towards the settlement of episcopacy had indeed been taken with consent of parliament: the articles of Perth were confirmed in 1621: in 1633, the king had obtained a general ratification of every ecclesiastical establishment: but these laws had less authority with the nation, as they were known to have passed contrary to the sentiments even of those who voted for them, and were in reality extorted by the authority and importunity of the sovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were entirely regular; and no reasonable pretence had been afforded for representing these laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the most important and most dangerous nature, and which, if admitted, destroyed entirely the validity of all such statutes. The ecclesiastical authority was supposed totally independent of the civil; and no act of parliament, nothing but the consent of the church itself, was represented as suffi-

cient ground for the introduction of any change in religious worship or discipline. And though James had obtained the vote of assemblies for receiving episcopacy and his new rites, it must be confessed that such irregularities had prevailed in constituting these ecclesiastical courts, and such violence in conducting them, that there were some grounds for denying the authority of all their acts. Charles, sensible that an extorted consent, attended with such invidious circumstances, would rather be prejudicial to his measures, had wholly laid aside the use of assemblies, and was resolved, in conjunction with the bishops, to govern the church by an authority, to which he thought himself fully entitled, and which he believed inherent in the crown.

The king's great aim was to complete the work so happily begun by his father; to establish discipline upon a regular system of canons, to introduce a liturgy into public worship, and to render the ecclesiastical government of all his kingdoms regular and uniform. Some views of policy might move him to this undertaking; but his chief motives were derived from principles of zeal and conscience

CANONS AND LITURGY INTRODUCED.

The canons for establishing ecclesiastical jurisdiction were promulgated in 1635; and were received by the nation, though without much appearing opposition, yet with great inward apprehension and discontent. Men felt displeasure at seeing the royal authority highly exalted by them, and represented as absolute and uncontrollable. They saw these speculative principles reduced to practice, and a whole body of ecclesiastical laws established without any previous consent either of church or state? They dreaded lest, by a parity of reason, like arbitrary authority, from like pretences and principles, would be assumed in civil matters: they remarked, that the delicate boundaries which separate church and state were already passed, and many civil ordinances established by the canons, under colour of ecclesiastical institutions: and they were apt to deride the negligence with which these important edicts had been compiled, when they found that the new liturgy or service-book was everywhere, under severe penalties, enjoined by them, though it had not yet been composed or published. It was, however, soon expected; and in the reception of it, as the people are always most affected by what is external and exposed to the senses, it was apprehended that the chief difficulty would consist.

The liturgy which the king, from his own authority, imposed on Scotland, was copied from that of England: but lest a servile imitation might shock the pride of his ancient kingdom, a few alterations, in order to save appearances, were made in it; and in that shape it was transmitted to the bishops at Edinburgh. But the Scots had universally entertained a notion, that though riches and worldly glory had been shared out to them with a sparing hand, they could boast of spiritual treasures more abundant and more genuine than were enjoyed by any nation under heaven. Even their southern neighbours, they thought, though separated from Rome, still retained a great tincture of the primitive pollution, and their liturgy was represented as a species of mass, though with some less show and embroidery. Great prejudices, therefore, were entertained against it, even considered in itself; much more when regarded as a preparative, which was soon to introduce into Scotland all the abominations of popery. And as the very few alterations which distinguished the new liturgy from the English seemed to approach nearer to the doctrine of the real presence, this circumstance was deemed an undoubted confirmation of every suspicion with which the people were possessed.

Easter-day was, by proclamation, appointed for the first reading of the service in Edinburgh: but in order to judge more surely of men's dispositions, the council delayed the matter till the 23rd of July; and they even gave notice, the Sunday before, of their intention to commence the use of the new liturgy. As no considerable symptoms of discontent appeared, they thought that they might safely proceed in their purpose; and accordingly, in the cathedral church of St. Giles, the dean of Edinburgh, arrayed in his surplice, began the service; the bishop himself and many of the privy-council being present. But no sooner had the dean opened the book, than a multitude of the meanest sort, most of them women, clapping their hands, cursing, and crying out, *A pope! a pope! antichrist! stone him!* raised such a tumult, that it was impossible to proceed with the service. The bishop, mounting the pulpit, in order to appease the populace, had a stool thrown at him: the council was insulted: and it was with difficulty that the magistrates were able, partly by authority, partly by force, to expel the rabble, and to shut the doors against them. The tumult, however, still continued without: stones were thrown at the doors and windows: and when the service was ended, the bishop, going home, was attacked, and narrowly escaped from the hands of the enraged multitude. In the afternoon, the privy-seal, because he carried the bishop in his coach, was so pelted with stones, and hooted at with execrations, and pressed upon by the eager populace, that if his servants, with drawn swords, had not kept them off, the bishop's life had been exposed to the utmost danger.

Though it was violently suspected, that the low populace, who alone appeared, had been instigated by some of higher condition, yet no proof of it could be produced; and every one spake with disapprobation of the licentiousness of the giddy multitude. It was not thought safe, however, to hazard a new insult by any new attempt to read the liturgy; and the people seemed, for the time, to be appeased and satisfied. But it being known that the king still persevered in his intentions of imposing that mode of worship, men fortified themselves still further in their prejudices against it; and great multitudes resorted to Edinburgh, in order to oppose the introduction of so hated a novelty. It was not long before they broke out in the most violent disorder. The bishop of Galloway was attacked in the streets, (18th October,) and chased into the chamber where the privy-council was sitting. The council itself was besieged and violently attacked: the town-council met with the same fate: and nothing could have saved the lives of all of them, but their application to some popular lords, who protected them, and dispersed the multitude. In this sedition, the actors were of some better condition than in the former; though nobody of rank seemed, as yet, to countenance them.

All men, however, began to unite and to encourage each other, in opposition to the religious innovations introduced into the kingdom. Petitions to the council were signed and presented by persons of the highest quality: the women took part, and, as was usual, with violence: the clergy, everywhere, loudly declaimed against popery and the liturgy, which they represented as the same. The pulpits resounded with vehement invectives against antichrist: and the populace, who first opposed the service, was often compared to Balaam's ass, an animal, in itself, stupid and senseless, but whose mouth had been opened by the Lord, to the admiration of the whole world. In short, fanaticism mingling with faction, private interest with the spirit of liberty, symptoms appeared, on all hands, of the most dangerous insurrection and disorder.

The primate, a man of wisdom and prudence, who was all along averse to the introduction of the liturgy, represented to the king the state of the nation; the earl of Traquaire, the treasurer, set out for London, in order to lay the matter more fully before him: every circumstance, whether the condition of England or of Scotland were considered, should have engaged

him to desist from so hazardous an attempt: yet was Charles inflexible. In his whole conduct of this affair, there appear no marks of the good sense with which he was endowed: a lively instance of that species of character so frequently to be met with; where there are found parts and judgment in every discourse and opinion; in many actions indiscretion and imprudence. Men's views of things are the result of their understanding alone: their conduct is regulated by their understanding, their temper, and their passions.

1638. To so violent a combination of a whole kingdom, Charles had nothing to oppose but a proclamation; (19th February;) in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and to submit peaceably to the use of the liturgy. The proclamation was instantly encountered with a public protestation, presented by the earl of Hume and lord Lindsey: and this was the first time that men of quality had appeared in any violent act of opposition. But this proved a crisis. The insurrection, which had been advancing by a gradual and slow progress, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four *tables*, as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables, the whole authority of the kingdom was placed. Orders were issued by them, and everywhere obeyed, with the utmost regularity. And among the first acts of their government was the production of the COVENANT.

THE COVENANT.

This famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives, fitted to inflame the minds of men against their fellow-creatures, whom heaven has enjoined them to cherish and to love. There followed a bond of union, by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever: and all this, for the greater glory of God, and the greater honour and advantage of their king and country. The people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant: few, in their judgment, disapproved of it; and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God, and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

In June, the king began to apprehend the consequences. He sent the marquis of Hamilton, as commissioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled: and he thought, that on his part he had made very satisfactory concessions, when he offered to suspend the canons and the liturgy, till, in a fair and legal way, they could be received: and so to model the high-commission, that it should no longer give offence to his subjects. Such general declarations could not well give content to any, much less to those who carried so much higher their pretensions. The covenanters found themselves seconded by the zeal of the whole nation. Above sixty thousand people were assembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles possessed no regular forces in either of his kingdoms. And the discontents in England, though secret, were believed so violent, that the king, it was thought, would find it very difficult to employ in such a cause the power of that kingdom. The more, therefore, the popular leaders in Scotland considered their situation, the less apprehension did they entertain of royal power, and the more rigorously did they insist on entire satisfaction. In answer to Hamilton's demand of renouncing the covenant, they plainly told him, that they would sooner renounce their baptism. And the clergy invited the commissioner himself to subscribe it, by informing him, "With what peace and comfort it had filled the hearts of all God's people; what resolutions and beginnings of reformation of manners were sensibly perceived in all parts of the nation, above any measure they had ever before found or could have expected; how great the glory the Lord had received thereby; and what confidence they had that God would make Scotland a blessed kingdom."

Hamilton returned to London: made another fruitless journey, with new concessions, to Edinburgh: returned again to London; and was immediately sent back with still more satisfactory concessions. (17th September.) The king was now willing entirely to abolish the canons, the liturgy, and the high-commission court. He was even resolved to limit extremely the power of the bishops, and was content if on any terms he could retain that order in the church of Scotland. And to ensure all these gracious offers, he gave Hamilton authority to summon first an assembly, then a parliament, where every national grievance might be redressed and remedied. These successive concessions of the king, which yet came still short of the rising demands of the malcontents, discovered his own weakness, encouraged their insolence, and gave no satisfaction. The offer, however, of an assembly and a parliament, in which they expected to be entirely masters, was willingly embraced by the covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, resolved to have a covenant on his side; and he ordered one to be drawn up for that purpose. It consisted of the same violent renunciation of popery above-mentioned; which, though the king did not approve of it, he thought it safest to adopt, in order to remove all the suspicions entertained against him. As the covenanters, in their bond of mutual defence against all opposition, had been careful not to except the king; Charles had formed a bond, which was annexed to this renunciation, and which expressed the duty and loyalty of the subscribers to his majesty. But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmost scorn and detestation. And without delay they proceeded to model the future assembly, from which such great achievements were expected.

A GENERAL ASSEMBLY.

The genius of that religion which prevailed in Scotland, and which every day was secretly gaining ground in England, was far from inculcating deference and submission to the ecclesiastics, merely as such: or rather, by nourishing in every individual the highest raptures and ecstasies of devotion, it consecrated, in a manner, every individual, and, in his own eyes, bestowed a character on him, much superior to what forms and ceremonious institutions could alone confer. The clergy of Scotland, though such tumult was excited about religious worship and discipline, were both poor and in small numbers; nor are they in general to be considered, at least in the beginning, as the ringleaders of the sedition, which was raised on their account. On the contrary, the laity, apprehending from several instances which occurred, a spirit of moderation in that order, resolved to domineer entirely in the assembly, which was summoned, and to hurry on

the ecclesiastics by the same furious zeal with which they themselves were transported.

It had been usual, before the establishment of prelacy, for each presbytery to send to the assembly, besides two or three ministers, one lay-commissioner;* and, as all the boroughs and universities sent likewise commissioners, the lay-members in that ecclesiastical court nearly equalled the ecclesiastics. Not only this institution, which James, apprehensive of zeal in the laity, had abolished, was now revived by the covenanters: they also introduced an innovation which served still further to reduce the clergy to subjection. By an edict of the tables, whose authority was supreme, an elder from each parish was ordered to attend the presbytery, and to give his vote in the choice both of the commissioners and ministers who should be deputed to the assembly. As it is not usual for the ministers, who are put in the list of candidates, to claim a vote, all the elections by that means fell into the hands of the laity: the most furious of all ranks were chosen: and, the more to overawe the clergy, a new device was fallen upon, of choosing to every commissioner four or five lay-assessors, who, though they could have no vote, might yet interpose with their advice and authority in the assembly

EPISCOPACY ABOLISHED.

The assembly met at Glasgow; and, besides a great concourse of the people, all the nobility and gentry of any family or interest were present, either as members, assessors, or spectators; and it was apparent, that the resolutions taken by the covenanters, could here meet with no manner of opposition. A firm determination had been entered into, of utterly abolishing episcopacy; and as a preparative to it, there was laid before the presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, as guilty, all of them, of heresy, simony, bribery, perjury, cheating, incest, adultery, fornication, common swearing, drunkenness, gaming, breach of the sabbath, and every other crime that had occured to the accusers. The bishops sent a protest, declining the authority of the assembly; the commissioner too protested against that court, as illegally constituted and elected; and, in his majesty's name, dissolved it. This measure was foreseen, and little regarded. The court still continued to sit, and to finish their business. All the acts of assembly since the accession of James to the crown of England were, upon pretty reasonable grounds, declared null and invalid. The acts of parliament which affected ecclesiastical affairs were supposed, on that very account, to have no manner of authority. And thus episcopacy, the high-commission, the articles of Perth, the canons, and the liturgy, were abolished and declared unlawful: and the whole fabric, which James and Charles, in a long course of years, had been rearing with so much care and policy, fell at once to the ground. The covenant likewise was ordered to be signed by every one, under pain of excommunication.

1639. The independency of the ecclesiastical upon the civil power was the old presbyterian principle, which had been zealously adopted at the Reformation, and which, though James and Charles had obliged the church publicly to disclaim it, had secretly been adhered to by all ranks of people. It was commonly asked, whether Christ or the king were superior? And as the answer seemed obvious, it was inferred, that the assembly, being Christ's council, was superior in all spiritual matters to the parliament, which was only the king's. But as the covenanters were sensible that this consequence, though it seemed to them irrefragable, would not be assented to by the king; it became necessary to maintain their religious tenets by military force, and not to trust entirely to supernatural assistance, of which, however, they held themselves well assured. They cast their eyes on all sides, abroad and at home, whence ever they could expect any aid or support.

After France and Holland had entered into a league against Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low Country provinces, England was invited to preserve a neutrality between the contending parties, while the French and Dutch should attack the maritime towns of Flanders. But the king replied to d'Estrades, the French ambassador, who opened the proposal, that he had a squadron ready, and would cross the seas, if necessary, with an army of fifteen thousand men, in order to prevent these projected conquests. This answer, which proves that Charles, though he expressed his mind with an imprudent candour, had at last acquired a just idea of national interest, irritated cardinal Richelieu; and in revenge, that politic and enterprising minister carefully fomented the first commotions in Scotland, and secretly supplied the covenanters with money and arms, in order to encourage them in their opposition against their sovereign.

WAR.

But the chief resource of the Scottish malcontents was in themselves, and in their own vigour and abilities. No regular established commonwealth could take juster measures, or execute them with greater promptitude, than did this tumultous combination, inflamed with bigotry for religious trifles, and faction without a reasonable object. The whole kingdom was in a manner engaged; and the men of greatest abilities soon acquired the ascendant, which their family interest enabled them to maintain. The earl of Argyle, though he long seemed to temporise, had at last embraced the covenant; and he became the chief leader of that party: a man equally supple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The earls of Rothes, Cassils, Montrose, Lothian, the lords Lindesey, Loudon, Yester, Balmerino, distinguished themselves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under Gustavus; and these were invited over to assist their country in her present necessity. The command was intrusted to Lesley, a soldier of experience and abilities. Forces were regularly enlisted and disciplined. Arms were commissioned and imported from foreign countries. A few castles which belonged to the king, being unprovided with victuals, ammunition, and garrisons, were soon seized. And the whole country, except a small part, where the marquis of Huntley still adhered to the king, being in the hands of the covenanters, was in a very little time put in a tolerable posture of defence.

The fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort, and those who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women, too, of rank and condition, forgetting the delicacy of their sex, and the decorum of their character, were intermingled with the lowest rabble; and carried on their shoulders the rubbish requisite for completing the fortifications.

We must not omit another auxiliary of the covenanters, and no inconsiderable one; a prophetess, who was much followed and admired by all ranks of people. Her name was Michelson, a woman full of whimsies, partly hysterical, partly religious; and inflamed with a zealous concern for the ecclesiastical discipline of the presbyterians. She spoke at certain times only, and had often interruptions of days and weeks: but when

* A presbytery in Scotland is an inferior ecclesiastical court, the same that was afterwards called a classis in England, and is composed of the clergy of the neighbouring parishes, to the number commonly of between twelve and twenty

she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven: the king's covenant was an invention of Satan: when she spoke of Christ, she usually gave him the name of the covenanting Jesus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no less veneration. Being desired by the spectators to pray with her, and speak to her, he answered. "That he durst not, and that it would be ill manners in him to speak, while his master, Christ, was speaking in her."

Charles had agreed to reduce episcopal authority so much, that it would no longer have been of any service to support the crown; and this sacrifice of his own interests he was willing to make, in order to attain public peace and tranquillity. But he could not consent entirely to abolish an order which he thought as essential to the being of a Christian church, as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame or excuse equally on both sides; and thereby anticipate, by a little reflection, that judgment, which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

So great was Charles's aversion to violent and sanguinary measures, and so strong his affection to his native kingdom, that it is probable the contest in his breast would be nearly equal between these laudable passions, and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him hasten those military preparations which he had projected for subduing the refractory spirit of the Scottish nation. By regular economy, he had not only paid all the debts contracted during the Spanish and French wars, but had amassed a sum of two hundred thousand pounds, which he reserved for any sudden exigency. The queen had great interest with the catholics, both from the sympathy of religion, and from the favours and indulgencies which she had been able to procure to them. She now employed her credit, and persuaded them, that it was reasonable to give large contributions as a mark of their duty to the king, during this urgent necessity. A considerable supply was obtained by this means; to the great scandal of the puritans, who were offended at seeing the king on such good terms with the papists, and repined that others should give what they themselves were disposed to refuse him.

Charles's fleet was formidable and well supplied. Having put five thousand land-forces on board, he entrusted it to the marquis of Hamilton, who had orders to sail to the Frith of Forth, and to cause a diversion in the forces of the malcontents. An army was levied of near twenty thousand foot, and above three thousand horse, and was put under the command of the earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The earl of Essex, a man of strict honour, and extremely popular, especially among the soldiery, was appointed lieutenant-general: the earl of Holland was general of the horse. The king himself joined the army, (29th May,) and he summoned all the peers of England to attend him. The whole had the appearance of a splendid court, rather than of a military armament; and in this situation, carrying more show than real force with it, the camp arrived at Berwick.

The Scottish army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the soldiers, though undisciplined and ill-armed, were animated as well by the national aversion to England, and the dread of becoming a province to their old enemy, as by an unsurmountable fervour of religion. The pulpits had extremely assisted the officers in levying recruits, and had thundered out anathemas against all those *who went not out to assist the Lord against the mighty.* Yet so prudent were the leaders of the malcontents, that they immediately sent submissive messages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the covenanters was considerable, their spirits high, their zeal furious; and that, as they were not yet daunted by any ill-success, no reasonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both sides. Should he submit to the pretensions of the malcontents, besides that the prelacy must be sacrificed to their religious prejudices, such a check would be given to royal authority, which had, very lately, and with much difficulty, been thoroughly established in Scotland, that he must expect ever after to retain in that kingdom no more than the appearance of majesty. The great men, having proved, by so sensible a trial, the impotence of law and prerogative, would return to their former licentiousness: the preachers would retain their innate arrogance: and the people, unprotected by justice, would recognise no other authority than that which they found to domineer over them. England also, it was much to be feared, would imitate so bad an example; and having already a strong propensity towards republican and puritanical factions, would expect, by the same seditious practices, to attain the same indulgence. To advance so far, without bringing the rebels to a total submission, at least to reasonable concessions, was to promise them, in all future time, an impunity for rebellion.

On the other hand, Charles considered that Scotland was never before, under any of his ancestors, so united, and so animated in its own defence; yet had often been able to foil or elude the force of England, combined heartily in one cause, and inured by long practice to the use of arms. How much greater difficulty should he find at present, to subdue, by violence, a people inflamed with religious prejudices; while he could only oppose to them a nation enervated by long peace, and lukewarm in his service; or, what was more to be dreaded, many of them engaged in the same party with the rebels. Should the war be only protracted beyond a campaign, (and who could expect to finish it in that period?) his treasures would fail him; and for supply, he must have recourse to an English parliament, which, by fatal experience, he had ever found more ready to encroach on the prerogatives, than to supply the necessities of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impossible. They were engaged in a national cause, and strongly actuated by mistaken principles. His army was retained entirely by pay, and looked on the quarrel with the same indifference which naturally belongs to mercenary troops, without possessing the discipline by which such troops are commonly distinguished. And the consequences of a defeat, while Scotland was enraged and England discontented, were so dreadful, that no motive should persuade him to hazard it.

It is evident that Charles had fallen into such a situation that, whichever side he embraced, his errors must be dangerous: no wonder, therefore, he was in great perplexity. But he did worse than embrace the worst side: for, properly speaking, he embraced no side at all. He concluded a sudden pacification, in which it was stipulated, that he should withdraw his fleet and army; that within eight and forty hours the Scots should dismiss their forces; that the king's forts should be restored to him; his authority be acknowledged; and a general assembly and a parliament be immediately summoned, in order to compose all differences. What were the *reasons* which engaged the king to admit such strange articles of peace, it is in vain to inquire: for there scarcely could be any. The *causes* of that event may admit of a more easy explication.

The malcontents had been very industrious in representing to the English the grievances under which Scotland laboured, and the ill-counsels which had been suggested to their sovereign. Their liberties, they said, were invaded: the prerogatives of the crown extended beyond all former precedent: illegal courts erected: the hierarchy exalted at the expense of national privileges: and so many new superstitions introduced by the haughty, tyrannical prelates, as begat a just suspicion that a project was seriously formed for the restoration of popery. The king's conduct, surely, in Scotland, had been in everything, except in establishing the ecclesiastical canons, more legal than in England; yet was there such a general resemblance in the complaints of both kingdoms, that the English readily assented to all the representations of the Scottish malcontents, and believed that nation to have been driven by oppression into the violent counsels which they had embraced. So far, therefore, from being willing to second the king in subduing the free spirits of the Scots, they rather pitied that unhappy people, who had been pushed to those extremities: and they thought that the example of such neighbours, as well as their assistance, might sometime be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court, without command in the army, attended in great numbers the English camp, greedily seized, and propagated, and gave authority to these sentiments: a retreat, very little honourable, which the earl of Holland, with a considerable detachment of the English forces, had made before a detachment of the Scottish, caused all these humours to blaze up at once: and the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favoured his natural propension towards the misguided subjects of his native kingdom.

Charles, having so far advanced in pacific measures, ought with a steady resolution to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and parliament; nor should he have recommenced hostilities, but on account of such enormous and unexpected pretensions as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed not only to confirm his former concessions, of abrogating the canons, the liturgy, the high-commission, and the articles of Perth; but also to abolish the order itself of bishops, for which he had so zealously contended. But this concession was gained by the utmost violence which he could impose on his disposition and prejudices: he even secretly retained an intention of seizing favourable opportunities, in order to recover the ground which he had lost. And one step further he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own. They voted episcopacy to be unlawful in the church of Scotland: (17th August:) he was willing to allow it contrary to the constitutions of the church. They stigmatized the liturgy and canons as popish: he agreed simply to abolish them. They denominated the high-commission, tyranny: he was content to set it aside. The parliament, which sat after the assembly, advanced pretensions which tended to diminish the civil power of the monarch; and, what probably affected Charles still more, they were proceeding to ratify the acts of assembly, when, by the king's instructions, Traquaire, the commissioner, prorogued them. And on account of these claims, which might have been foreseen, was the war renewed with great advantages on the side of the covenanters, and disadvantages on that of the king.

No sooner had Charles concluded the pacification without conditions, than the necessity of his affairs and his want of money obliged him to disband his army; and as the soldiers had been held together solely by mercenary views, it was not possible, without great trouble and expense, and loss of time, again to assemble them. The more prudent covenanters had concluded, that their pretensions being so contrary to the interests, and still more to the inclinations of the king, it was likely that they should again be obliged to support their cause by arms; and they were therefore careful in dismissing their troops, to preserve nothing but the appearance of a pacific disposition. The officers had orders to be ready on the first summons: the soldiers were warned not to think the nation secure from an English invasion: and the religious zeal which animated all ranks of men, made them immediately fly to their standards as soon as the trumpet was sounded by their spiritual and temporal leaders. The credit which in their last expedition they had acquired, by obliging their sovereign to depart from all his pretensions, gave courage to every one in undertaking this new enterprise.

1640. The king, with great difficulty, found means to draw together an army; (13th April;) but soon discovered, that, all savings being gone, and great debts contracted, his revenue would be insufficient to support them. An English parliament, therefore, formerly so unkind and intractable, must now, after above eleven years intermission, after the king had tried many irregular methods of taxation, after multiplied disgusts given to the puritanical party, be summoned to assemble, amidst the most pressing necessities of the crown.

As the king resolved to try, whether this house of commons would be more compliant than their predecessors, and grant him supply on any reasonable terms, the time appointed for the meeting of parliament was late, and very near the time allotted for opening the campaign against the Scots. After the past experience of their ill-humour, and of their encroaching disposition, he thought that he could not in prudence trust them with a long session, till he had seen some better proofs of their good intentions: the urgency of the occasion, and the little time allowed for debate, were reasons which he reserved against the malcontents in the house: and an incident had happened, which he believed, had now furnished him with still more cogent arguments.

The earl of Traquaire had intercepted a letter written to the king of France by the Scottish malcontents; and had conveyed this letter to the king. Charles, partly repenting of the large concessions made to the Scots, partly disgusted at their fresh insolence and pretensions, seized this opportunity of breaking with them. He had thrown into the Tower lord Loudon, commissioner from the covenanters; one of the persons who had signed the treasonable letter. And he now laid the matter before the parliament, whom he hoped to inflame by the resentment, and alarm by the danger of this application to a foreign power. By the mouth of the lord-keeper, Finch, he discovered his wants, and informed them that he had been able to assemble his army, and to subsist them, not by any revenue which he possessed, but by means of a large debt of above three hundred thousand pounds which he had contracted, and for which he had given security upon the crown-lands. He represented, that it was necessary to grant supplies for the immediate and urgent demands of his military armaments: that the season was far advanced, the time precious, and none of it must be lost in deliberation: that though his coffers were empty, they had not been exhausted by unnecessary pomp, or sumptuous buildings, or any other kind of magnificence: that whatever supplies had been levied on his subjects, had been employed for their advantage and preservation, and, like vapours rising out of the earth, and gathered into a cloud, had fallen in sweet and refreshing showers on the same fields from which they had at first been exhaled: that though he

desired such immediate assistance as might prevent for the time a total disorder in the government, he was far from any intention of precluding them from their right to inquire into the state of the kingdom, and to offer him petitions for the redress of their grievances: that as much as was possible of this season should afterwards be allowed them for that purpose: that as he expected only such supply at present as the current service necessarily required, it would be requisite to assemble them again next winter, when they should have full leisure to conclude whatever business had this session been left imperfect and unfinished: that the parliament of Ireland had twice put such trust upon his good intentions, as to grant him, in the beginning of the session, a large supply, and had ever experienced good effects from the confidence reposed in him; and that, in every circumstance, his people should find his conduct suitable to a just, pious, and gracious king, and such as was calculated to promote an entire harmony between prince and parliament.

However plausible these topics, they made small impression on the house of commons. By some illegal, and several suspicious measures of the crown, and by the courageous opposition which particular persons, amidst dangers and hardships, had made to them; the minds of men, throughout the nation, had taken such a turn as to ascribe every honour to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and, perhaps too, the only true Christians. A reasonable compliance with the court was slavish dependence; a regard to the king, servile flattery; a confidence in his promises, shameful prostitution. This general cast of thought, which has, more or less, prevailed in England, during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles. The present house of commons, being entirely composed of country gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of these stubborn patriots.

Affairs likewise, by means of the Scottish insurrection, and the general discontents in England, were drawn so near to a crisis, that the leaders of the house, sagacious and penetrating, began to foresee the consequences, and to hope, that the time, so long wished for, was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendant. By reducing the crown to necessities, they had hitherto found, that the king had been pushed into violent counsels, which had served extremely the purposes of his adversaries: and by multiplying these necessities, it was foreseen that his prerogative, undermined on all sides, must, at last, be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compose the differences between king and parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

The house of commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaints against his Scottish subjects, or his application for supply, entered immediately upon grievances; and a speech which Pym made them on that subject, was much more hearkened to, than that which the lord-keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the state, of which the nation, at that time, so loudly complained. The house began with examining the behaviour of the speaker the last day of the former parliament; when he refused, onaccount of the king's command, to put the question; and they declared it a breach of privilege. They proceeded next to inquire into the imprisonment and prosecution of sir John Elliot, Hollis, and Valentine: the affair of ship-money was canvassed: and plentiful subject of inquiry was suggested on all hands. Grievances were regularly classed under three heads; those with regard to privileges of parliament, to the property of the subject and to religion. The king, seeing a large and inexhaustible field opened, pressed them again for supply; and finding his message ineffectual, he came to the house of peers, and desired their good offices with the commons. The peers were sensible of the king's urgent necessities; and thought that supply, on this occasion, ought, both in reason and in decency, to go before grievances. They ventured to represent their sense of the matter to the commons; but their intercession did harm. The commons had always claimed, as their peculiar province, the granting of supplies; and though the peers had here gone no further than offering advice, the lower house immediately thought proper to vote so unprecedented an interposition to be a breach of privilege. Charles, in order to bring the matter of supply to some issue, solicited the house by new messages; and finding that ship-money gave great alarm and disgust, besides informing them, that he never intended to make a constant revenue of it, that all the money levied had been regularly, with other great sums, expended on equipping the navy, he now went so far as to offer them a total abolition of that obnoxious claim, by any law which the commons should think proper to present to him. In return, he only asked, for his necessities, a supply of twelve subsidies, about six hundred thousand pounds, and that payable in three years; but, at the same time, he let them know, that considering the situation of his affairs, a delay would be equivalent to a denial. The king, though the majority was against him, never had more friends in any house of commons; and the debate was carried on for two days, with great zeal and warmth on both sides.

It was urged by the partisans of the court, that the happiest occasion, which the fondest wishes could suggest, was now presented, for removing all disgusts and jealousies between king and people, and for reconciling their sovereign, for ever, to the use of parliaments. That if they, on their part, laid aside all enormous claims and pretensions, and provided, in a reasonable manner, for the public necessities, they needed entertain no suspicion of any insatiable ambition or illegal usurpation in the crown. That though due regard had not always been paid, during this reign, to the rights of the people, yet no invasion of them had been altogether deliberate and voluntary; much less, the result of wanton tyranny and injustice; and still less, of a formed design to subvert the constitution. That to repose a reasonable confidence in the king, and generously to supply his present wants, which proceeded neither from prodigality nor misconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, such concessions as were requisite for the establishment of public liberty. That he had promised, not only on the word of a prince, but also on that of a gentleman, (the expression which he had been pleased to use,) that, after the supply was, granted, the parliament should still have liberty to continue their deliberations; could it be suspected, that any man, any prince, much less such a one, whose word was, as yet, sacred and inviolate, would, for so small a motive, forfeit his honour, and, with it, all future trust and confidence, by breaking a promise, so public and so solemn? That even, if the parliament should be deceived in reposing this confidence in him, they neither lost any thing, nor incurred any danger; since it was evidently necessary for the security of public peace, to supply him with money, in order to suppress the Scottish rebellion. That he had so far suited his first demands to their

prejudices, that he only asked a supply for a few months, and was willing, after so short a trust from them, to fall again into dependence, and to trust them for his further support and subsistence. That if he now seemed to desire something further, he also made them, in return, a considerable offer, and was willing, for the future, to depend on them for a revenue, which was quite necessary for public honour and security. That the nature of the English constitution supposed a mutual confidence between king and parliament: and if they should refuse it on their part, especially with circumstances of such outrage and indignity; what could be expected but a total dissolution of government, and violent factions, followed by the most dangerous convulsions and intestine disorders?

In opposition to these arguments, it was urged by the malcontent party, that the court had discovered, on their part, but few symptoms of that mutual confidence to which they now so kindly invited the commons. That eleven years intermission of parliaments, the longest that was to be found in the English annals, was a sufficient indication of the jealousy entertained against the people; or rather of designs formed for the suppression of all their liberties and privileges. That the ministers might well plead necessity, nor could anything, indeed, be a stronger proof of some invincible necessity, than their embracing a measure, for which they had conceived so violent an aversion, as the assembling of an English parliament. That this necessity, however, was purely ministerial, not national; and if the same grievances, ecclesiastical and civil, under which this nation itself laboured, had pushed the Scots to extremities; was it requisite that the English should forge their own chains, by imposing chains on their unhappy neighbours? That the ancient practice of parliament was to give grievances the precedency of supply; and this order, so carefully observed by their ancestors, was founded on a jealousy inherent in the constitution, and was never interpreted as any peculiar diffidence of the present sovereign. That a practice which had been upheld, during times the most favourable to liberty, could not, in common prudence, be departed from, where such undeniable reasons for suspicion had been afforded. That it was ridiculous to plead the advanced season, and the urgent occasion for supply; when it plainly appeared, that in order to afford a pretence for this topic, and to seduce the commons, great political contrivance had been employed. That the writs for elections were issued early in the winter; and if the meeting of parliament had not purposely been delayed till so near the commencement of military operations, there had been leisure sufficient to have redressed all national grievances, and to have proceeded afterwards to an examination of the king's occasion for supply. That the intention of so gross an artifice was to engage the commons, under pretence of necessity, to violate the regular order of parliament; and a precedent of that kind being once established, no inquiry into public measures would afterwards be permitted: that scarcely any argument more unfavourable could be pleaded for supply, than an offer to abolish ship-money; a taxation the most illegal, and the most dangerous, that had ever, in any reign, been imposed upon the nation: and that, by bargaining for the remission of that duty, the commons would, in a manner, ratify the authority by which it had been levied; at least, give encouragement for advancing new pretensions of a like nature, in hopes of resigning them on like advantageous conditions.

These reasons, joined to so many occasions of ill humour, seemed to sway with the greater number: but, to make the matter worse, sir Harry Vane, the secretary, told the commons, without any authority from the king, that nothing less than twelve subsidies would be accepted as a compensation for the abolition of the ship-money. This assertion, proceeding from the indiscretion, if we are not rather to call it the treachery, of Vane, displeased the house, by showing a stiffness and rigidity in the king, which, in a claim so ill-grounded, was deemed inexcusable. We are informed likewise, that some men, who were thought to understand the state of the nation, affirmed in the house, that the amount of twelve subsidies was a greater sum than could be found in all England. Such were the happy ignorance and inexperience of those times, with regard to taxes!

The king was in great doubt and perplexity. He saw, that his friends in the house were outnumbered by his enemies, and that the same counsels were still prevalent which had ever bred such opposition and disturbance. Instead of hoping that any supply would be granted him, to carry on war against the Scots, whom the majority of the house regarded as their best friends and firmest allies; he expected every day, that they would present him an address for making peace with those rebels. And if the house met again, a vote, he was informed, would certainly pass, to blast his revenue of ship-money; and thereby renew all the opposition, which, with so much difficulty, he had surmounted, in levying that taxation. Where great evils lie on all sides, it is difficult to follow the best counsel; nor is it any wonder, that the king, whose capacity was not equal to situations of such extreme delicacy, should have formed and executed the resolution of dissolving this parliament: a measure, however, of which he soon after repented, and which the subsequent events, more than any convincing reason, inclined every one to condemn. The last parliament, which ended with such rigour and violence, had yet, at first, covered their intentions with greater appearance of moderation than this parliament had hitherto assumed.

An abrupt and violent dissolution naturally excites discontents among the people, who usually put entire confidence in their representatives, and expect from them the redress of all grievances. As if there were not already sufficient grounds of complaint, the king persevered still in those counsels, which, from experience, he might have been sensible were so dangerous and unpopular. Bellasis and sir John Hotham were summoned before the council; and refusing to give any account of their conduct in parliament, were committed to prison. All the petitions and complaints, which had been sent to the committee of religion, were demanded from Crew, chairman of that committee, and on his refusal to deliver them, he was sent to the Tower. The studies, and even the pockets, of the earl of Warwick and lord Broke, before the expiration of privilege, were searched in expectation of finding treasonable papers. These acts of authority were interpreted, with some appearance of reason, to be invasions on the right of national assemblies. But the king, after the first provocation which he met with, never sufficiently respected the privileges of parliament; and, by his example, he further confirmed their resolution, when they should acquire power, to pay like disregard to the prerogatives of the crown.

Though the parliament was dissolved, the convocation was still allowed to sit; a practice of which, since the Reformation, there were but few instances,* and which was for that reason supposed by many to be irregular. Besides granting to the king a supply from the spirituality, and framing many canons, the convocation, jealous of like innovations with those which had taken place in Scotland, imposed an oath on the clergy, and the graduates in the universities, by which every one swore to maintain the established government of the church by archbishops, bishops, deans, chapters, &c. These steps, in the present discontented humour of the nation, were commonly deemed illegal; because not ratified by consent of parliament, in whom all authority was now supposed to be centered. And nothing, besides, could afford more sub-

* There was one in 1586. See Hist. of Archbishop Laud, p. 80. The authority of the convocation was indeed, in most respects, independent of the parliament, and there was no reason which required the one to be dissolved upon the dissolution of the other.

ject of ridicule, than an oath, which contained an *et cætera* in the midst of it.

DISCONTENTS IN ENGLAND.

The people, who generally abhorred the convocation as much as they revered the parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards, in order to protect them. An attack too was made during the night upon Laud, in his palace of Lambeth, by above five hundred persons; and he found it necessary to fortify himself for his defence. A multitude, consisting of two thousand sectaries, entered St. Paul's, where the high-commission then sat; tore down the benches; and cried out, "No bishop, no high-commission." All these instances of discontent were passages of some great revolution; had the court possessed sufficient skill to discern the danger, or sufficient power to provide against it.

In this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity, which he lay under, of dissolving the last parliament. The chief topic on which he insisted was, that the commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply; as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his standing revenue. These practices, he said, were contrary to the maxims of their ancestors; and these practices were totally incompatible with monarchy. [*See note* 5 Z, *at the end of this Vol.*]

The king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients, in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just, that the clergy should contribute to a war, which was in a great measure of their own raising. He borrowed money from his ministers and courtiers; and so much was he beloved among them, that above three hundred thousand pounds were subscribed in a few days: though nothing surely could be more disagreeable to a prince, full of dignity, than to be a burden on his friends, instead of being a support to them. Some attempts were made towards forcing a loan from the citizens; but still repelled, by the spirit of liberty, which was now become unconquerable. A loan of forty thousand pounds was extorted from the Spanish merchants, who had bullion in the Tower, exposed to the attempts of the king. Coat and conduct-money for the soldiery was levied on the counties; an ancient practice, but supposed to be abolished by the Petition of Right. All the pepper was bought from the East-India Company upon trust, and sold, at a great discount, for ready money. A scheme was proposed for coining two or three hundred thousand pounds of base money. Such were the extremities to which Charles was reduced. The fresh difficulties which, amidst the present distresses, were every day raised with regard to the payment of ship-money, obliged him to exert continual acts of authority, augmented the discontents of the people, and increased his indigence and necessities.

The present expedients, however, enabled the king, though with great difficulty, to march his army, consisting of nineteen thousand foot, and two thousand horse. The earl of Northumberland was appointed general: the earl of Strafford, who was called over from Ireland, lieutenant-general: lord Conway, general of the horse. A small fleet was thought sufficient to serve the purposes of this expedition.

ROUT AT NEWBURN. *August* 28.

So great are the effects of zeal and unanimity, that the Scottish army, though somewhat superior, were sooner ready than the king's; and they marched to the borders of England. To engage them to proceed, besides their general knowledge of the secret discontents of that kingdom, lord Saville had forged a letter, in the name of six noblemen, the most considerable of England, by which the Scots were invited to assist their neighbours, in procuring a redress of grievances. Notwithstanding these warlike preparations and hostile attempts, the covenanters still preserved the most pathetic and most submissive language; and entered England, they said, with no other view, than to obtain access to the king's presence, and lay their humble petition at his royal feet. At Newburn-upon-Tyne, they were opposed by a detachment of four thousand five hundred men, under Conway, who seemed resolute to dispute with them the passage of the river. The Scots first entreated them, with great civility, not to stop them in their march to their gracious sovereign; and then attacked them with great bravery, killed several, and chased the rest from their ground. Such a panic seized the whole English army, that the forces at Newcastle fled immediately to Durham; and not yet thinking themselves safe, they deserted that town, and retreated into Yorkshire.

The Scots took possession of Newcastle; and though sufficiently elated with their victory, they preserved exact discipline, and persevered in their resolution of paying for everything, in order still to maintain the appearance of an amicable correspondence with England. They also despatched messengers to the king, who was arrived at York; and they took care, after the advantage which they had obtained, to redouble their expressions of loyalty, duty, and submission to his person, and they even made apologies, full of sorrow and contrition, for their late victory.

Charles was in a very distressed condition. The nation was universally and highly discontented. The army was discouraged, and began likewise to be discontented, both from the contagion of general disgust, and as an excuse for their misbehaviour, which they were desirous of representing rather as want of will than of courage to fight. The treasury too was quite exhausted, and every expedient for supply had been tried to the uttermost. No event had happened, but what might have been foreseen as neccessary, at least as very probable; yet such was the king's situation, that no provision could be made, nor was even any resolution taken against such an exigency.

TREATY AT RIPPON.

In order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named sixteen English noblemen, who met with eleven Scottish commissioners at Rippon. The earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the lords Kimbolton, Wharton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of Escric, were chosen by the king; all of them popular men, and consequently supposed nowise averse to the Scottish invasion, or unacceptable to that nation.

An address arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended. Twelve noblemen presented a petition to the same purpose. But the king contented himself with summoning a great council of the peers at York; a measure which had formerly been taken in cases of sudden emergency, but which, at present, could serve to little purpose. Perhaps the king, who dreaded above all things the house of commons, and who expected no supply from them on any reasonable terms, thought that in his present distresses he might be enabled to levy supplies by the authority of the peers alone. But the employing so

long the plea of a necessity which appeared distant and doubtful, rendered it impossible for him to avail himself of a necessity which was now at last become real, urgent, and inevitable.

By Northumberland's sickness the command of the army had devolved on Strafford. This nobleman possessed more vigour of mind than the king or any of the council. He advised Charles rather to put all to hazard, than submit to such unworthy terms as were likely to be imposed upon him. The loss sustained at Newburn he said, was inconsiderable; and though a panic had for a time seized the army, that event was nothing strange among new levied troops; and the Scots being in the same condition, would no doubt be liable, in their turn, to a like accident. His opinion, therefore, was, that the king should push forward, and attack the Scots, and bring the affair to a quick decision; and if he were so unsuccessful, nothing worse could befall him, than what, from his inactivity, he would certainly be exposed to. To show how easy it would be to execute this project, he ordered an assault to be made on some quarters of the Scots, and he gained an advantage over them. No cessation of arms had as yet been agreed to during the treaty at Rippon; yet great clamour prevailed, on account of this act of hostility. And when it was known that the officer who conducted the attack was a papist, a violent outcry was raised against the king, for employing that hated sect in the murder of his protestant subjects.

It may be worthy to remark, that several mutinies had arisen among the English troops, when marching to join the army; and some officers had been murdered, merely on suspicion of their being papists. The Petition of Right had abolished all martial law; and by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found absolutely impossible for the generals to govern the army, by all the authority which the king could legally confer upon them. The lawyers had declared, that martial law could not be exercised, except in the very presence of an enemy; and because it had been found necessary to execute a mutineer, the generals thought it advisable, for their own safety, to apply for a pardon from the crown. This weakness however, was carefully concealed from the army; and lord Conway said, that if any lawyer were so imprudent as to discover the secret to the soldiers, it would be necessary instantly to refute him, and to hang the lawyer himself by sentence of a court-martial.

An army new levied, undisciplined, frightened, seditious, ill-paid, and governed by no proper authority, was very unfit for withstanding a victorious and high-spirited enemy, and retaining in subjection a discontented and zealous nation.

GREAT COUNCIL OF THE PEERS. *Sept.* 24.

Charles, in despair of being able to stem the torrent, at last determined to yield to it: and as he foresaw that the great council of the peers would advise him to call a parliament, he told them, in his first speech, that he had already taken this resolution. He informed them likewise, that the queen, in a letter which she had written to him, had very earnestly recommended that measure. This good prince, who was extremely attached to his consort, and who passionately wished to render her popular in the nation, forgot not, amidst all his distress, the interests of his domestic tenderness.

In order to subsist both armies, (for the king was obliged, in order to save the northern counties, to pay his enemies,) Charles wrote to the city, desiring a loan of two hundred thousand pounds. And the peers at York, whose authority was now much greater than that of their sovereign, joined in the same request. So low was this prince already fallen in the eyes of his own subjects!

As many difficulties occurred in the negociation with the Scots, it was proposed to transfer the treaty from Rippon to London: a proposal willingly embraced by that nation, who were now sure of treating with advantage, in a place where the king, they foresaw, would be in a manner a prisoner, in the midst of his implacable enemies and their determined friends.

CHAPTER LIV.

Meeting of the Long Parliament — Strafford and Laud impeached — Finch and Windebank fly — Great Authority of the Commons — The bishops attacked — Tonnage and Poundage — Triennial Bill — Strafford's Trial — Bill of Attainder — Execution of Strafford — High-Commission and Star Chamber abolished — King's Journey to Scotland.

THE causes of disgust which, for above thirty years, had been daily multiplying in England, were now come to full maturity, and threatened the kingdom with some great revolution or convulsion. The uncertain and undefined limits of prerogative and privileges had been eagerly disputed during that whole period; and in every controversy between prince and people, the question, however doubtful, had always been decided by each party in favour of its own pretensions. Too lightly, perhaps, moved by the appearance of necessity, the king had even assumed powers incompatible with the principles of limited government, and had rendered it impossible for his most zealous partisans entirely to justify his conduct, except by topics so unpopular, that they were more fitted, in the present disposition of men's minds, to inflame, than appease, the general discontent. Those great supports of public authority, law and religion, had likewise, by the unbounded compliance of judges and prelates, lost much of their influence over the people; or rather had in a great measure gone over to the side of faction, and authorized the spirit of opposition and rebellion. The nobility, also, whom the king had no means of retaining by offices and preferments suitable to their rank, had been seized with the general discontent, and unwarily threw themselves into the scale which already began too much to preponderate. Sensible of some encroachments which had been made by royal authority, men entertained no jealousy of the commons, whose enterprises for the acquisition of power had ever been covered with the appearance of public good, and had hitherto gone no further than some disappointed efforts and endeavours. The progress of the Scottish malcontents reduced the crown to an entire dependence for supply: their union with the popular party in England brought great accession of authority to the latter: the near prospect of success roused all latent murmurs and pretensions which had hitherto been held in such violent constraint: and the torrent of general inclination and opinion ran so strongly against the court, that the king was in no situation to refuse any reasonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in his present situation, would probably be made, and must necessarily be complied with.

The triumph of the malcontents over the church was not yet so immediate or certain. Though the political and religious puritans mutually lent assistance to each other, there were many who joined the former, yet declined all connexion with the latter. The hierarchy had been established in England ever since the Reformation: the Romish church, in all ages, had carefully maintained that form of ecclesiastical government: the ancient fathers too bore testimony to episcopal jurisdiction: and though parity may seem at first to have had place among Christian pastors, the period during which it prevailed was so short, that few undisputed traces of it remained in history. The bi-

shops and their more zealous partisans inferred thence the divine indefeisible right of prelacy: others regard that institution as venerable and useful: and if the love of novelty led some to adopt the new rites and discipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behoved, therefore, the zealous innovators in parliament to proceed with some caution and reserve. By promoting all measures which reduced the powers of the crown, they hoped to disarm the king, whom they justly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming against the supposed encroachments and tyranny of the prelates, they endeavoured to carry the nation from a hatred of their persons, to an opposition against their office and character. And when men were enlisted in party, it would not be difficult, they thought, to lead them by degrees into many measures, for which they formerly entertained the greatest aversion. Though the new sectaries composed not, at first, the majority of the nation, they were inflamed, as is usual among innovators, with extreme zeal for their opinions. Their unsurmountable passion, disguised to themselves, as well as to others, under the appearance of holy fervours, was well qualified to make proselytes, and to seize the minds of the ignorant multitude. And one furious enthusiast was able, by his active industry, to surmount the indolent efforts of many sober and reasonable antagonists.

When the nation, therefore, was so generally discontented, and little suspicion was entertained of any design to subvert the church and monarchy; no wonder that almost all elections ran in favour of those who, by their high pretensions to piety and patriotism, had encouraged the national prejudices. It is a usual compliment to regard the king's inclination in the choice of a speaker; and Charles had intended to advance Gardiner, recorder of London, to that important trust: but so little interest did the crown at that time possess in the nation, that Gardiner was disappointed of his election, not only in London, but in every other place where it was attempted: and the king was obliged to make the choice of speaker fall on Lenthal, a lawyer of some character, but not sufficiently qualified for so high and difficult an office.

MEETING OF THE LONG PARLIAMENT.

November 3.

The eager expectations of men with regard to a parliament, summoned at so critical a juncture, and during such general discontents; a parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute everything left unfinished by former parliaments; these motives, so important and interesting, engaged the attendance of all the members; and the house of commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may in a manner be regarded as decisive.

The earl of Strafford was considered as chief minister, both on account of the credit which he possessed with his master, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this man laboured under the severe hatred of all the three nations which composed the British monarchy. The Scots, whose authority now ran extremely high, looked on him as the capital enemy of their country, and one whose counsels and influence they had most reason to apprehend. He had engaged the parliament of Ireland to advance large subsidies, in order to support a war against them: he had levied an army of nine thousand men, with which he had menaced all their western coast: he had obliged the Scots who lived under his government to renounce the covenant, their national idol: he had, in Ireland, proclaimed the Scottish covenanters rebels and traitors, even before the king had issued any such declaration against them in England: and he had ever dissuaded his master against the late treaty and suspension of arms, which he regarded as dangerous and dishonourable. So avowed and violent were the Scots in their resentment of all these measures, that they had refused to send commissioners to treat at York, as was at first proposed, because, they said, the lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, first as deputy, then as lord-lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation so averse to the English government and religion, these very virtues were sufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courtesy, and to his friends full of affection, were at bottom, haughty, rigid, and severe. His authority and influence, during the time of his government, had been unlimited; but no sooner did adversity seize him, than the concealed aversion of the nation blazed up at once, and the Irish parliament used every expedient to aggravate the charge against him.

The universal discontent which prevailed in England against the court, was all pointed towards the earl of Strafford; though without any particular reason, but because he was the minister of state whom the king most favoured and most trusted. His extraction was honourable, his paternal fortune considerable: yet envy attended his sudden and great elevation. And his former associates in popular counsels, finding that he owed his advancement to the desertion of their cause, represented him as the great apostate of the commonwealth, whom it behoved them to sacrifice as a victim to public justice.

Strafford, sensible of the load of popular prejudices under which he laboured, would gladly have declined attendance in parliament; and he begged the king's permission to withdraw himself to his government of Ireland, at least to remain at the head of the army in Yorkshire; where many opportunities, he hoped, would offer, by reason of his distance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amidst so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him, that not a hair of his head should be touched by the parliament.

STRAFFORD IMPEACHED. *November* 11.

No sooner was Strafford's arrival known, than a concerted attack was made upon him in the house of commons. Pym, in a long, studied discourse, divided into many heads, after his manner, enumerated all the grievances under which the nation laboured; and, from a complication of such oppressions, inferred, that a deliberate plan had been formed of changing entirely the frame of government, and subverting the ancient laws and liberties of the kingdom. Could anything, he said, increase our indignation against so enormous and criminal a project, it would be to find, that, during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been seduced by wicked and pernicious counsel. We must inquire, added he, from what fountain these waters of bitterness flow; and though doubtless many evil counsellors will be found to have contributed their endeavours, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterprise, and capacity, is entitled to the first place among these betrayers of their country. *He* is the earl of Strafford, lieutenant of Ireland, and

president of the council of York, who in both places, and in all other provinces where he has been intrusted with authority, has raised ample monuments of tyranny, and will appear, from a survey of his actions, to be the chief promoter of every arbitrary council. Some instances of imperious expressions, as well as actions, were given by Pym; who afterwards entered into a more personal attack of that minister, and endeavoured to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether inaccessible to the tender passions, or secured him from the dominion of the fair; and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weaknesses were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded, that it belonged to the house to provide a remedy proportionable to the disease, and to prevent the further mischiefs justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign.

Sir John Clotworthy, an Irish gentleman, sir John Hotham, of Yorkshire, and many others, entered into the same topics; and, after several hours spent in bitter invective, when the doors were locked in order to prevent all discovery of their purpose; it was moved in consequence of the resolution secretly taken, that Strafford should immediately be impeached of high-treason. This motion was received with universal approbation; nor was there, in all the debate, one person that offered to stop the torrent by any testimony in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the house to consider whether it would not better suit the gravity of their proceedings, first to digest by a committee many of those particulars which had been mentioned, before they sent up an accusation against him. It was ingenuously answered by Pym, that such a delay might probably blast all their hopes, and put it out of their power to proceed any further in the prosecution: that when Strafford should learn, that so many of his enormities were discovered, his conscience would dictate his condemnation; and so great was his power and credit, he would immediately procure the dissolution of the parliament, or attempt some other desperate measure for his own preservation: that the commons were only accusers, not judges; and it was the province of the peers to determine, whether such a complication of enormous crimes, in one person, did not amount to the highest crime known by the law. Without further debate, the impeachment was voted: Pym was chosen to carry it up to the lords: most of the house accompanied him on so agreeable an errand: and Strafford, who had just entered the house of peers, and who little expected so speedy a prosecution, was immediately, upon this general charge, ordered into custody, with several symptoms of violent prejudice in his judges, as well as in his prosecutors.

LAUD IMPEACHED.

In the inquiry concerning grievances, and in the censure of past measures, Laud could not long escape the severe scrutiny of the commons; who were led, too, in their accusation of that prelate, as well by their prejudices against his whole order, as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation, which scarcely lasted half-an-hour, an impeachment of high-treason was voted against this subject, the first, both in rank and in favour, throughout the kingdom. Though this incident, considering the example of Strafford's impeachment, and the present disposition of the nation and parliament, needed be no surprise to him; yet was he betrayed into some passion, when the accusation was presented. "The commons themselves," he said, "though his accusers, did not believe him guilty of the crimes with which they charged him:" an indiscretion which next day, upon more mature deliberation, he desired leave to retract; but so little favourable were the peers, that they refused him this advantage or indulgence. Laud also was immediately, upon this general charge, sequestered from parliament, and committed to custody.

The capital article insisted on against these two great men, was the design which the commons supposed to have been formed, of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord-keeper Finch. He it was, who, being speaker in the king's third parliament, had left the chair, and refused to put the question, when ordered by the house. The extra-judicial opinion of the judges, in the case of ship-money, had been procured by his intrigues, persuasions, and even menaces. In all unpopular and illegal measures, he was ever most active; and he was even believed to have declared publicly, that while he was keeper an order of council should always, with him, be equivalent to a law. To appease the rising displeasure of the commons, he desired to be heard at their bar. He prostrated himself with all humility before them; but this submission availed him nothing. An impeachment was resolved on; and in order to escape their fury, he thought proper secretly to withdraw, and retire into Holland. As he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master, it was generally believed that his escape had been connived at by the popular leaders. His impeachment, however, in his absence, was carried up to the house of peers.

Sir Francis Windebank, the secretary, was a creature of Laud's; a sufficient reason for his being extremely obnoxious to the commons. He was secretly suspected too of the crime of popery; and it was known that, from complaisance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the house, the very pander and broker to the whore of Babylon. Finding that the scrutiny of the commons was pointed towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France.

Thus, in a few weeks, this house of commons, not opposed, or rather seconded by the peers, had produced such a revolution in the government, that the two most powerful and most favoured ministers of the king were thrown into the Tower, and daily expected to be tried for their life: two other ministers had, by flight alone, saved themselves from a like fate: all the king's servants saw that no protection could be given them by their master: a new jurisdiction was erected in the nation; and before that tribunal all those trembled, who had before exulted most in their credit and authority.

GREAT AUTHORITY OF THE COMMONS.

What rendered the power of the commons more formidable was, the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking these great ministers, they were resolved to render the most considerable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themselves likewise with terrors, and to overawe those who might still be inclined to support the falling ruins of monarchy.

During the late military operations, several powers had been exercised by the lieutenants and deputy-lieutenants of counties: and these powers, though necessary for the defence of the nation, and even warranted by all former precedent, yet not being authorized by statute, were now voted to be illegal; and the per-

sons who had assumed them, declared *delinquents*. This term was newly come into vogue, and expressed a degree and species of guilt not exactly known or ascertained. In consequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they justly thought, the legal powers of magistracy, unexpectedly found themselves involved in the crime of delinquency. And the commons reaped this multiplied advantage by their vote: they disarmed the crown; they established the maxims of rigid law and liberty; and they spread the terror of their own authority.

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged, under severe penalties, to assess the sums upon individuals, and to levy them by their authority. Yet were all the sheriffs, and all those who had been employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The king, by the maxims of law, could do no wrong: his ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable.

All the farmers and officers of the customs, who had been employed during so many years in levying tonnage and poundage, and the new impositions, were likewise declared criminals, and were afterwards glad to compound for a pardon by paying a fine of a hundred and fifty thousand pounds.

Every discretionary or arbitrary sentence of the star-chamber and high-commission courts, which, from their very constitution, were arbitrary, underwent a severe scrutiny: and all those who had concurred in such sentences, were voted to be liable to the penalties of law. No minister of the king, no member of the council, but found himself exposed by this decision.

The judges who had given their vote against Hambden, in the trial of ship-money, were accused before the peers, and obliged to find surety for their appearance. Berkley, a judge of the king's bench, was seized by order of the house, even when sitting in his tribunal; and all men saw with astonishment the irresistible authority of their jurisdiction.

The sanction of the lords and commons, as well as that of the king, was declared necessary for the confirmation of ecclesiastical canons. And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent.* But the present was no time for question or dispute. That decision which abolished all legislative power except that of parliament, was requisite for completing the new plan of liberty, and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy, who had voted in the late convocation, found themselves exposed by these new principles to the imputation of delinquency.

The most unpopular of all Charles's measures, and the least justifiable, was the revival of monopolies, so solemnly abolished, after reiterated endeavours, by a recent act of parliament. Sensible of this unhappy measure, the king had of himself recalled, during the time of his first expedition against Scotland, many of these oppressive patents; and the rest were now annulled by authority of parliament, and every one who was concerned in them declared delinquents. The commons carried so far their detestation of this odious measure, that they assumed a power which had formerly been seldom practised,† and they expelled all their members who were monopolists or projectors: an artifice, by which, besides increasing their own privileges, they weakened still further the very small party which the king secretly retained in the house. Mildmay, a notorious monopolist, yet having associated himself with the ruling party, was still allowed to keep his seat. In all questions indeed of elections, no steady rule of decision was observed; and nothing further was regarded than the affections and attachments of the parties. Men's passions were too much heated to be shocked with any instance of injustice, which served ends so popular as those which were pursued by this house of commons.

The whole sovereign power being thus in a manner transferred to the commons, and the government, without any seeming violence or disorder, being changed in a moment from a monarchy almost absolute, to a pure democracy, the popular leaders seemed willing for some time to suspend their active vigour, and to consolidate their authority, ere they proceeded to any violent exercise of it. Every day produced some new harangue on past grievances. The detestation of former usurpations, was further enlivened: the jealousy of liberty roused: and, agreeably to the spirit of free government, no less indignation was excited by the view of a violated constitution, than by the ravages of the most enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the restraint of authority, and nourished by unbounded hopes and projects, began to exert themselves, and be distinguished by the public. Then was celebrated the sagacity of Pym, more fitted for use than ornament; matured, not chilled, by his advanced age, and long experience: then was displayed the mighty ambition of Hambden, taught disguise, not moderation, from former constraint; supported by courage, conducted by prudence, embellished by modesty; but whether founded in a love of power or zeal for liberty, is still, from his untimely end, left doubtful and uncertain: then too were known the dark, ardent, and dangerous character of St. John; the impetuous spirit of Hollis, violent and sincere, open and entire in his enmities and in his friendships: the enthusiastic genius of young Vane, extravagant in the ends which he pursued, sagacious and profound in the means which he employed; incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for past measures, so contagious in the general spirit of discontent, that even men of the most moderate tempers, and the most attached to the church and monarchy, exerted themselves with the utmost vigour in the redress of grievances, and in prosecuting the authors of them. The lively and animated Digby displayed his eloquence on this occasion, the firm and undaunted Capel, the modest and candid Palmer. In this list too of patriot royalists are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions, these men differed widely from the former; in their present action and discourses, an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the house of commons inflamed themselves with the highest animosity against the court: the nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law in several instances seemed to be violated, they went no further than some secret and calm murmurs; but mounted up into rage and fury, so soon as the constitution was thought to be restored to its former interity and vigour. The capital, especially, being the seat of parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised; seditious assemblies encouraged; and every man, neglecting his own business, was wholly intent on the defence of liberty and religion. By stronger contagion, the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's

* An act of parliament, 25 Hen. VIII. cap. 19, allowed the convocation, with the king's consent, to make canons. By the famous act of submission to that prince, the clergy bound themselves to enact no canons without the king's consent. The parliament was never mentioned nor thought of. Such pretensions as the commons advanced at present would, in any former age, have been deemed strange usurpations.

† Lord Clarendon says it was entirely new; but there are instances of it in the reign of Elizabeth. D'Ewes, p. 296, 352. There are also instances in the reign of James.

administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint, in which, by the authority of Laud and the high-commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions, dangerous by their seditious zeal and calumny, more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence which had been executed against Prynne, Bastwic, and Burton, now suffered a revisal from parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence; and the ministers were afraid lest new satires should issue from their prisons, and still further inflame the prevailing discontents. By an order, therefore, of council, they had been carried to remote prisons; Bastwic to Scilly, Prynne to Jersey, Burton to Guernsey; all access to them was denied; and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed in an arbitrary manner by the commons: even the first sentence, upon examination, was declared illegal: and the judges who passed it were ordered to make reparation to the sufferers. When the prisoners landed in England, they were received and entertained with the highest demonstrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal presents bestowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with shouts and acclamations. Their train still increased as they drew nigh to London. Some miles from the city, the zealots of their party met them in great multitudes, and attended their triumphant entrance: boughs were carried in this tumultuous procession; the roads were strewed with flowers; and amidst the highest exultations of joy, were intermingled loud and virulent invectives against the prelates, who had so cruelly persecuted such godly personages. The more ignoble these men were, the more sensible was the insult upon royal authority, and the more dangerous was the spirit of disaffection and mutiny, which it discovered among the people.

Lilburne, Leighton, and every one that had been punished for seditious libels during the preceding administration, now recovered their liberty, and were decreed damages from the judges and ministers of justice.

Not only the present disposition of the nation ensured impunity to all libellers: a new method of framing and dispersing libels was invented by the leaders of popular discontent. Petitions to parliament were drawn, craving redress against particular grievances; and when a sufficient number of subscriptions were procured, the petitions were presented to the commons, and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted sanction and authority to the complaints which they contained.

It is pretended by historians favourable to the royal cause, and is even asserted by the king himself in a declaration, that a most disingenuous or rather criminal practice prevailed, in conducting many of these addresses. A petition was first framed: moderate, reasonable, such as men of character willingly subscribed. The names were afterwards torn off, and affixed to another petition, which served better the purposes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when so scandalous an imposture, which affected such numbers of people, could be openly practised, without drawing infamy and ruin upon the managers.

So many grievances were offered both by the members, and by petitions without doors, that the house was divided into above forty committees, charged, each of them, with the examination of some particular violation of law and liberty, which had been complained of. Besides the general committees of religion, trade, privileges, law; many subdivisions of these were framed, and a strict scrutiny was everywhere carried on. It is to be remarked, that, before the beginning of this century, when the commons assumed less influence and authority, complaints of grievances were usually presented to the house, by any members who had had particular opportunity of observing them. These general committees, which were a kind of inquisitorial courts, had not then been established; and we find that the king, in a former declaration,* complains loudly of this innovation, so little favourable to royal authority. But never was so much multiplied as at present the use of these committees; and the commons, though themselves the greatest innovators, employed the usual artifice of complaining against innovations, and pretended to recover the ancient and established government.

From the reports of their committees, the house daily passed votes, which mortified and astonished the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary; the sentence against Hambden cancelled; the court of York abolished; compositions for knighthood stigmatized: the enlargement of the forests condemned; patents for monopolies annulled; and every late measure of administration treated with reproach and obloquy. To-day, a sentence of the star-chamber was exclaimed against: to-morrow, a decree of the high-commission. Every discretionary act of council was represented as arbitrary and tyrannical; and the general inference was still inculcated, that a formed design had been laid to subvert the laws and constitution of the kingdom.

From necessity, the king remained entirely passive during all these violent operations. The few servants, who continued faithful to him, were seized with astonishment at the rapid progress made by the commons in power and popularity, and were glad, by their unactive and inoffensive behaviour, to compound for impunity. The torrent rising to so dreadful and unexpected a height, despair seized all those who from interest or habit were most attached to monarchy. And as for those who maintained their duty to the king, merely from their regard to the constitution, they seemed by their concurrence to swell that inundation which began already to deluge everything. "You have taken the whole machine of government in pieces," said Charles, in a discourse to the parliament; "a practice frequent with skilful artists, when they desire to clear the wheels from any rust which may have grown upon them. The engine," continued he, "may again be restored to its former use and motions, provided it be put up entire; so as not a pin of it be wanting." But this was far from the intention of the commons. The machine they thought, with some reason, was encumbered with many wheels and springs, which retarded and crossed its operations, and destroyed its utility. Happy! had they proceeded with moderation, and been contented, in their present plenitude of power, to remove such parts only as might justly be deemed superfluous and incongruous.

In order to maintain that high authority which they had acquired, the commons, besides confounding and overawing their opponents, judged it requisite to inspire courage into their friends and adherents; particularly into the Scots, and the religious puritans, to whose assistance and good offices they were already so much beholden.

* Published on dissolving the third parliament. See Parl. Hist. vol. viii. p. 337.

No sooner were the Scots masters of the northern counties, than they laid aside their first professions, which they had not indeed means to support, of paying for everything; and in order to prevent the destructive expedient of plunder and free quarters, the country consented to give them a regular contribution of eight hundred and fifty pounds a day, in full of their subsistence. The parliament, that they might relieve the northern counties from so grievous a burden, agreed to remit pay to the Scottish, as well as to the English army; and because subsidies would be levied too slowly for so urgent an occasion, money was borrowed from the citizens upon the security of particular members. Two subsidies, a very small sum,* were at first voted; and as the intention of this supply was to indemnify the members, who, by their private, had supported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treasury, but to commissioners appointed by parliament: a practice which, as it diminished the authority of the crown, was willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue which they granted to the king. The invasion of the Scots had evidently been the cause of assembling the parliament: the presence of their army reduced the king to that total subjection in which he was now held: the commons, for this reason, openly professed their intention of retaining these invaders, till all their own enemies should be suppressed, and all their purposes effected. "We cannot yet spare the Scots," said Strode, plainly, in the house; "the sons of Zeruiah are still too strong for us:" an allusion to a passage of Scripture, according to the mode of that age. Eighty thousand pounds a month were requisite for the subsistence of the two armies; a sum much greater than the subject had ever been accustomed, in any former period, to pay to the public. And though several subsidies, together with a poll-tax, were from time to time voted to answer the charge; the commons still took care to be in debt, in order to render the continuance of the session the more necessary.

The Scots being such useful allies to the malcontent party in England, no wonder they were courted with the most unlimited complaisance and the most important services. The king having, in his first speech, called them *rebels*, observed that he had given great offence to the parliament; and he was immediately obliged to soften, and even retract the expression. The Scottish commissioners, of whom the most considerable were the earl of Rothes and lord Loudon, found every advantage in conducting their treaty; yet made no haste in bringing it to an issue. They were lodged in the city, and kept an intimate correspondence, as well with the magistrates, who were extremely disaffected, as with the popular leaders in both houses. St. Antholine's church was assigned them for their devotions; and their chaplains, here, began openly to practise the presbyterian form of worship, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propensity towards this new religion, that multitudes of all ranks crowded to the church. Those, who were so happy as to find access early in the morning, kept their places the whole day: those, who were excluded, clung to the doors or windows, in hopes of catching, at least, some distant murmur or broken phrases of the holy rhetoric. All the eloquence of parliament, now well refined from pedantry, animated with the spirit of liberty, and employed in the most important interests, was not attended to with such insatiable avidity, as were these lectures, delivered with ridiculous cant, and a provincial accent, full of barbarism and ignorance.

The most effectual expedient for paying court to the zealous Scots was to promote the presbyterian discipline and worship throughout England, and to this innovation the popular leaders among the commons, as well as their more devoted partisans, were, of themselves, sufficiently inclined. The puritanical party, whose progress, though secret, had hitherto been gradual in the kingdom, taking advantage of the present disorders, began openly to profess their tenets, and to make furious attacks on the established religion. The prevalence of that sect in the parliament discovered itself, from the beginning, by insensible but decisive symptoms. Marshall and Burgess, two puritanical clergymen, were chosen to preach before them, and entertained them with discourses seven hours in length. It being the custom of the house always to take the sacrament before they enter upon business, they ordered, as a necessary preliminary, that the communion table should be removed from the east end of St. Margaret's into the middle of the area. The name of the *spiritual lords* was commonly left out in acts of parliaments; and the laws ran in the name of king, lords, and commons. The clerk of the upper house, in reading bills, turned his back on the bench of bishops; nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the spiritual; and lord Spencer remarked, that the humiliation that day seemed confined alone to the prelates.

THE BISHOPS ATTACKED.

Every meeting of the commons produced some vehement harangue against the usurpations of the bishops, against the high-commission, against the late convocation, against the new canons. So disgusted were all lovers of civil liberty at the doctrines promoted by the clergy, that these invectives were received without control; and no distinction, at first, appeared between such as desired only to repress the exorbitances of the hierarchy, and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favourable appearances, petitions against the church were framed in different parts of the kingdom. The epithet of "the ignorant and vicious priesthood" was commonly applied to all churchmen, addicted to the established discipline and worship; though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was, the city petition for a total alteration of church government; a petition to which fifteen thousand subscriptions were annexed, and which was presented by alderman Pennington, the city member, It is remarkable that, among the many ecclesiastical abuses there complained of, an allowance, given by the licensers of books, to publish a translation of Ovid's Art of Love, is not forgotten by these rustic censors.

Notwithstanding the favourable disposition of the people, the leaders in the house resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the house of peers; a measure not unacceptable to the zealous friends of liberty, who observed with regret the devoted attachment of that order to the will of the monarch. But when this bill was presented to the peers, it was rejected by a great majority: the first check which the commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper house, whose inclinations and interests could never be totally separated from the throne. But, to show how little they were discouraged, the puritans immediately brought in another bill for the total abolition of episcopacy; though they thought proper to let that bill

* It appears that a subsidy was now fallen to 70,000 pounds.

sleep at present, in expectation of a more favourable opportunity of reviving it.

Among other acts of regal executive power, which the commons was every day assuming, they issued orders for demolishing all images, altars, crucifixes. The zealous sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and from his abhorrence of that superstitious figure, would not anywhere allow one piece of wood or stone to lie over another at right angles.

The bishop of Ely and other clergymen were attacked on account of innovations. Cozens, who had long been obnoxious, was exposed to new censures. This clergyman, who was dean of Peterborough, was extremely zealous for ecclesiastical ceremonies: and so far from permitting the communicants to break the sacramental bread with their fingers, a privilege on which the puritans strenuously insisted, he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterwards be profaned by any vulgar service.

Cozens likewise was accused of having said, "The king has no more authority in ecclesiastical matters, than the boy who rubs my horse's heels." The expression was violent; but it is certain, that all those high churchmen, who were so industrious in reducing the laity to submission, were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was elected by the lower house, as a court of inquisition upon the clergy, and was commonly denominated the committee of *scandalous ministers*. The politicians among the commons were apprized of the great importance of the pulpit for guiding the people; the bigots were enraged against the prelatical clergy; and both of them knew that no established government could be overthrown by strictly observing the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several years, were cruel and arbitrary, and made great havoc both on the church and the universities. They began with harassing, imprisoning, and molesting the clergy; and ended with sequestrating and ejecting them. In order to join contumely to cruelty, they gave the sufferers the epithet of *scandalous*, and endeavoured to render them as odious as they were miserable. The greatest vices, however, which they could reproach to a great part of them, were, bowing at the name of Jesus, placing the communion table in the east, reading the king's orders for sports on Sunday, and other practices, which the established government, both in church and state, had strictly enjoined them.

It may be worth observing, that all historians, who lived near that age, or, what perhaps is more decisive, all authors who have casually made mention of those public transactions, still represent the civil disorders and convulsions as proceeding from religious controversy, and consider the political disputes about power and liberty, as entirely subordinate to the other. It is true, had the king been able to support government, and at the same time to abstain from all invasion of national privileges, it seems not probable that the puritans ever could have acquired such authority as to overturn the whole constitution: yet so entire was the subjection into which Charles was now fallen, that, had not the wound been poisoned by the infusion of theological hatred, it must have admitted of an easy remedy. Disuse of parliaments, imprisonments and prosecution of members, ship-money, an arbitrary administration; these were loudly complained of: but the grievances which tended chiefly to inflame the parliament and nation, especially the latter, were the surplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the sabbath, embroidered copes, lawn sleeves, the use of the ring in marriage, and of the cross in baptism. On account of these, were the popular leaders content to throw the government into such violent convulsions; and, to the disgrace of that age, and of this island, it must be acknowledged, that the disorders in Scotland entirely, and those in England mostly, proceeded from so mean and contemptible an origin.*

Some persons, partial to the patriots of this age, have ventured to put them in balance with the most illustrious characters of antiquity; and mentioned the names of Pym, Hambden, Vane, as a just parallel to those of Cato, Brutus, Cassius. Profound capacity, indeed, undaunted courage, extensive enterprise; in these particulars perhaps the Romans do not much surpass the English worthies: but what a difference, when the discourse, conduct, conversation, and private as well as public behaviour, of both are inspected! Compare only one circumstance, and consider its consequences. The leisure of those noble ancients was totally employed in the study of Grecian eloquence and philosophy; in the cultivation of polite letters and civilized society: the whole discourse and language of the moderns were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy.

The laws, as they stood at present, protected the church, but they exposed the catholics to the utmost rage of the puritans; and these unhappy religionists, so obnoxious to the prevailing sect, could not hope to remain long unmolested. The voluntary contribution which they had made, in order to assist the king in his war against the Scottish covenanters, was inquired into, and represented as the greatest enormity. By an address from the commons, all officers of that religion were removed from the army, and application was made to the king for seizing two-thirds of the lands of recusants; a proportion to which, by law, he was entitled, but which he had always allowed them to possess upon easy compositions. The execution of the severe and bloody laws against priests was insisted on; and one Goodman, a jesuit, who was found in prison, was condemned to a capital punishment. Charles, however, agreeably to his usual principles, scrupled to sign the warrant for his execution; and the commons expressed great resentment on the occasion. There remains a singular petition of Goodman, begging to be hanged rather than prove a source of contention between the king and his people. He escaped with his life; but it seems more probable that he was overlooked amidst affairs of greater consequence, than that such unrelenting hatred would be softened by any consideration of his courage and generosity.

For some years, Con, a Scotchman, afterwards, Rosetti, an Italian, had openly resided at London, and frequented the court, as vested with a commission from the pope. The queen's zeal, and her authority with her husband, had been the cause of this imprudence, so offensive to the nation.† But the spirit of bigotry now rose too high to permit any longer such indulgences.

Hayward, a justice of peace, having been wounded, when employed in the exercise of his office, by one James, a catholic madman, this enormity was ascribed to the popery, not to the frenzy, of the assassin; and great alarms seized the nation and parliament. An universal conspiracy of the papists was supposed to have taken place; and every man, for some days, imagined that he had a sword at his throat. Though some persons of family and distinction were still at-

* Lord Clarendon, vol. i. p. 233, says that the parliamentary party were not agreed about the entire abolition of episcopacy: they were only the *root-and-branch men*, as they were called, who insisted on that measure. But those who were willing to retain bishops, insisted on reducing their authority to a low ebb; as well as on abolishing the ceremonies of worship and vestments of the clergy. The controversy, therefore, between the parties was almost wholly theological, and that of the most frivolous and ridiculous kind.

† It is now known, from the Clarendon papers, that the king had also an authorized agent who resided at Rome. His name was Bret, and his chief business was to negociate with the pope concerning indulgences to the catholics, and to engage the catholics, in return, to be good and loyal subjects. But this whole matter, though very innocent, was most carefully kept secret. The king says, that he believed Bret to be as much his as any papist could be. See p. 348, 354.

tached to the catholic superstition, it is certain that the numbers of that sect did not amount to the fortieth part of the nation: and the frequent panics to which men, during this period, were so subject on account of the catholics, were less the effects of fear than of extreme rage and aversion entertained against them.

The queen-mother of France, having been forced into banishment by some court intrigues, had retired into England; and expected shelter, amidst her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion; and was even threatened with worse treatment. The earl of Holland, lieutenant of Middlesex, had ordered a hundred musketeers to guard her; but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwillingly employed in such a service, he laid the case before the house of peers; for the king's authority was now entirely annihilated. He represented the indignity of the action, that so great a princess, mother to the king of France, and to the queens of Spain and England, should be affronted by the multitude. He observed the indelible reproach which would fall upon the nation, if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected. The peers thought proper to communicate the matter to the commons, whose authority over the people was absolute. The commons agreed to the necessity of protecting the queen-mother; but at the same time prayed, that she might be desired to depart the kingdom: "For the quieting those jealousies in the hearts of his majesty's well-affected subjects, occasioned by some ill instruments about that queen's person, by the flowing of priests and papists to her house, and by the use and practice of the idolatry of the mass, and exercise of other superstitious services of the Romish church, to the great scandal of true religion."

Charles, in the former part of his reign, had endeavoured to overcome the intractable and encroaching spirit of the commons, by a perseverance in his own measures, by a stately dignity of behaviour, and by maintaining, at their utmost height, and even perhaps stretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unsuccessful those measures had proved, and observing the low condition to which he was now reduced, he resolved to alter his whole conduct, and to regain the confidence of his people, by pliableness, by concessions, and by a total conformity to their inclinations and prejudices. It may safely be averred, that this new extreme into which the king, for want of proper counsel or support, was fallen, became no less dangerous to the constitution, and pernicious to public peace, than the other, in which he had so long and so unfortunately persevered.

TONNAGE AND POUNDAGE.

The pretensions with regard to tonnage and poundage were revived, and with certain assurance of success by the commons.* The levying of these duties, as formerly, without consent of parliament, and even increasing them at pleasure, was such an incongruity in a free constitution, where the people, by their fundamental privileges, cannot be taxed but by their own consent, as could no longer be endured by these jealous patrons of liberty. In the preamble therefore to the bill, by which the commons granted these duties to the king, they took care, in the strongest and most positive terms, to assert their own right of bestowing this gift, and to divest the crown of all independent title of assuming it. And that they might increase, or rather finally fix, the entire dependence and subjection of the king, they voted these duties only for two months, and afterwards, from time to time, renewed their grants for very short periods.* Charles, in order to show that he entertained no intention ever again to separate himself from his parliament, passed this important bill without any scruple or hesitation.

TRIENNIAL BILL.

With regard to the bill for triennial parliaments, he made a little difficulty. By an old statute, passed during the reign of Edward III., it had been enacted, that parliaments should be held once every year, or more frequently, if necessary: but as no provision had been made in case of failure, and no precise method pointed out for execution, this statute had been considered merely as a general declaration, and was dispensed with at pleasure. The defect was supplied by those vigilant patriots who now assumed the reins of government. It was enacted, that if the chancellor, who was first bound under severe penalties, failed to issue writs by the third of September in every third year, any twelve or more of the peers should be empowered to exert this authority: in default of the peers, that the sheriffs, mayors, bailiffs, &c., should summon the voters: and in their default, that the voters themselves should meet and proceed to the election of members, in the same manner as if writs had been regularly issued from the crown. Nor could the parliament, after it was assembled, be adjourned, prorogued, or dissolved, without their own consent, during the space of fifty days. By this bill, some of the noblest and most valuable prerogatives of the crown were retrenched; but at the same time nothing could be more necessary than such a statute, for completing a regular plan of law and liberty. A great reluctance to assemble parliaments must be expected in the king; where these assemblies, as of late, establish it as a maxim to carry their scrutiny into every part of government. During long intermissions of parliament, grievances and abuses, as was found by recent experience, would naturally creep in; and it would even become necessary for the king and council to exert a great discretionary authority, and by acts of state to supply, in every emergence, the legislative power, whose meeting was so uncertain and precarious. Charles, finding that nothing less would satisfy his parliament and people, at last gave his assent to this bill, which produced so great an innovation in the constitution. Solemn thanks were presented him by both houses. Great rejoicings were expressed both in the city and throughout the nation. And mighty professions were everywhere made of gratitude and mutual returns of supply and confidence. This concession of the king, it must be owned, was not entirely voluntary: it was of a nature too important to be voluntary. The sole inference which his partisans were entitled to draw from the submissions so frankly made to present necessity, was, that he had certainly adopted a new plan of government, and for the future was resolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought, that what concessions were made to the public were of little consequence, if no gratifications were bestowed on individuals who had acquired the directions of public counsels and determinations. A change of ministers, as well as of measures, was therefore resolved on. In one day several new privy-counsellors were sworn: the earls of Hertford, Bedford, Essex, Bristol; the lords Say, Saville, Kimbolton:

* It appears not that the commons, though now entirely masters, abolished the new impositions of James, against which they had formerly so loudly complained; a certain proof that the rates of customs, settled by that prince, were, in most instances, just, and proportioned to the new price of commodities. They seem rather to have been low. See Journ. 10th August, 1625.

* It was an instruction given by the house to the committee which framed one of these bills, [illegible] that the customs [illegible] may be as light as possible; and upon importation, as [illegible] or a proof that the nature of commerce began now to be [illegible] Journ. 1 June, 1641.

within a few days after, was admitted the earl of Warwick. All these noblemen were of the popular party; and some of them afterwards, when matters were pushed to extremities by the commons, proved the greatest support of monarchy.

Juxon, bishop of London, who had never desired the treasurer's staff, now earnestly solicited for leave to resign it, and retire to the care of that turbulent diocese committed to him. The king gave his consent; and it is remarkable, that during all the severe inquiries carried on against the conduct of ministers and prelates, the mild and prudent virtues of this man, who bore both these invidious characters, remained unmolested. It was intended that Bedford, a popular man of great authority, as well as wisdom and moderation, should succeed Juxon; but that nobleman, unfortunately both for king and people, died about this very time. By some promotions, place was made for St. John, who was created solicitor-general. Hollis was to be made secretary of state, in the room of Windebank, who had fled: Pym, chancellor of the exchequer, in the room of lord Cottington, who had resigned: lord Say, master of the wards, in the room of the same nobleman: the earl of Essex, governor; and Hambden, tutor to the prince.

What retarded the execution of these projected changes was, the difficulty of satisfying all those who, from their activity and authority in parliament, had pretensions for offices, and who still had it in their power to embarrass and distress the public measures. Their associates too in popularity, whom the king intended to distinguish, by his favour, were unwilling to undergo the reproach of having driven a separate bargain, and of sacrificing to their own ambitious views the cause of the nation. And as they were sensible that they must owe their preferment entirely to their weight and consideration in parliament, they were most of them resolved still to adhere to that assembly, and both to promote its authority, and to preserve their own credit in it. On all occasions, they had no other advice to give the king, than to allow himself to be directed by his great council; or in other words, to resign himself passively to their guidance and government. And Charles found, that, instead of acquiring friends by the honours and offices which he should bestow, he should only arm his enemies with more power to hurt him.

The end on which the king was most intent in changing ministers was, to save the life of the earl of Strafford, and to mollify, by these indulgences, the rage of his most furious prosecutors. But so high was that nobleman's reputation for experience and capacity, that all the new counsellors and intended ministers plainly saw, that if he escaped their vengeance, he must return into favour and authority; and they regarded his death as the only security which they could have, both for the establishment of their present power, and for success in their future enterprises. His impeachment, therefore, was pushed on with the utmost vigour; and after long and solemn preparations was brought to a final issue.

STRAFFORD'S TRIAL.

Immediately after Strafford was sequestered from parliament, and confined in the Tower, a committee of thirteen was chosen by the lower house, and intrusted with the office of preparing a charge against him. These, joined to a small committee of lords, were vested with authority to examine all witnesses, to call for every paper, and to use any means of scrutiny, with regard to any part of the earl's behaviour and conduct. After so general and unbounded an inquisition, exercised by such powerful and implacable enemies, a man must have been very cautious or very innocent, not to afford, during the whole course of his life, some matter of accusation against him.

This committee by direction from both houses, took an oath of secrecy; a practice very unusual, and which gave them the appearance of conspirators, more than ministers of justice. But the intention of this strictness was, to render it more difficult for the earl to elude their search, or prepare for his justification.

Application was made to the king, that he would allow this committee to examine privy-counsellors with regard to opinions delivered at the board: a concession which Charles unwarily made, and which thenceforth banished all mutual confidence from the deliberations of council; where every man is supposed to have entire freedom, without fear of future punishment or inquiry, of proposing any expedient, questioning any opinion, or supporting any argument.

Sir George Ratcliffe, the earl's intimate friend and confidant, was accused of high-treason, sent for from Ireland, and committed to close custody. As no charge ever appeared or was prosecuted against him, it is impossible to give a more charitable interpretation to this measure, than that the commons thereby intended to deprive Strafford, in his present distress, of the assistance of his best friend, who was most enabled, by his testimony, to justify the innocence of his patron's conduct and behaviour.

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Irish house of commons, though they had very lately bestowed ample praises on his administration, entered into all the violent councils against him, and prepared a representation of the miserable state into which, by his misconduct, they supposed the kingdom to be fallen. They sent over a committee to London, to assist in the prosecution of their unfortunate governor; and by intimations from this committee, who entered into close confederacy with the popular leaders in England, was every measure of the Irish parliament governed and directed. Impeachments, which were never prosecuted, were carried up against sir Richard Bolton, the chancellor, sir Gerrard Louther, chief-justice, and Bramhall, bishop of Derry. This step, which was an exact counterpart to the proceedings in England, served also the same purposes: it deprived the king of the ministers whom he most trusted; it discouraged and terrified all the other ministers; and it prevented those persons who were best acquainted with Strafford's counsels from giving evidence in his favour before the English parliament.

1641. The bishops, being forbidden by the ancient canons to assist in trials for life, and being unwilling, by any opposition, to irritate the commons, who were already much prejudiced against them, thought proper of themselves to withdraw. The commons also voted, that the new created peers ought to have no voice in this trial; because the accusation being agreed to while they were commoners, their consent to it was implied with that of all the commons of England. Notwithstanding this decision, which was meant only to deprive Strafford of so many friends, lord Seymour, and some others, still continued to keep their seat; nor was their right to it any further questioned.

To bestow the greater solemnity on this important trial, scaffolds were erected in Westminster-hall; where both houses sat, the one as accusers, the other as judges. Besides the chair of state, a close gallery was prepared for the king and queen, who attended during the whole trial.

An accusation carried on by the united effort of three kingdoms against one man, unprotected by power, unassisted by counsel, discountenanced by authority, was likely to prove a very unequal contest: yet such were the capacity, genius, presence of mind, displayed by this magnanimous statesman, that, while argument and reason and law had any place, he obtained an undisputed victory. And he perished at last, overwhelmed and still unsubdued, by the open violence of his fierce and unrelenting antagonists.

The articles of impeachment against Strafford are twenty-eight in number; and regard his conduct as

president of the council of York, as deputy or lieutenant of Ireland, and as counsellor or commander in England. But though four months were employed by the managers in framing the accusation, and all Strafford's answers were extemporary: it appears from comparison, not only that he was free from the crime of treason, of which there is not the least appearance, but that his conduct, making allowance for human infirmities, exposed to such severe scrutiny, was innocent, and even laudable.

The powers of the northern council, while he was president, had been extended by the king's instructions beyond what formerly had been practised: but that court being at first instituted by a stretch of royal prerogative, it had been usual for the prince to vary his instructions; and the largest authority committed to it was altogether as legal as the most moderate and most limited. Nor was it reasonable to conclude, that Strafford had used any art to procure those extensive powers; since he never once sat as president, or exercised one act of jurisdiction, after he was invested with the authority so much complained of.

In the government of Ireland, his administration had been equally promotive of his master's interests, and that of the subjects committed to his care. A large debt he had paid off: he had left a considerable sum in the exchequer: the revenue, which never before answered the charges of government, was now raised to be equal to them. A small standing army, formerly kept in no order, was augmented, and was governed by exact discipline; and a great force was there raised and paid, for the support of the king's authority against the Scottish covenanters.

Industry and all the arts of peace were introduced among that rude people: the shipping of the kingdom augmented a hundred fold: the customs tripled upon the same rates: the exports double in value to the imports: manufactures, particularly that of linen, introduced and promoted: agriculture, by means of the English and Scottish plantations, gradually advancing: the protestant religion encouraged, without the persecution or discontent of the catholics.

The springs of authority he had enforced without overstraining them. Discretionary acts of jurisdiction, indeed, he had often exerted, by holding courts-martial, billeting soldiers, deciding causes upon paper petitions before the council, issuing proclamations and punishing their infraction. But discretionary authority, during that age, was usually exercised even in England. In Ireland, it was still more requisite, among a rude people, not yet thoroughly subdued, averse to the religion and manners of their conquerors, ready on all occasions to relapse into rebellion and disorder. While the managers of the commons demanded, every moment, that the deputy's conduct should be examined by the line of rigid law and severe principles, he appealed still to the practice of all former deputies, and to the uncontrollable necessity of his situation.

So great was his art of managing elections and balancing parties, that he had engaged the Irish parliament to vote whatever was necessary, both for the payment of former debts, and for support of the new-levied army; nor had he ever been reduced to the illegal expedients practised in England, for the supply of public necessities. No imputation of rapacity could justly lie against his administration. Some intances of imperious expressions, and even actions, may be met with. The case of lord Mountnorris, of all those which were collected with so much industry, is the most flagrant and least excusable.

It had been reported at the table of lord-chancellor Loftus, that Annesley, one of the deputy's attendants, in moving a stool, had sorely hurt his master's foot, who was at that time afflicted with the gout. "Perhaps," said Mountnorris, who was present at table, "it was done in revenge of that public affront, which my lord-deputy formerly put upon him: BUT HE HAS A BROTHER, WHO WOULD NOT HAVE TAKEN SUCH A REVENGE." This casual, and seemingly innocent, at least ambiguous expression, was reported to Strafford, who, on pretence that such a suggestion might prompt Annesley to avenge himself in another manner, ordered Mountnorris, who was an officer, to be tried by a court-martial for mutiny and sedition against his general. The court, which consisted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to lose his head.

In vain did Strafford plead, in his own defence, against this article of impeachment, that the sentence of Mountnorris was the deed, and that too, unanimous, of the court, not the act of the deputy; that he spake not to a member of the court, nor voted in the cause, but sat uncovered as a party, and then immediately withdrew, to leave them to their freedom; that, sensible of the iniquity of the sentence, he procured his majesty's free pardon to Mountnorris; and that he did not even keep that nobleman a moment in suspense with regard to his fate, but instantly told him, that he himself would sooner lose his right hand than execute such a sentence, nor was his lordship's life in any danger. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the lowest adulation, to all deputies, while present; and blackened their character, by the vilest calumnies, when recalled; and that Strafford, expecting like treatment, had used this expedient for no other purpose than to subdue the petulant spirit of the man. These excuses alleviate the guilt; but there still remains enough to prove, that the mind of the deputy, though great and firm, had been not a little debauched by the riot of absolute power and uncontrolled authority,

When Strafford was called over to England, he found everything falling into such confusion, by the open rebellion of the Scots, and the secret discontents of the English, that, if he had counselled or executed any violent measure, he might perhaps have been able to apologize for his conduct, from the great law of necessity, which admits not, while the necessity is extreme, of any scruple, ceremony, or delay. But in fact, no illegal advice or action was proved against him; and the whole amount of his guilt, during this period, was some peevish, or at most imperious, expressions, which, amidst such desperate extremities, and during a bad state of health, had unhappily fallen from him.

If Strafford's apology was, in the main, so satisfactory when he pleaded to each particular article of the charge, his victory was still more decisive when he brought the whole together, and repelled the imputation of treason; the crime which the commons would infer from the full view of his conduct and behaviour. Of all species of guilt, the law of England had, with the most scrupulous exactness, defined that of treason; because on that side it was found most necessary to protect the subject against the violence of the king and of his ministers. In the famous statute of Edward III. all the kinds of treason are enumerated, and every other crime besides such as are there expressly mentioned, is carefully excluded from that appellation. But with regard to this guilt, *An endeavour to subvert the fundamental laws*, the statute of treasons is totally silent: and arbitrarily to introduce it into the fatal catalogue, is itself a subversion of all law; and, under colour of defending liberty, reverses a statute the best calculated for the security of liberty that had ever been enacted by an English parliament.

As this species of treason, discovered by the commons, is entirely new and unknown to the laws, so is the species of proof by which they pretend to fix that guilt upon the prisoner. They have invented a kind of *accumulative* or *constructive* evidence, by which many actions, either totally innocent in themselves, or criminal in a much inferior degree, shall, when united, amount to treason, and subject the person to the highest penalties inflicted by the law. A hasty and unguarded word, a rash and passionate action, assisted

by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt; and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

"Where has this species of guilt lain so long concealed?" said Strafford, in conclusion; "where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once, to consume me and my children? Better it were to live under no law at all, and, by the maxims of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master; than fancy we have a law on which we can rely, and find at last, that this law shall inflict a punishment precedent to the promulgation, and try us by maxims unheard of till the very moment of the prosecution. If I sail on the Thames, and split my vessel on an anchor; in case there be no buoy to give warning, the party shall pay me damages; but if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime? Where the token by which I should discover it? It has lain concealed, under water; and no human prudence, no human innocence, could save me from the destruction with which I am at present threatened.

"It is now full two hundred and forty years since treasons were defined; and so long has it been since any man was touched to this extent, upon this crime, before myself. We have lived, my lords, happily to ourselves at home: we have lived gloriously abroad to the world: let us be content with what our fathers have left us: let not our ambition carry us to be more learned than they were, in these killing and destructive arts. Great wisdom it will be in your lordships, and just providence for yourselves, for your posterities, for the whole kingdom, to cast from you, into the fire, these bloody and mysterious volumes of arbitrary and constructive treasons, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the statute, which tells you where the crime is, and points out to you the path by which you may avoid it.

"Let us not, to our own destruction, awake these sleeping lions, by rattling up a company of old records, which have lain for so many ages, by the wall, forgotten and neglected. To all my afflictions, add not this, my lords, the most severe of any, that I, for my other sins, not for my treasons, be the means of introducing a precedent so pernicious to the laws and liberties of my native country.

"However, these gentlemen at the bar say they speak for the commonwealth; and they believe so: yet, under favour, it is I who, in this particular, speak for the commonwealth. Precedents, like those which are endeavoured to be established against me, must draw along such inconvenience and miseries, that, in a few years, the kingdom will be in the condition expressed in a statute of Henry IV.; and no man shall know by what rule to govern his words and actions.

"Impose not, my lords, difficulties insurmountable upon ministers of state, nor disable them from serving with cheerfulness their king and country. If you examine them, and under such severe penalties, by every grain, by every little weight, the scrutiny will be intolerable. The public affairs of the kingdom must be left waste; and no wise man, who has any honour or fortune to lose, will ever engage himself in such dreadful, such unknown perils.

"My lords, I have now troubled your lordships a great deal longer than I should have done. Were it not for the interests of these pledges, which a saint in heaven left me, I should be loath"—Here he pointed to his children, and his weeping stopped him—"What I forfeit for myself it is nothing: but, I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity: something I should have said; but I see I shall not be able, and therefore I shall leave it.

"And now, my lords, I thank God, I have been, by his blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit, clearly and freely, to your judgments: and whether that righteous doom shall be to life or death, I shall repose myself, full of gratitude and confidence, in the arms of the great Author of my existence."

"Certainly," says Whitlocke,* with his usual candour, "never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity." It is remarkable, that the historian, who expresses himself in these terms, was himself chairman of that committee which conducted the impeachment against this unfortunate statesman. The accusation and defence lasted eighteen days. The managers divided the several articles among them, and attacked the prisoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to speak with deference and reserve towards his most inveterate enemies, the commons, the Scottish nation, and the Irish parliament. He took only a very short time on each article, to recollect himself: yet he alone, without assistance, mixing modesty and humility with firmness and vigour, made such a defence, that the commons saw it impossible, by a legal prosecution, ever to obtain a sentence against him.

But the death of Strafford was too important a stroke of party to be left unattempted by any expedient, however extraordinary. Besides the great genius and authority of that minister, he had threatened some of the popular leaders with an impeachment; and had he not himself been suddenly prevented by the impeachment of the commons, he had, that very day, it was thought, charged Pym, Hambden, and others, with treason, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower house immediately after finishing these pleadings; and preparatory to it, a new proof of the earl's guilt was produced, in order to remove such scruples as might be entertained with regard to a method of proceeding so unusual and irregular.

Sir Henry Vane, secretary, had taken some notes of a debate in council, after the dissolution of the last parliament, and being at a distance, he had sent the keys of his cabinet, as was pretended, to his son, sir Henry, in order to search for some papers, which were necessary for completing a marriage-settlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmost importance; and immediately communicated it to Pym, who now produced the paper before the house of commons. The question before the council was—offensive or defensive war with the Scots. The king proposes this difficulty, "But how can I undertake offensive war, if I have no more money?" The answer ascribed to Strafford was in these words: "Borrow of the city a hundred thousand pounds: go on vigorously to levy ship-money. Your majesty having tried the affections of your people, you are absolved and loose from all rules of government, and may do what power will admit. Your majesty, having tried all ways, shall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce THIS kingdom to obedience: for I am confident the Scots cannot hold out five months." There followed some counsels of Laud and Cottington, equally violent, with regard to the king's being absolved from all rules of government.

This paper, with all the circumstances of its discovery and communication, was pretended to be equi

* Page 11.



valent to two witnesses, and to be an unanswerable proof of those pernicious counsels of Strafford, which tended to the subversion of the laws and constitution. It was replied by Strafford and his friends, That old Vane was his most inveterate and declared enemy; and if the secretary himself, as was by far most probable, had willingly delivered to his son this paper of notes, to be communicated to Pym, this implied such a breach of oaths and of trust as rendered him totally unworthy of all credit: that the secretary's deposition was at first exceedingly dubious: upon two examinations, he could not remember any such words; even the third time, his testimony was not positive, but imported only that Strafford had spoken such or such like words: and words may be very like in sound, and differ much in sense; nor ought the lives of men to depend upon grammatical criticisms of any expressions, much less of those which had been delivered by the speaker without premeditation, and committed by the hearer for any time, however short, to the uncertain record of memory. That, in the present case, changing *This kingdom* into *That kingdom*, a very slight alteration, the earl's discourse could regard nothing but Scotland, and implies no advice unworthy of an English counsellor. That even retaining the expression, *This kingdom*, the words may fairly be understood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's ministers, as by the known disposition of the forces, that the intention never was to land the Irish army into England, but in Scotland. That of six other counsellors present, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon could recollect no such expression; and the advice was too remarkable to be easily forgotten. That it was no-wise probable such a desperate counsel would be openly delivered at the board, and before Northumberland, a person of that high rank, and whose attachments to the court were so much weaker than his connexions with the country. That though Northumberland, and he alone, had recollected some such expression as that, *Of being absolved from rules of government*, yet in such desperate extremities as those into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended upon principles the most favourable to law and liberty. And that nothing could be more iniquitous, than to extract an accusation of treason from an opinion simply proposed at the council-table, where all freedom of debate ought to be permitted, and where it was not unusual for the members, in order to draw forth the sentiment of others, to propose counsels very remote from their own secret advice and judgment.

BILL OF ATTAINDER.

The evidence of secretary Vane, though exposed to such unsurmountable objections, was the real cause of Strafford's unhappy fate; and made the bill of attainder pass the commons with no greater opposition than that of fifty-nine dissenting votes. But there remained two other branches of the legislature, the king and the lords, whose assent was requisite; and these, if left to their free judgment, it was easily foreseen, would reject the bill without scruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden partly to their own industry, partly to the indiscretion of their adversaries.

Next Sunday after the bill passed the commons, the puritanical pulpits resounded with declamations concerning the necessity of executing justice upon great delinquents. The populace took the alarm. About six thousand men, armed with swords and cudgels, flocked from the city, and surrounded the houses of parliament. The names of the fifty-nine commoners who had voted against the bill of attainder were posted up under the title of *Straffordians, and betrayers of their country*. These were exposed to all the insults of the ungovernable multitude. When any of the lords passed, the cry for *Justice against Strafford* resounded in their ears: and such as were suspected of friendship to that obnoxious minister were sure to meet with menaces, not unaccompanied with symptoms of the most desperate resolutions in the furious populace.

Complaints in the house of commons being made against these violences as the most flagrant breach of privilege, the ruling members, by their affected coolness and indifference, showed plainly that the popular tumults were not disagreeable to them. But a new discovery, made about this time, served to throw everything into still greater flame and combustion.

Some principal officers, Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Ashburnham, partly attached to the court, partly disgusted with the parliament, had formed a plan of engaging into the king's service the English army, whom they observed to be displeased at some marks of preference given by the commons to the Scots. For this purpose they entered into an association, took an oath of secrecy, and kept a close correspondence with some of the king's servants. The form of a petition to the king and parliament was concerted; and it was intended to get this petition subscribed by the army. The petitioners there represent the great and unexampled concessions made by the king for the security of public peace and liberty; the endless demands of certain insatiable and turbulent spirits, whom nothing less will content than a total subversion of the ancient constitution; the frequent tumults which these factious malcontents had excited, and which endangered the liberty of parliament. To prevent these mischiefs, the army offered to come up and guard that assembly. "So shall the nation," as they express themselves in the conclusion, "not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to produce more dangerous effects than the former." The draught of this petition being conveyed to the king, he was prevailed on, somewhat imprudently, to countersign it himself, as a mark of his approbation. But as several difficulties occurred, the project was laid aside two months before any public discovery was made of it.

It was Goring who betrayed the secret to the popular leaders. The alarm may easily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as disguised, or rather undisguised commands; and are of a nature widely different from petitions presented by any other rank of men. Pym opened the matter in the house. On the first intimation of a discovery, Piercy concealed himself, and Jermyn withdrew beyond sea. This further confirmed the suspicions of a dangerous conspiracy. Goring delivered his evidence before the house: Piercy wrote a letter to his brother Northumberland, confessing most of the particulars. Both their testimonies agree with the oath of secrecy; and as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was regarded as a new proof of some desperate resolution which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted, that a protestation should be signed by all the members. It was sent up to the lords, and signed by all of them, except Southampton and Robarts. Orders were given by the commons alone, without other authority, that it should be subscribed by the whole nation. The protestation was in itself very inoffensive, even insignificant: and contained nothing but general declarations, that the subscribers would defend their religion and liberties. But it tended to increase the popular panic, and intimated what was more expressly declared in the preamble, that these blessings were now exposed to the utmost peril.

Alarms were every day given of new conspiracies: in Lancashire, great multitudes of papists were assembling: secret meetings were held by them in caves and under ground in Surrey: they had entered into a plot to blow up the river with gunpowder, in order to drown the city: provisions of arms were making beyond sea: sometimes France, sometimes Denmark, was forming designs against the kingdom: and the populace, who are always terrified with present, and enraged with distant dangers, were still further animated in their demands of justice against the unfortunate Strafford.

The king came to the house of lords: and though he expressed his resolution, for which he offered them any security, never again to employ Strafford in any branch of public business, he professed himself totally dissatisfied with regard to the circumstance of treason, and on that account declared his difficulty in giving his assent to the bill of attainder. The commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the houses. Charles did not perceive that his attachment to Strafford was the chief motive for the bill; and that the greater proofs he gave of anxious concern for this minister, the more inevitable did he render his destruction.

About eighty peers had constantly attended Strafford's trial; but such apprehensions were entertained on account of the popular tumults, that only forty-five were present when the bill of attainder was brought into the house. Yet of these, nineteen had the courage to vote against it. A certain proof that if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the lords, St. John, the solicitor-general, advanced two topics, well suited to the fury of the times—that though the testimony against Strafford, were not clear, yet, in this way of bill, private satisfaction to each man's conscience was sufficient, even should no evidence at all be produced; and that the earl had no title to plead law, because he had broken the law. It is true, added he, we give law to hares and deer; for they are beasts of chase. But it was never accounted either cruel or unfair to destroy foxes or wolves wherever they can be found, for they are beasts of prey.

After popular violence had prevailed over the lords, the same battery was next applied to force the king's assent. The populace flocked about Whitehall, and accompanied their demands of justice with the loudest clamours and most open menaces. Rumours of conspiracies against the parliament were anew spread abroad: invasions and insurrections talked of, and the whole nation was raised into such a ferment as threatened some great and imminent convulsion. On whichever side the king cast his eyes, he saw no resource or security. All his servants, consulting their own safety, rather than their master's honour, declined interposing with their advice between him and his parliament. The queen, terrified with the appearance of so mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and pressed him to satisfy his people in this demand, which, it was hoped, would finally content them. Juxon alone, whose courage was not inferior to his other virtues, ventured to advise him, if in his conscience he did not approve of the bill, by no means to assent to it.

Strafford, hearing of Charles's irresolution and anxiety, took a very extraordinary step: he wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate. "In this," added he, "my consent will more acquit you to God than all the world can do besides. To a willing man there is no injury. And as, by God's grace, I forgive all the world with a calmness and meekness, of infinite contentment to my dislodging soul; so, sir, to you I can resign the life of this world with all imaginable cheerfulness, in the just acknowledgment of your exceeding favours." Perhaps Strafford hoped that this unusual instance of generosity would engage the king still more strenuously to protect him: perhaps he gave his life for lost; and finding himself in the hands of his enemies, and observing that Balfour, the lieutenant of the Tower, was devoted to the popular party, he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed. We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master as it was immediately fatal to himself. [*See note* 6 A, *at the end of this Vol.*]

After the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal assent, in his name, to the bill; flattering himself, probably, in this extremity of distress, that, as neither his will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. These commissioners he impowered, at the same time, to give his assent to the bill which rendered the parliament perpetual.

The commons, from policy, rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themselves or by suggestion, began to start difficulties with regard to a further loan which was demanded. We make no scruple of trusting the parliament, said they, were we certain that the parliament were to continue till our repayment. But, in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the house, and passed with great unanimity and rapidity, that the parliament should not be dissolved, prorogued, or adjourned, without their own consent. It was hurried in like manner through the house of peers, and was instantly carried to the king for his assent. Charles, in the agony of grief, shame, and remorse, for Strafford's doom, perceived not that this other bill was of still more fatal consequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable. In comparison of the bill of attainder, by which he deemed himself an accomplice in his friend's murder, this concession made no figure in his eyes; [*See note* 6 B, *at the end of this Vol.*;] a circumstance which, if it lessen our idea of his resolution or penetration, serves to prove the integrity of his heart and the goodness of his disposition. It is indeed certain, that strong compunction for his consent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end, the memory of this guilt, with great sorrow and remorse, recurred upon him. All men were so sensible of the extreme violence which was done him, that he suffered the less both in character and interest from this unhappy measure; and though he abandoned his best friend, yet was he still able to preserve, in some degree, the attachment of all his adherents.

Secretary Carleton was sent by the king to inform Strafford of the final resolution which necessity had extorted from him. The earl seemed surprised, and, starting up, exclaimed, in the words of Scripture, "Put not your trust in princes, nor in the sons of men; for in them there is no salvation." He was soon able, however, to collect his courage; and he prepared himself to suffer the fatal sentence. Only three days' interval was allowed him. The king, who made a new effort in his behalf, and sent, by the hands of the young prince, a letter addressed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's sentence, and begged at least for some delay, was refused in both requests.

EXECUTION OF STRAFFORD.

Strafford, in passing from his apartment to Tower-hill, were the scaffold was erected, stopped under Laud's windows, with whom he had long lived in intimate friendship; and entreated the assistance of his prayers, in those awful moments which were approaching: the aged primate dissolved in tears; and having pronounced, with a broken voice, a tender blessing on his departing friend, sunk into the arms of his attendants. Strafford, still superior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what usually attended him. He wanted that consolation which commonly supports those who perish by the stroke of injustice and oppression: he was not buoyed up by glory, nor by the affectionate compassion of the spectators. Yet his mind, erect and undaunted, found resources within itself, and maintained its unbroken resolution, amidst the terrors of death, and the triumphant exultations of his misguided enemies. His discourse on the scaffold was full of decency and courage. "He feared," he said, "that the omen was bad for the intended reformation of the state, that it commenced with the shedding of innocent blood." Having bid a last adieu to his brother and friends who attended him, and having sent a blessing to his nearer relations who were absent; "And now," said he, "I have nigh done! One stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my friends! But let God be to you and them all in all!" Going to disrobe, and prepare himself for the block, "I thank God," said he, "that I am nowise afraid of death, nor am daunted with any terrors, but do as cheerfully lay down my head at this time, as ever I did when going to repose!" With one blow was a period put to his life by the executioner.

Thus perished, in the forty-ninth year of his age, the earl of Strafford, one of the most eminent personages that has appeared in England. Though his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution; it may safely be affirmed, that the sentence by which he fell, was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry. The people, in their rage, had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties by which the king had been induced to use violent expedients for raising supply, were the result of measures previous to Strafford's favour: and if they arose from ill conduct, he at least was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been, all of them, conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be,* this salutary maxim he failed not, often and publicly, to inculcate in the king's presence, that, if any inevitable necessity ever obliged the sovereign to violate the laws, this licence ought to be practised with extreme reserve, and, as soon as possible, a just atonement be made to the constitution, for any injury which it might sustain from such dangerous precedents. The first parliament after the Restoration reversed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence: as if conscious of the violence with which the prosecution had been conducted.

In vain did Charles expect, as a return for so many instances of unbounded compliance, that the parliament would at last show him some indulgence, and would cordially fall into that unanimity, to which, at the expense of his own power, and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his want of cordiality; and the supposed attempt to engage the army against them served with many as a confirmation of this jealousy. It was natural for the king to seek some resource, while all the world seemed to desert him, or combine against him; and this probably was the utmost of that embryo-scheme which was formed with regard to the army. But the popular leaders still insisted, that a desperate plot was laid to bring up the forces immediately, and offer violence to the parliament; a design of which Piercy's evidence acquits the king, and which the near neighbourhood of the Scottish army seems to render absolutely impracticable.* By means, however, of these suspicions, was the same implacable spirit still kept alive; and the commons, without giving the king any satisfaction in the settlement of his revenue, proceeded to carry their inroads with great vigour into his now defenceless prerogative.

HIGH-COMMISSION AND STAR-CHAMBER ABOLISHED.

The two ruling passions of this parliament were, zeal for liberty, and an aversion to the church; and to both of these nothing could appear more exceptionable than the court of high-commission, whose institution rendered it entirely arbitrary, and assigned to it the defence of the ecclesiastical establishment. The star-chamber also was a court which exerted high discretionary powers; and had no precise rule or limit, either with regard to the causes which came under its jurisdiction, or the decisions which it formed. A bill unanimously passed the houses to abolish these two courts; and in them to annihilate the principal and most dangerous articles of the king's prerogative. By the same bill, the jurisdiction of the council was regulated, and its authority abridged. Charles hesitated before he gave his assent. But finding that he had gone too far to retreat, and that he possessed no resource in case of a rupture, he at last affixed the royal sanction to this excellent bill. But to show the parliament that he was sufficiently apprized of the importance of his grant, he observed to them, that this statute altered in a great measure the fundamental laws, ecclesiastical and civil, which many of his predecessors had established.

By removing the star-chamber, the king's power of binding the people by his proclamations was indirectly abolished; and that important branch of prerogative, the strong symbol of arbitrary power, and unintelligible in a limited constitution, being at last removed, left the system of government more consistent and uniform. The star-chamber alone was accustomed to punish infractions of the king's edicts: but as no courts of judicature now remained, except those in Westminster-hall, which take cognizance only of common and statute law, the king may thenceforth issue proclamations, but no man is bound to obey them. It must, however, be confessed, that the experiment here made by the parliament was not a little rash and adventurous. No government at that time appeared in the world, nor is perhaps to be found in the records of any history, which subsisted without the mixture of some arbitrary authority, committed to some magistrate; and it might reasonably, beforehand, appear doubtful, whether human society could ever reach that state of perfection, as to support itself with no other control than the general and rigid maxims of law and equity. But the parliament justly thought, that the king was too eminent a magistrate to be trusted with discretionary power, which he might so easily turn to

* That Strafford was scarcely no enemy to arbitrary counsels, appears from some of his letters and dispatches, particularly vol. ii. p. 60, where he seems to wish that a standing army were established.

* The project of bringing up the army to London, according to Piercy, was proposed to the king: but he rejected it as rash: because the Scots, who were in arms, and lying in their neighbourhood, must be at London as soon as the English army. This reason is so solid and convincing, that it leaves no room to doubt of the veracity of Piercy's evidence; and consequently acquits the king of this terrible plot of bringing up the army, which made such a noise at the time, and was a pretence for so many violences.

the destruction of liberty. And in the event it has hitherto been found, that, though some sensible inconveniences arise from the maxim of adhering strictly to law, yet the advantages overbalance them, and should render the English grateful to the memory of their ancestors, who, after repeated contests, at last established that noble though dangerous principle.

At the request of the parliament, Charles, instead of the patents during pleasure, gave all the judges patents during their good behaviour: a circumstance of the greatest moment towards securing their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marshal's court, which took cognizance of offensive words, and was not thought sufficiently limited by law, was also, for that reason, abolished. The stannary courts, which exercised jurisdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the same principles. The authority of the clerk of the market, who had a general inspection over the weights and measures throughout the kingdom, was transferred to the mayors, sheriffs, and ordinary magistrates.

In short, if we take a survey of the transactions of this memorable parliament, during the first period of its operations, we shall find that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits in other respects so much outweigh their mistakes, as to entitle them to praise from all lovers of liberty. Not only were former abuses remedied, and grievances redressed; great provision, for the future, was made by law against the return of like complaints. And if the means by which they obtained such advantages savour often of artifice, sometimes of violence; it is to be considered, that revolutions of government cannot be effected by the mere force of argument and reasoning: and that factions being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to ensure themselves against all exorbitances.

KING'S JOURNEY TO SCOTLAND. *August* 8.

The parliament now came to a pause. The king had promised his Scottish subjects, that he would this summer pay them a visit, in order to settle their government; and though the English parliament was very importunate with him, that he should lay aside that journey, they could not prevail with him so much as to delay it. As he must necessarily in his journey have passed through the troops of both nations, the commons seem to have entertained great jealousy on that account, and to have now hurried on, as much as they formerly delayed, the disbanding of the armies. The arrears therefore of the Scots were fully paid them; and those of the English in part. The Scots returned home, and the English were separated into their several counties, and dismissed.

After this the parliament adjourned (9th September) to the 20th of October; and a committee of both houses, a thing unprecedented, was appointed to sit during the recess with very ample powers. Pym was elected chairman of the committee of the lower house. Further attempts were made by the parliament, while it sat, and even by the commons alone, for assuming sovereign executive powers, and publishing their ordinances, as they called them, instead of laws. The committee too, on their part, was ready to imitate the example.

A small committee of both houses was appointed to attend the king into Scotland, in order, as was pretended, to see that the articles of pacification were executed; but really to be spies upon him, and extend still further the ideas of parliamentary authority, as well as eclipse the majesty of the king. The earl of Bedford, lord Howard, sir Philip Stapleton, sir William Armyne, Pimnes, and Hambden, were the persons chosen.

Endeavours were used, before Charles's departure, to have a protector of the kingdom appointed, with a power to pass laws without having recourse to the king. So little regard was now paid to royal authority, or to the established constitution of the kingdom!

Amidst the great variety of affairs which occurred during this busy period, we have almost overlooked the marriage of the princess Mary with William, prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament, who received the proposal with satisfaction. This was the commencement of the connexions with the family of Orange; connexions which were afterwards attended with the most important consequences, both to the kingdom and to the house of Stuart.

CHAPTER LV.

Settlement of Scotland — Conspiracy in Ireland — Insurrection and Massacre — Meeting of the English Parliament — The Remonstrance — Reasons on both Sides — Impeachment of the Bishops — Accusation of the five Members — Tumults — King leaves London — Arrives in York — Preparations for Civil War.

THE Scots, who began these fatal commotions, thought that they had finished a very perilous undertaking, much to their profit and reputation. Besides the large pay voted them for lying in good quarters during a twelvemonth, the English parliament had conferred on them a present of three hundred thousand pounds for their brotherly assistance. In the articles of pacification, they were declared to have ever been good subjects; and their military expeditions were approved of, as enterprises calculated and intended for his majesty's honour and advantage. To carry further the triumph over their sovereign, these terms, so ignominious to him, were ordered, by a vote of parliament, to be read in all churches, upon a day of thanksgiving, appointed for the national pacification: all their claims for the restriction of prerogative were agreed to be ratified: and, what they more valued than all these advantages, they had a near prospect of spreading the presbyterian discipline in England and Ireland, from the seeds which they had scattered, of their religious principles. Never did refined Athens so exult in diffusing the sciences and liberal arts over a savage world; never did generous Rome so please herself in the view of law and order established by her victorious arms; as the Scots now rejoiced, in communicating their barbarous zeal and theological fervour to the neighbouring nations.

SETTLEMENT OF SCOTLAND. *August* 14.

Charles, despoiled in England of a considerable part of his authority, and dreading still further encroachments upon him, arrived in Scotland, with an intention of abdicating almost entirely the small share of power which *there* remained to him, and of giving full satisfaction, if possible, to his restless subjects in that kingdom.

The lords of articles were an ancient institution in the Scottish parliament. They were constituted after this manner. The temporal lords chose eight bishops: the bishops elected eight temporal lords: these sixteen named eight commissioners of counties, and eight burgesses: and without the previous consent of the thirty-two, who were denominated lords of articles, no motion could be made in parliament. As the bishops were entirely devoted to the court, it is evident that all the laws of articles, by necessary consequence, depended on the king's nomination; and the prince, besides one negative after the bills had passed through parliament,

possessed indirectly another before their introduction; a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the parliament laid hold of the opportunity, and totally set aside the lords of articles: and till this important point was obtained, the nation, properly speaking, could not be said to enjoy any regular freedom.

It is remarkable that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The English were, at that time, a civilized people, and obedient to the laws: but among the Scots, it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

The peers and commons formed only one house in the Scottish parliament: and as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of these votes of foreigners, who had no interest or property in the nation. It was therefore a law deserving approbation, that no man should be created a Scotch peer, who possessed not ten thousand marks (above five hundred pounds) of annual rent in the kingdom.

A law for triennial parliaments was likewise passed; and it was ordained, that the last act of every parliament should be to appoint the time and place for holding the parliament next ensuing.

The king was deprived of that power formerly exercised, of issuing proclamations, which enjoined obedience under the penalty of treason: a prerogative which invested him with the whole legislative authority, even in matters of the highest importance.

So far was laudable: but the most fatal blow given to royal authority, and what in a manner dethroned the prince, was the article, that no member of the privy-council, in whose hands, during the king's absence, the whole administration lay, no officer of state, none of the judges, should be appointed, but by advice and approbation of parliament. Charles even agreed to deprive of their seats, four judges who had adhered to his interests; and their place was supplied by others more agreeable to the ruling party. Several of the covenanters were also sworn of the privy-council. And all the ministers of state, counsellors, and judges were, by law, to hold their places during life or good behaviour.

The king, while in Scotland, conformed himself entirely to the established church; and assisted with great gravity at the long prayers and longer sermons with which the presbyterians endeavoured to regale him. He bestowed pensions and preferments on Henderson, Gillespy, and other popular preachers; and practised every art to soften, if not to gain, his greatest enemies. The earl of Argyle was created a marquis, lord Loudon an earl, Lesley was dignified with the title of earl of Leven. His friends, he was obliged, for the present, to neglect and overlook: some of them were disgusted: and his enemies were not reconciled; but ascribed all his caresses and favours to artifice and necessity.

Argyle and Hamilton, being seized with an apprehension, real or pretended, that the earl of Crawfurd and others meant to assassinate them, left the parliament suddenly, and retired into the country: but, upon invitation and assurances, returned in a few days. This event, which had neither cause nor effect that was visible, nor purpose, nor consequence, was commonly denominated the *incident*. But though the incident had no effect in Scotland; what was not expected, it was attended with consequences in England. The English parliament, which was now assembled, (20th October,) being willing to awaken the people's tenderness by exciting their fears, immediately took the alarm; as if the malignants, so they called the king's party, had laid a plot at once to murder them, and all the godly in both kingdoms. They applied, therefore, to Essex, whom the king had left general in the south of England, and he ordered a guard to attend them.

But while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himself to the same salutary work in that kingdom, he received intelligence of a dangerous rebellion broken out in Ireland, with circumstances of the utmost horror, bloodshed, and devastation. On every side this unfortunate prince was pursued with murmurs, discontent, faction, and civil wars; and the fire from all quarters, even by the most independent accidents, at once blazed up about him.

The great plan of James, in the administration of Ireland, continued by Charles, was, by justice and peace, to reconcile that turbulent people to the authority of laws, and introducing art and industry among them, to cure them of that sloth and barbarism to which they had ever been subject. In order to serve both these purposes, and at the same time secure the dominion of Ireland to the English crown, great colonies of British had been carried over, and, being intermixed with the Irish, had everywhere introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations seemed, in a great measure, to be obliterated; and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made by their instructing the natives in tillage, building, manufactures, and all the civilized arts of life. This had been the course of things during the successive administrations of Chichester, Grandison, Falkland, and, above all, of Strafford. Under the government of this latter nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and industry, seemed to have operated with full success, and to have bestowed, at last, on that savage country, the face of an European settlement.

After Strafford fell a victim to popular rage, the humours excited in Ireland by that great event could not suddenly be composed, but continued to produce the greatest innovations in the government.

The British protestants, transplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the opposite extreme, and had universally adopted the highest principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themselves from the king of England, was greedily adopted and pursued. They considered not, that as they scarcely formed the sixth part of the people, and were secretly obnoxious to the ancient inhabitants, their only method of supporting themselves was by maintaining royal authority, and preserving a great dependence on their mother-country. The English commons, likewise, in their furious persecution of Strafford, had overlooked the most obvious consequences; and while they imputed to him, as a crime, every discretionary act of authority, they despoiled all succeeding governors of that power, by which alone the Irish could be retained in subjection. And so strong was the current for popular government in all the three kingdoms, that the most established maxims of policy were everywhere abandoned, in order to gratify this ruling passion.

Charles, unable to resist, had been obliged to yield to the Irish, as to the Scottish and English parliaments; and found too, that their encroachments still rose in proportion to his concessions. Those subsidies, which themselves had voted, they reduced, by a subsequent vote, to a fourth part: the court of high-com-

mission was determined to be a grievance: martial law abolished: the jurisdiction of the council annihilated: proclamations and acts of state declared of no authority: every order or institution, which depended on monarchy, was invaded; and the prince was despoiled of all his prerogative, without the least pretext of any violence or illegality in his administration.

The standing army of Ireland was usually about three thousand men; but in order to assist the king in suppressing the Scottish covenanters, Strafford had raised eight thousand more, and had incorporated with them a thousand men, drawn from the old army; a necessary expedient for bestowing order and discipline on the new-levied soldiers. The private men in this army were all catholics; but the officers, both commission and non-commission, were protestants, and could entirely be depended on by Charles. The English commons entertained the greatest apprehensions on account of this army; and never ceased soliciting the king, till he agreed to break it: nor would they consent to any proposal for augmenting the standing army to five thousand men; a number which the king deemed necessary for retaining Ireland in obedience.

Charles, thinking it dangerous that eight thousand men accustomed to idleness, and trained to the use of arms, should be dispersed among a nation so turbulent and unsettled, agreed with the Spanish ambassador to have them transported into Flanders, and enlisted in his master's service. The English commons, pretending apprehensions, lest regular bodies of troops, disciplined in the Low Countries, should prove still more dangerous, showed some aversion to this expedient; and the king reduced his allowance to four thousand men. But when the Spaniards had hired ships for transporting these troops, and the men were ready to embark, the commons, willing to show their power, and not displeased with an opportunity of curbing and affronting the king, prohibited every one from furnishing vessels for that service. And thus the project, formed by Charles, of freeing the country from these men was unfortunately disappointed.

The old Irish remarked all these false steps of the English, and resolved to take advantage of them. Though their animosity against that nation, for want of an occasion to exert itself, seemed to be extinguished, it was only composed into a temporary and deceitful tranquillity. Their interests, both with regard to *property* and *religion*, secretly stimulated them to a revolt. No individual of any sept, according to the ancient customs, had the property of any particular estate; but as the whole sept had a title to a whole territory, they ignorantly preferred this barbarous community before the more secure and narrower possessions assigned them by the English. An indulgence, amounting almost to a toleration, had been given to the catholic religion: but so long as the churches and the ecclesiastical revenues were kept from the priests, and they were obliged to endure the neighbourhood of profane heretics, being themselves discontented, they continually endeavoured to retard any cordial reconciliations between the English and Irish nations.

CONSPIRACY IN IRELAND.

There was a gentleman called Roger More, who, though of a narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valour and capacity. This man first formed the project of expelling the English, and asserting the independency of his native country. He secretly went from chieftain to chieftain, and roused up every latent principle of discontent. He maintained a close correspondence with lord Maguire and sir Phelim O'Neale, the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt. He observed to them, that by the rebellion of the Scots, and factions of the English, the king's authority in Britain was reduced to so low a condition, that he never could exert himself with any vigour in maintaining the English dominion over Ireland; that the catholics, in the Irish house of commons, assisted by the protestants, had so diminished the royal prerogative, and the power of the lieutenant, as would much facilitate the conducting, to its desired effect, any conspiracy or combination which could be formed; that the Scots having so successfully thrown off dependence on the crown of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater oppressions to complain of; that the English planters, who had expelled them their possessions, suppressed their religion, and bereaved them of their liberties, were but a handful in comparison of the natives; that they lived in the most supine security, interspersed with their numerous enemies, trusting to the protection of a small army, which was itself scattered in inconsiderable divisions throughout the whole kingdom; that a great body of men, disciplined by the government, were now thrown loose, and were ready for any daring or desperate enterprise; that though the catholics had hitherto enjoyed, in some tolerable measure, the exercise of their religion, from the moderation of their indulgent prince, they must henceforth expect, that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at length subdued their sovereign, would, no doubt, as soon as they had consolidated their authority, extend their ambitious enterprises to Ireland, and make the catholics in that kingdom feel the same furious persecution to which their brethren in England were at present exposed; and that a revolt in the Irish, tending only to vindicate their native liberty against the violence of foreign invaders, could never, at any time, be deemed rebellion; much less during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be paid, not to him, but to those who had traitorously usurped his lawful authority.

By these considerations, More engaged all the heads of the native Irish into the conspiracy. The English of the pale, as they were called, or the old English planters, being all catholics, it was hoped would afterwards join the party, which restored their religion to its ancient splendour and authority. The intention was, That sir Phelim O'Neale and the other conspirators should begin an insurrection on one day throughout the provinces, and should attack all the English settlements; and that, on the same day, lord Maguire and Roger More should surprise the castle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in transporting forces from England. Succours to themselves and supplies of arms they expected from France, in consequence of a promise made them by cardinal Richelieu. And many Irish officers, who served in the Spanish troops, had engaged to join them, as soon as they saw an insurrection entered upon by their catholic brethren. News, which every day arrived from England, of the fury expressed by the commons against all papists, struck fresh terror into the Irish nation, and both stimulated the conspirators to execute their fatal purpose, and gave them assured hopes of the concurrence of all their countrymen.

Such propensity to a revolt was discovered in all the Irish, that it was deemed unnecessary, as it was dangerous, to intrust the secret to many hands; and the appointed day drew nigh, nor had any discovery been yet made to the government. The king, indeed, had received information from his ambassadors, that something was in agitation among the Irish in foreign

parts; but though he gave warning to the administration in Ireland, the intelligence was entirely neglected. Secret rumours likewise were heard of some approaching conspiracy; but no attention was paid to them. The earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, sir William Parsons and sir John Borlace, were men of small abilities; and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom everything was now governed. Tranquil from their ignorance and inexperience, these men indulged themselves in the most profound repose, on the very brink of destruction.

But they were awakened from their security, on the very day before that which was appointed for the commencement of hostilities. The castle of Dublin, by which the capital was commanded, contained arms for ten thousand men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partisans: others were expected that night: and, next morning, they were to enter upon, what they esteemed the easiest of all enterprises, the surprisal of the castle. O'Conolly, an Irishman but a protestant, betrayed the conspiracy to Parsons. The justices and council fled immediately for safety into the castle, and re-enforced the guards. The alarm was conveyed to the city, and all the protestants prepared for defence. More escaped; Maguire was taken; and Mahone, one of the conspirators, being likewise seized, first discovered to the justices the project of a general insurrection, and redoubled the apprehensions which already were universally diffused throughout Dublin.

IRISH INSURRECTION AND MASSACRE.

But though O'Conolly's discovery saved the castle from a surprise, the confession extorted from Malone came too late to prevent the intended insurrection. O'Neale and his confederates had already taken arms in Ulster. The Irish, everywhere intermingled with the English, needed but a hint from their leaders and priests to begin hostilities against a people whom they hated on account of their religion, and envied for their riches and prosperity. The houses, cattle, goods, of the unwary English were first seized. Those who heard of the commotions in their neighbourhood, instead of deserting their habitations, and assembling for mutual protection, remained at home, in hopes of defending their property, and fell thus separately into the hands of their enemies. After rapacity had fully exerted itself, cruelty, and the most barbarous that ever, in any nation, was known or heard of, began its operations. An universal massacre commenced of the English, now defenceless, and passively resigned to their inhuman foes. No age, no sex, no condition was spared. The wife weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke. The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save from the first assault: destruction was, everywhere, let loose, and met the hunted victims at every turn. In vain was recourse had to relations, to companions, to friends: all connexions were dissolved, and death was dealt by that hand, from which protection was implored and expected. Without provocation, without opposition, the astonished English, living in profound peace and full security, were massacred by their nearest neighbours, with whom they had long upheld a continual intercourse of kindness and good offices.

But death was the slightest punishment inflicted by those rebels: all the tortures which wanton cruelty could devise, all the lingering pains of body, the anguish of mind, the agonies of despair, could not satiate revenge excited without injury, and cruelty derived from no cause. To enter into particulars would shock the least delicate humanity. Such enormities, though attested by undoubted evidence, appear almost incredible. Depraved nature, even perverted religion, encouraged by the utmost licence, reach not to such a pitch of ferocity; unless the pity inherent in human breasts be destroyed by that contagion of example, which transports men beyond all the usual motives of conduct and behaviour.

The weaker sex themselves, naturally tender to their own sufferings, and compassionate to those of others, here emulated their more robust companions in the practice of every cruelty. Even children, taught by the example, and encouraged by the exhortation of their parents, essayed their feeble blows on the dead carcasses or defenceless children of the English. The very avarice of the Irish was not a sufficient restraint of their cruelty. Such was their frenzy, that the cattle which they had seized, and by rapine made their own, yet, because they bore the name of English, were wantonly slaughtered, or, when covered with wounds, turned loose into the woods and deserts.

The stately buildings or commodious habitations of the planters, as if upbraiding the sloth and ignorance of the natives, were consumed with fire, or laid level with the ground. And where the miserable owners, shut up in their houses, and preparing for defence, perished in the flames, together with their wives and children, a double triumph was afforded to their insulting foes.

If anywhere a number assembled together, and, assuming courage from despair, were resolved to sweeten death by revenge on their assassins, they were disarmed by capitulations and promises of safety, confirmed by the most solemn oaths. But no sooner had they surrendered, than the rebels, with perfidy equal to their cruelty, made them share the fate of their unhappy countrymen.

Others, more ingenious still in their barbarity, tempted their prisoners by the fond love of life, to embrue their hands in the blood of friends, brothers, parents; and having thus rendered them accomplices in guilt, gave them that death, which they sought to shun by deserving it.

Amidst all these enormities, the sacred name of RELIGION resounded on every side; not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy. The English, as heretics, abhorred of God, and detestable to all holy men, were marked out by the priests for slaughter; and, of all actions, to rid the world of these declared enemies to catholic faith and piety, was represented as the most meritorious. Nature, which, in that rude people, was sufficiently inclined to atrocious deeds, was further stimulated by precept; and national prejudices empoisoned by those aversions, more deadly and incurable, which arose from an enraged superstition.

While death finished the sufferings of each victim, the bigoted assassins, with joy and exultation, still echoed in his expiring ears, that these agonies were but the commencement of torments infinite and eternal.

Such were the barbarities, by which sir Phelim O'Neale and the Irish in Ulster signalized their rebellion: an event, memorable in the annals of human kind, and worthy to be held in perpetual detestation and abhorrence. The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neale's camp; but found that his authority, which was sufficient to excite the Irish to an insurrection, was too feeble to restrain their inhumanity. Soon after, he abandoned a cause polluted by so many crimes; and he retired into Flanders. Sir Phelim, re-

commended by the greatness of his family, and perhaps, too, by the unrestrained brutality of his nature, though without any courage or capacity, acquired the entire ascendant over the northern rebels. The English colonies were totally annihilated in the open country of Ulster: the Scots, at first, met with more favourable treatment. In order to engage them to a passive neutrality, the Irish pretended to distinguish between the British nations; and claiming friendship and consanguinity with the Scots, extended not over them the fury of their massacres. Many of them found an opportunity to fly the country: others retired into places of security, and prepared themselves for defence: and by this means, the Scottish planters, most of them at least, escaped with their lives.

From Ulster, the flames of rebellion diffused themselves in an instant over the other three provinces of Ireland. In all places death and slaughter were not uncommon; though the Irish in these other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the English their houses, with despoiling them of their goodly manors, with wasting their cultivated fields; they stripped them of their very clothes, and turned them out, naked and defenceless, to all the severities of the season. The heavens themselves, as if conspiring against that unhappy people, were armed with cold and tempest unusual to the climate, and executed what the merciless sword had left unfinished. The roads were covered with crowds of naked English, hastening towards Dublin, and the other cities, which yet remained in the hands of their countrymen. The feeble age of children, the tender sex of women, soon sunk under the multiplied rigours of cold and hunger. Here, the husband, bidding a final adieu to his expiring family, envied them that fate which he himself expected so soon to share: there, the son, having long supported his aged parent, with reluctance obeyed his last commands, and, abandoning him in his uttermost distress, reserved himself to the hopes of avenging that death, which all his efforts could not prevent or delay. The astonishing greatness of the calamity deprived the sufferers of any relief from the view of companions in affliction. With silent tears, or lamentable cries, they hurried on through the hostile territories; and found every heart which was not steeled by native barbarity, guarded by the more implacable furies of mistaken piety and religion.

The saving of Dublin preserved in Ireland the remains of the English name. The gates of that city, though timorously opened, received the wretched supplicants, and presented to the view a scene of human misery beyond what any eye had ever before beheld. Compassion seized the amazed inhabitants, aggravated with the fear of like calamities; while they observed the numerous foes without and within, which everywhere environed them, and reflected on the weak resources by which they were themselves supported. The more vigorous of the unhappy fugitives, to the number of three thousand, were enlisted into three regiments: the rest were distributed into the houses; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diseases of unknown name and species, derived from these multiplied distresses, seized many of them, and put a speedy period to their lives: others, having now leisure to reflect on their mighty loss of friends and fortune, cursed that being which they had saved. Abandoning themselves to despair, refusing all succour, they expired; without other consolation than that of receiving among their countrymen the honours of a grave, which to their slaughtered companions had been denied by the inhuman barbarians.

By some computations, those who perished by all these cruelties are supposed to be a hundred and fifty, or two hundred thousand: by the most moderate, and probably the most reasonable account, they are made to amount to forty thousand; if this estimation itself be not, as is usual in such cases, somewhat exaggerated.

The justices ordered to Dublin all the bodies of the army which were not surrounded by the rebels; and they assembled a force of fifteen hundred veterans. They soon inlisted, and armed from the magazines, above four thousand men more. They dispatched a body of six hundred men to throw relief into Tredah, besieged by the Irish. But these troops, attacked by the enemy, were seized with a panic, and were most of them put to the sword. Their arms, falling into the hands of the Irish, supplied them with what they most wanted. The justices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own present security, and that of the capital. The earl of Ormond, their general, remonstrated against such timid, not to say base and interested counsels; but was obliged to submit to authority.

The English of the pale, who probably were not at first in the secret, pretended to blame the insurrection, and to detest the barbarity with which it was accompanied. By their protestations and declarations, they engaged the justices to supply them with arms, which they promised to employ in defence of the government. But in a little time, the interests of religion were found more prevalent over them, than regard and duty to their mother-country. They chose lord Gormanstone their leader; and, joining the old Irish, rivalled them in every act of violence towards the English protestants. Besides many smaller bodies dispersed over the kingdom, the principal army of the rebels amounted to twenty thousand men, and threatened Dublin with an immediate siege.

Both the English and Irish rebels conspired in one imposture, with which they seduced many of their deluded countrymen: they pretended authority from the king and queen, but chiefly from the latter, for their insurrection; and they affirmed, that the cause of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament. Sir Phelim O'Neale, having found a royal patent in lord Caufield's house, whom he had murdered, tore off the seal, and affixed it to a commission which he had forged for himself.

The king received an account of this insurrection, by a messenger dispatched from the north of Ireland. He immediately communicated his intelligence to the Scottish parliament. He expected that the mighty zeal expressed by the Scots for the protestant religion would immediately engage them to fly to its defence, where it was so violently invaded: he hoped that their horror against popery, a religion which now appeared in its most horrible aspect, would second all his exhortations: he had observed with what alacrity they had twice run to arms, and assembled troops, in opposition to the rights of their sovereign: he saw with how much greater facility they could now collect forces, which had been very lately disbanded, and which had been so long inured to military discipline. The cries of their affrighted and distressed brethren in Ireland, he promised himself, would powerfully incite them to send over succours, which could arrive so quickly, and aid them with such promptitude in this uttermost distress. But the zeal of the Scots, as is usual among religious sects, was very feeble, when not stimulated either by faction or by interest. They now considered themselves entirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the present distresses of Ireland, they resolved to make an advantageous bargain for the succours with which they should supply their neighbouring nation. And they cast their eye towards the English parliament, with whom they were already so closely connected, and who could alone fulfil any articles which might be agreed on. Except dispatching a small body to support the Scottish colonies in Ulster, they would, therefore,

go no further at present, than sending commissioners to London, in order to treat with that power, to whom the sovereign authority was now in reality transferred.

The king too, sensible of his utter inability to subdue the Irish rebels, found himself obliged, in his exigency, to have recourse to the English parliament, and depend on their assistance for supply. After communicating to them the intelligence which he had received, he informed them, that the insurrection was not, in his opinion, the result of any rash enterprise, but of a formed conspiracy against the crown of England. To their care and wisdom, therefore, he said, he committed the conduct and prosecution of the war, which, in a cause so important to national and religious interests, must of necessity be immediately entered upon, and vigorously pursued.

MEETING OF THE ENGLISH PARLIAMENT.

The English parliament was now assembled; and discovered, in every vote, the same disposition in which they had separated. The exalting of their own authority, the diminishing of the king's, were still the objects pursued by the majority. Every attempt which had been made to gain the popular leaders and by offices to attach them to the crown, had failed of success, either for want of skill in conducting it, or by reason of the slender preferments which it was then in the king's power to confer. The ambitious and enterprising patriots disdained to accept, in detail, of a precarious power; while they deemed it so easy, by one bold and vigorous assault, to possess themselves for ever of the entire sovereignty. Sensible that the measures which they had hitherto pursued, rendered them extremely obnoxious to the king; were many of them in themselves exceptionable; some of them, strictly speaking, illegal; they resolved to seek their own security, as well as greatness, by enlarging popular authority in England. The great necessities to which the king was reduced; the violent prejudices which generally, throughout the nation, prevailed against him; his facility in making the most important concessions; the example of the Scots, whose encroachments had totally subverted monarchy: all these circumstances further instigated the commons in their invasion of royal prerogative. And the danger to which the constitution seemed to have been so lately exposed, persuaded many, that it never could be sufficiently secured, but by the entire abolition of that authority which had invaded it.

But this project, it had not been in the power, scarcely in the intention, of the popular leaders to execute, had it not been for the passion which seized the nation for presbyterian discipline, and for the wild enthusiasm which at that time accompanied it. The licence which the parliament had bestowed on this spirit, by checking ecclesiastical authority; the countenance and encouragement with which they had honoured it; had already diffused its influence to a wonderful degree: and all orders of men had drunk deep of the intoxicating poison. In every discourse or conversation, this mode of religion entered; in all business it had a share; every elegant pleasure or amusement it utterly annihilated; many vices or corruptions of mind it promoted; even diseases and bodily distempers were not totally exempted from it; and it became requisite, we are told, for all physicians to be expert in the spiritual profession, and by theological considerations, to allay those religious terrors with which their patients were so generally haunted. Learning itself, which tends so much to enlarge the mind, and humanize the temper, rather served on this occasion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it supplied the dismal fanaticism with a variety of views, founded it on some coherency of system, enriched it with different figures of elocution; advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

From policy, at first, and inclination, now from necessity, the king attached himself extremely to the hierarchy: for like reasons, his enemies were determined, by one and the same effort, to overpower the church and monarchy.

While the commons were in this disposition, the Irish rebellion was the event which tended most to promote the views in which all their measures terminated. A horror against the papists, however innocent, they had constantly encouraged; a terror from the conspiracies of that sect, however improbable, they had at all times endeavoured to excite. Here was broken out a rebellion, dreadful and unexpected; accompanied with circumstances the most detestable of which there ever was any record: and what was the peculiar guilt of the Irish catholics, it was no difficult matter, in the present disposition of men's minds, to attribute to that whole sect, who were already so much the object of general abhorrence. Accustomed, in all invectives, to join the prelatical party with the papists, the people immediately supposed this insurrection to be the result of their united councils. And when they heard that the Irish rebels pleaded the king's commission for all their acts of violence, bigotry, ever credulous and malignant, assented without scruple to that gross imposture, and loaded the unhappy prince with the whole enormity of a contrivance so barbarous and inhuman. [*See note* 6 C, *at the end of this Vol.*]

By the difficulties and distresses of the crown, the commons, who possessed alone the power of supply, had aggrandized themselves; and it seemed a peculiar happiness, that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland That expression of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the most unlimited sense. They had, on other occasions, been gradually encroaching on the executive power of the crown, which forms its principal and most natural branch of authority; but, with regard to Ireland, they at once assumed it, fully and entirely, as if delivered over to them by a regular gift or assignment. And to this usurpation the king was obliged passively to submit; both because of his inability to resist, and lest he should still more expose himself to the reproach of favouring the progress of that odious rebellion.

The project of introducing further innovations in England being once formed by the leaders among the commons, it became a necessary consequence, that their operations with regard to Ireland should, all of them, be considered as subordinate to the former, on whose success, when once undertaken, their own grandeur, security, and even being, must entirely depend. While they pretended the utmost zeal against the Irish insurrection, they took no steps towards its suppression, but such as likewise tended to give them the superiority in those commotions which they foresaw must so soon be excited in England. The extreme contempt entertained for the natives in Ireland, made the popular leaders believe, that it would be easy at any time to suppress their rebellion, and recover that kingdom: nor were they willing to lose, by too hasty success, the advantage which that rebellion would afford them in their projected encroachments on the prerogative. By assuming the total management of the war, they acquired the courtship and dependence of every one who had any connexion with Ireland, or who was desirous of inlisting in these military enterprises: they levied money under pretence of the Irish expedition: but reserved it for purposes which concerned them more nearly: they took arms from the king's magazines: but still kept them with a secret intention of employing them against himself: whatever law they deemed necessary for aggrandizing themselves, was voted, under colour of enabling them to recover Ireland; and if Charles withheld the royal assent, his refusal was imputed to those pernicious counsels which had at first excited the popish rebellion, and which still threatened

total destruction to the protestant interest throughout all his dominions. And though no forces were for a long time sent over to Ireland, and very little money remitted during the extreme distress of that kingdom; so strong was the people's attachment to the commons, that the fault was never imputed to those pious zealots, whose votes breathed nothing but death and destruction to the Irish rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonstrance of the state of the nation; and accordingly, the committee, which, at the first meeting of parliament had been chosen for that purpose, and which had hitherto made no progress in their work, received fresh injunctions to finish that undertaking.

THE REMONSTRANCE.

The committee brought into the house that remonstrance, which has become so memorable, and which was soon afterwards attended with such important consequences. It was not addressed to the king; but was openly declared to be an appeal to the people. The harshness of the matter was equalled by the severity of the language. It consists of many gross falsehoods intermingled with some evident truths: malignant insinuations are joined to open invectives: loud complaints of the past, accompanied with jealous prognostications of the future. Whatever unfortunate, whatever invidious, whatever suspicious measure had been embraced by the king, from the commencement of his reign, is insisted on and aggravated with merciless rhetoric: the unsuccessful expeditions to Cadiz and the Isle of Rhé are mentioned: the sending of ships to France for the suppression of the hugonots: the forced loans: the illegal confinement of men for not obeying illegal commands: the violent dissolution of four parliaments: the arbitrary government which always succeeded: the questioning, fining, and imprisoning of members for their conduct in the house: the levying of taxes without consent of the commons: the introducing of superstitious innovations into the church without authority of law: in short, everything which, either with or without reason, had given offence, during the course of fifteen years, from the accession of the king to the calling of the present parliament. And, though all these grievances had been already redressed, and even laws enacted for future security against their return, the praise of these advantages was ascribed, not to the king, but to the parliament, who had extorted his consent to such salutary statutes. Their own merits too, they asserted, towards the king, were no less eminent than towards the people. Though they had seized his whole revenue, rendered it totally precarious, and made even their temporary supplies be paid to their own commissioners, who were independent of him; they pretended that they had liberally supported him in his necessities. By an insult still more egregious, the very giving of money to the Scots, for levying war against their sovereign, they represented as an instance of their duty towards him. And all their grievances they said, which amounted to no less than a total subversion of the constitution, proceeded entirely from the formed combination of a popish faction, who had ever swayed the king's counsels, who had endeavoured, by an uninterrupted effort, to introduce their superstition into England and Scotland, and who had now, at last, excited an open and bloody rebellion in Ireland.

This remonstrance, so full of acrimony and violence, was a plain signal for some other attacks intended on royal prerogative, and a declaration, that the concessions already made, however important, were not to be regarded as satisfactory. What pretensions would be advanced, how unprecedented, how unlimited, were easily imagined: and nothing less was foreseen, whatever ancient names might be preserved, than an abolition, almost total, of the monarchical government of England. The opposition, therefore, which the remonstrance met with in the house of commons, was great. For above fourteen hours, the debate was warmly managed; and from the weariness of the king's party, which probably consisted chiefly of the elderly people, and men of cool spirits, the vote was at last carried by a small majority of eleven. Some time after, (22nd November,) the remonstrance was ordered to be printed and published, without being carried up to the house of peers for their assent and concurrence.

REASONS ON BOTH SIDES.

When this remonstrance was dispersed, it excited everywhere the same violent controversy, which attended it when introduced into the house of commons. This parliament, said the partisans of that assembly, have at length profited by the fatal example of their predecessors; and are resolved that the fabric, which they have generously undertaken to rear for the protection of liberty, shall not be left to future ages insecure and imperfect. At the time when the Petition of Right, that requisite vindication of a violated constitution, was extorted from the unwilling prince, who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority? But what was the event? A *right* was indeed acquired to the people, or rather their ancient right was more exactly defined: but as the *power* of invading it still remained in the prince, no sooner did an opportunity offer, than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irresistible illusions of self-love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare; but to expect that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him; and each concession, which he is constrained to make, is regarded as a temporary tribute paid to faction and sedition, and is secretly attended with a resolution of seizing every favourable opportunity to retract it. Nor should we imagine, that opportunities of that kind will not offer in the course of human affairs. Governments, especially those of a mixed kind, are in continual fluctuation: the humours of the people change perpetually from one extreme to another: and no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his parliament. It is to be feared, that, if the religious rage which has seized the multitude be allowed to evaporate, they will quickly return to the ancient ecclesiastical establishment; and with it, embrace those principles of slavery, which it inculcates with such zeal on its submissive proselytes. Those patriots who are now the public idols, may then become the objects of general detestation; and equal shouts of joy attend their ignominious execution, with those which second their present advantages and triumphs. Nor ought the apprehension of such an event to be regarded in them as a selfish consideration: in their safety is involved the security of the laws: the patrons of the constitution cannot suffer without a fatal blow to the constitution: and it is but justice in the public to protect, at any hazard, those who have so generously exposed themselves to the utmost hazard for

the public interest. What though monarchy, the ancient government of England, be impaired, during these contests, in many of its former prerogatives; the laws will flourish the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at least runs towards liberty, and that the error is on that side, which is safest for the general interest of mankind and society.

The best arguments of the royalists, against a further attack on the prerogative were founded more on opposite ideas, which they had formed of the past events of this reign, than on opposite principles of government. Some invasions, they said, and those too of moment, had undoubtedly been made on national privileges: but were we to look for the cause of these violences, we should never find it to consist in the wanton tyranny and injustice of the prince, not even in his ambition or immoderate appetite for authority. The hostilities with Spain, in which the king, on his accession, found himself engaged, however imprudent and unnecessary, had proceeded from the advice, and even importunity of the parliament; who deserted him immediately after they had embarked him in those warlike measures. A young prince, jealous of honour, was naturally afraid of being foiled in his first enterprise, and had not as yet attained such maturity of counsel, as to perceive that his greatest honour lay in preserving the laws inviolate, and gaining the full confidence of his people. The rigour of the subsequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the king to an absolute necessity, if he would preserve entire the royal prerogative, of levying those duties by his own authority, and of breaking through the forms, in order to maintain the spirit of the constitution. Having once made so perilous a step, he was naturally induced to continue, and to consult the public interest, by imposing ship-money and other moderate, though irregular, burdens and taxations. A sure proof that he had formed no system for enslaving his people is, that the chief object of his government has been to raise a naval, not a military force; a project useful, honourable, nay, indispensably requisite, and in spite of his great necessities, brought almost to a happy conclusion. It is now full time to free him from all these necessities, and to apply cordials and lenitives, after those severities, which have already had their full course against him. Never was sovereign blessed with more moderation of temper, with more justice, more humanity, more honour, or a more gentle disposition. What pity that such a prince should so long have been harassed with rigours, suspicions, calumnies, complaints, encroachments; and been forced from that path in which the rectitude of his principles would have inclined him to have constantly trod! If some few instances are found of violations made on the Petition of Right, which he himself had granted, there is an easy and more natural way for preventing the return of like inconveniences, than by a total abolition of royal authority. Let the revenue be settled, suitably to the ancient dignity and splendour of the crown; let the public necessities be fully supplied; let the remaining articles of prerogative be left untouched; and the king, as he has already lost the power, will lay aside the will, of invading the constitution. From what quarter can jealousies now arise? What further security can be desired or expected? the king's preceding concessions, so far from being insufficient for public security, have rather erred on the other extreme; and, by depriving him of all power of self-defence, are the real cause why the commons are emboldened to raise pretensions hitherto unheard of in the kingdom, and to subvert the whole system of the constitution. But would they be content with moderate advantages; is it not evident that, besides other important concessions the present parliament may be continued, till the government be accustomed to the new track, and every part be restored to full harmony and concord? By the triennial act a perpetual succession of parliaments is established, as everlasting guardians to the laws, while the king possesses no independent power or military force, by which he can be supported in his invasion of them. No danger remains, but what is inseparable from all free constitutions, and what forms the very essence of their freedom: the danger of a change in the people's disposition, and of general disgust, contracted against popular privileges. To prevent such an evil, no expedient is more proper, than to contain ourselves within the bounds of moderation, and to consider that all extremes, naturally and infallibly, beget each other. In the same manner as the past usurpations of the crown, however excusable on account of the necessity or provocations whence they arose, have excited an immeasureable appetite for liberty; let us beware, lest our encroachments, by introducing anarchy, make the people seek shelter under the peaceable and despotic rule of a monarch. Authority, as well as liberty, is requisite to government; and is even requisite to the support of liberty itself, by maintaining the laws, which can alone regulate and protect it. What madness, while everything is so happily settled under ancient forms and institutions, now more exactly poised and adjusted, to try the hazardous experiment of a new constitution, and renounce the mature wisdom of our ancestors for the crude whimsies of turbulent innovators! But the certain and inconceivable mischiefs of civil war, are not the perils apparent, which the delicate frame of liberty must inevitably sustain amidst the furious shock of arms? Whichever side prevails, *she* can scarcely hope to remain inviolate, and may suffer no less, or rather greater injuries from the boundless pretensions of forces engaged in her cause, than from the invasion of enraged troops, inlisted on the side of monarchy.

The king, upon his return from Scotland, (25th November,) was received in London with the shouts and acclamations of the people, and with every demonstration of regard and affection. Sir Richard Gournay, lord mayor, a man of moderation and authority, had promoted these favourable dispositions, and had engaged the populace, who so lately insulted the king, and who so soon after made furious war upon him, to give him these marks of their dutiful attachment. But all the pleasure which Charles reaped from this joyous reception, was soon damped by the remonstrance of the commons, which was presented him, together with a petition of a like strain. The bad counsels which he followed are there complained of; his concurrence in the Irish rebellion plainly insinuated; the scheme laid for the introduction of popery and superstition inveighed against; and as a remedy for all these evils, he is desired to intrust every office and command to persons in whom his parliament should have cause to confide. By this phrase, which is so often repeated in all the memorials and addresses of that time, the commons meant themselves and their adherents.

As soon as the remonstrance of the commons was published, the king dispersed an answer to it. In this contest he lay under great disadvantages. Not only the ears of the people were extremely prejudiced against him; the best topics, upon which he could justify, at least apologize for his former conduct, were such as it was not safe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the past conduct of these assemblies, would have been very ill received by the generality of the people. So loud were the complaints against regal usurpations, that, had the king asserted the prerogative of supplying, by his own authority, the deficiencies in government, arising from the obstinacy of the commons, he would have increased the clamours with which the whole nation already resounded. Charles, therefore, contented himself with observing in

general, that even during that period so much complained of, the people enjoyed a great measure of happiness, not only comparatively, in respect of their neighbours, but even in respect of those times which were justly accounted the most fortunate. He made warm protestations of sincerity in the reformed religion; he promised indulgence to tender consciences with regard to the ceremonies of the church; he mentioned his great concessions to national liberty; he blamed the infamous libels every where dispersed against his person and the national religion; he complained of the general reproaches thrown out in the remonstrance with regard to ill counsels, though he had protected no minister from parliamentary justice, retained no unpopular servant, and conferred offices on no one who enjoyed not a high character and estimation in the public. "If, notwithstanding this," he adds, "any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambition, under whatever pretence of religion and conscience; if they shall endeavour to lessen my reputation and interest, and to weaken my lawful power and authority; if they shall attempt, by discountenancing the present laws, to loosen the bands of government, that all disorder and confusion may break in upon us; I doubt not but God in his good time will discover them to me, and that the wisdom and courage of my high court of parliament will join with me in their suppression and punishment." Nothing shows more evidently the hard situation in which Charles was placed, than to observe, that he was obliged to confine himself within the limits of civility towards subjects who had transgressed all bounds of regard, and even of good manners, in the treatment of their sovereign.

The first instance of those parliamentary encroachments which Charles was now to look for, was the bill for pressing soldiers to the service of Ireland. This bill quickly passed the lower house. In the preamble, the king's power of pressing, a power exercised during all former times, was declared illegal, and contrary to the liberty of the subject. By a necessary consequence, the prerogative, which the crown had ever assumed, of obliging men to accept of any branch of public service, was abolished and annihilated—a prerogative, it must be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raise ten thousand volunteers for the Irish service: but the commons were afraid lest such an army should be too much at his devotion. Charles, still unwilling to submit to so considerable a diminution of power, came to the house of peers, and offered to pass the law without the preamble; by which means, he said, that ill-timed question with regard to the prerogative would for the present be avoided, and the pretensions of each party be left entire. Both houses took fire at this measure, which, from a similar instance while the bill of attainder against Strafford was in dependence, Charles might foresee would be received with resentment. The lords, as well as commons, passed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill which was in agitation in either of the houses, or to express his sentiments with regard to it, before it be presented to him for his assent in a parliamentary manner. The king was obliged to compose all matters by an apology.

The general question, we may observe, with regard to privileges of parliament, has always been, and still continues, one of the greatest mysteries in the English constitution; and, in some respects, notwithstanding the accurate genius of that government, these privileges are at present as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: but though it were certain that former kings had not, in any instance, taken notice of bills lying before the houses, (which yet appears to have been very common,) it follows not, merely from their never exerting such a power, that they had renounced it, or never were possessed of it. Such privileges also as are essential to all free assemblies which deliberate, they may be allowed to assume, whatever precedents may prevail: but though the king's interposition, by an offer or advice, does in some degree overawe or restrain liberty; it may be doubted whether it imposes such evident violence as to entitle the parliament, without any other authority or concession, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and had none more exorbitant or unreasonable been challenged, few bad consequences had followed. The establishment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

The interposition of peers in the election of commoners was likewise about this time declared a breach of privilege; and continues ever since to be condemned by votes of the commons, and universally practised throughout the nation.

Every measure pursued by the commons, and, still more, every attempt made by their partisans, were full of the most inveterate hatred against the hierarchy, and showed a determined resolution of subverting the whole ecclesiastical establishment. Besides numberless vexations and persecutions which the clergy underwent from the arbitrary power of the lower house, the peers, while the king was in Scotland, having passed an order for the observance of the laws with regard to public worship, the commons assumed such authority, that, by a vote alone of their house, they suspended those laws, though enacted by the whole legislature: and they particularly forbade bowing at the name of Jesus; a practice which gave them the highest scandal, and which was one of their capital objections against the established religion. They complained of the king's filling five vacant sees, and considered it as an insult upon them, that he should complete and strengthen an order, which they intended soon entirely to abolish. They had accused thirteen bishops of high-treason, for enacting canons without consent of parliament, though from the foundation of the monarchy no other method had ever been practised: and they now insisted that the peers, upon this general accusation, should sequester those bishops from their seats in parliament, and commit them to prison. Their bill for taking away the bishops' votes had last winter been rejected by the peers: but they again introduced the same bill, though no prorogation had intervened; and they endeavoured, by some minute alterations, to elude that rule of parliament which opposed them. And when they sent up this bill to the lords, they made a demand, the most absurd in the world, that the bishops, being all of them parties, should be refused a vote with regard to that question. After the resolution was once formed by the commons, of invading the established government of church and state, it could not be expected that their proceedings, in such a violent attempt, would thenceforth be altogether regular and equitable: but it must be confessed, that, in their attack on the hierarchy, they still more openly passed all bounds of moderation, as supposing, no doubt, that the sacredness of the cause would sufficiently atone for employing means the most irregular and unprecedented. This principle, which prevails so much among zealots, never displayed itself so openly as during the transactions of this whole period.

But, notwithstanding these efforts of the commons, they could not expect the concurrence of the upper house, either to this law, or to any other which they should introduce for the further limitation of royal authority. The majority of the peers adhered to the king, and plainly foresaw the depression of nobility, as a necessary consequence of popular usurpations on the crown. The insolence, indeed, of the commons, and their haughty treatment of the lords, had already risen to a great height, and gave sufficient warning of their future attempts upon that order. They muttered



somewhat of their regret that they should be obliged to save the kingdom alone, and that the house of peers would have no part in the honour. Nay, they went so far as openly to tell the lords, "That they themselves were the representative body of the whole kingdom, and that the peers were nothing but individuals, who held their seats in a particular capacity: and therefore, if their lordships will not consent to the passing of acts necessary for the preservation of the people, the commons, together with such of the lords as are more sensible of the danger, must join together, and represent the matter to his majesty." So violent was the democratical, enthusiastic spirit diffused throughout the nation, that a total confusion of all rank and order was justly to be apprehended; and the wonder was not, that the majority of the nobles should seek shelter under the throne, but that any of them should venture to desert it. But the tide of popularity seized many, and carried them wide of the most established maxims of civil policy. Among the opponents of the king are ranked the earl of Northumberland, lord-admiral, a man of the first family and fortune, and endowed with that dignified pride which so well became his rank and station: the earl of Essex, who inherited all his father's popularity, and having from his early youth sought renown in arms, united to a middling capacity that rigid inflexibility of honour which forms the proper ornament of a nobleman and a soldier: lord Kimbolton, soon after earl of Manchester, a person distinguished by humanity, generosity, affability, and every amiable virtue. These men, finding that their credit ran high with the nation, ventured to encourage those popular disorders, which, they vainly imagined, they possessed authority sufficient to regulate and control.

In order to obtain a majority in the upper house, the commons had recourse to the populace, who on other occasions had done them such important service. Amidst the greatest security, they affected continual fears of destruction to themselves and the nation, and seemed to quake at every breath or rumour of danger. They again excited the people by never-ceasing inquiries after conspiracies, by reports of insurrections, by feigned intelligence of invasions from abroad, by discoveries of dangerous combinations at home among papists and their adherents. When Charles dismissed the guard which they had ordered during his absence, they complained; and, upon his promising them a new guard, under the command of the earl of Lindesey, they absolutely refused the offer, and were well pleased to insinuate, by this instance of jealousy, that their danger chiefly arose from the king himself. They ordered halberts to be brought into the hall where they assembled, and thus armed themselves against those conspiracies with which they pretended they were hourly threatened. All stories of plots, however ridiculous, were willingly attended to, and were dispersed among the multitude, to whose capacity they were well adapted. Beale, a tailor, informed the commons, that, walking in the fields, he had hearkened to the discourse of certain persons unknown to him, and had heard them talk of a most dangerous conspiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promised rewards for these assassinations, ten pounds for each lord, forty shillings for each commoner. Upon this notable intelligence, orders were issued for seizing priests and jesuits, a conference was desired with the lords, and the deputy-lieutenants of some suspected counties were ordered to put the people in a posture of defence.

The pulpits likewise were called in aid, and resounded with the dangers which threatened religion, from the desperate attempts of papists and malignants. Multitudes flocked towards Westminster, and insulted the prelates and such of the lords as adhered to the crown. The peers voted a declaration against those tumults, and sent it to the lower house; but these refused their concurrence. Some seditious apprentices, being seized and committed to prison, immediately received their liberty, by an order of the commons. The sheriffs and justices having appointed constables with strong watches to guard the parliament, the commons sent for the constables, and required them to discharge the watches, convened the justices, voted their orders a breach of privilege, and sent one of them to the Tower. Encouraged by these intimations of their pleasure, the populace crowded about Whitehall, and threw out insolent menaces against Charles himself. Several reduced officers and young gentlemen of the inns of court, during this time of disorder and danger, offered their service to the king. Between them and the populace there passed frequent skirmishes, which ended not without bloodshed. By way of reproach these gentlemen gave the rabble the appellation of ROUNDHEADS, on account of the short cropt-hair which they wore: these called the others CAVALIERS. And thus the nation, which was before sufficiently provided with religious as well as civil causes of quarrel, was also supplied with party-names, under which the factions might rendezvous, and signalize their mutual hatred.

IMPEACHMENT OF THE BISHOPS.

Meanwhile the tumults still continued, and even increased about Westminster and Whitehall. The cry incessantly resounded against *bishops and rotten-hearted lords*. The former especially, being distinguishable by their habit, and being the object of violent hatred to all the sectaries, were exposed to the most dangerous insults. Williams, now created archbishop of York, having been abused by the populace, hastily called a meeting of his brethren. (27th December.) By his advice a protestation was drawn, and addressed to the king and the house of lords. The bishops there set forth, that though they had an undoubted right to sit and vote in parliament, yet in coming thither, they had been menaced, assaulted, affronted, by the unruly multitude, and could no longer with safety attend their duty in the house. For this reason they protested against all laws, votes, and resolutions, as null and invalid, which should pass during the time of their constrained absence. This protestation, which, though just and legal, was certainly ill-timed, was signed by twelve bishops, and communicated to the king, who hastily approved of it. As soon as it was presented to the lords, that house desired a conference with the commons, whom they informed of this unexpected protestation. The opportunity was seized with joy and triumph. An impeachment of high-treason was immediately sent up against the bishops, as endeavouring to subvert the fundamental laws, and to invalidate the authority of the legislature. They were, on the first demand, sequestrated from parliament, and committed to custody. No man, in either house, ventured to speak a word in their vindication; so much displeased was every one at the egregious imprudence of which they had been guilty. One person alone said, that he did not believe them guilty of high-treason; but that they were stark mad, and therefore desired they might be sent to Bedlam.

1642. A few days after, the king was betrayed into another indiscretion, much more fatal—an indiscretion, to which all the ensuing disorders and civil wars ought immediately and directly to be ascribed. This was the impeachment of lord Kimbolton and the five members.

When the commons employed, in their remonstrance, language so severe and indecent, they had not been actuated entirely by insolence and passion: their views were more solid and profound. They considered, that in a violent attempt, such as an invasion of the ancient constitution, the more leisure was afforded the people to reflect, the less would they be inclined to second that rash and dangerous enterprise; that the peers would certainly refuse their concurrence, nor were there any hopes of prevailing on them, but by instigating the populace to tumult and disorder; that the

employing of such odious means for so invidious an end would, at long-run, lose them all their popularity, and turn the tide of favour to the contrary party; and that, if the king only remained in tranquility, and cautiously eluded the first violence of the tempest, he would, in the end, certainly prevail, and be able at least to preserve the ancient laws and constitution. They were therefore resolved, if possible, to excite him to some violent passion, in hopes that he would commit indiscretions, of which they might make advantage.

It was not long before they succeeded beyond their fondest wishes. Charles was enraged to find that all his concessions but increased their demands; that the people, who were returning to a sense of duty towards him, were again roused to sedition and tumults; that the blackest calumnies were propagated against him, and even the Irish massacre ascribed to his counsels and machinations; and that a method of address was adopted, not only unsuitable towards so great a prince, but which no private gentleman could bear without resentment. When he considered all these increasing acts of insolence in the commons, he was apt to ascribe them, in a great measure, to his own indolence and facility. The queen and the ladies of the court further stimulated his passion, and represented, that, if he exerted the vigour, and displayed the majesty of a monarch, the daring usurpations of his subjects would shrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate passions, suggested like counsels; and Charles, who, though commonly moderate in his temper, was ever disposed to hasty resolutions, gave way to the fatal importunity of his friends and servants.

ACCUSATION OF THE FIVE MEMBERS.

Herbert, attorney-general, appeared in the house of peers, and, in his majesty's name, entered an accusation of high-treason against lord Kimbolton and five commoners, Hollis, sir Arthur Hazlerig, Hambden, Pym, and Strode. The articles were, That they had traitorously endeavoured to subvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impose on his subjects an arbitrary and tyrannical authority; that they had endeavoured by many foul aspersions on his majesty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to disobedience of his royal commands, and to side with them in their traitorous designs; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at subverting the rights and very being of parliament; that, in order to complete their traitorous designs, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and to that end, had actually raised and countenanced tumults against the king and parliament; and that they had traitorously conspired to levy, and actually had levied war against the king.

The whole world stood amazed at this important accusation, so suddenly entered upon, without concert, deliberation, or reflection. Some of these articles of accusation, men said, to judge by appearance, seem to be common between the impeached members and the parliament; nor did these persons appear any further active in the enterprises of which they were accused, than so far as they concurred with the majority in their votes and speeches. Though proofs might, perhaps, be produced, of their privately inviting the Scots to invade England, how could such an attempt be considered as treason, after the act of oblivion which had passed, and after that both houses, with the king's concurrence, had voted that nation three hundred thousand pounds for their brotherly assistance? While the house of peers are scarcely able to maintain their independency, or to reject the bills sent them by the commons, will they ever be permitted by the populace, supposing them inclined, to pass a sentence, which must totally subdue the lower house, and put an end to their ambitious undertakings? These five members, at least, Pym, Hambden, and Hollis, are the very heads of the popular party; and if these be taken off, what fate must be expected by their followers, who are many of them accomplices in the same treason? The punishment of leaders is ever the last triumph over a broken and routed party; but surely was never before attempted, in opposition to a faction, during the full tide of its power and success.

But men had not leisure to wonder at the indiscretion of this measure: their astonishment was excited by new attempts, still more precipitate and imprudent. A serjeant-at-arms, in the king's name, demanded of the house the five members; and was sent back without any positive answer. Messengers were employed to search for them and arrest them. Their trunks, chambers, and studies were sealed and locked. The house voted all these acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members. The king, irritated by all this opposition, resolved next day to come in person to the house, with an intention to demand, perhaps seize, in their presence, the persons whom he had accused.

This resolution was discovered to the countess of Carlisle, sister to Northumberland, a lady of spirit, wit, and intrigue. She privately sent intelligence to the five members; and they had time to withdraw a moment before the king entered. He was accompanied by his ordinary retinue, to the number of above two hundred, armed as usual, some with halberts, some with walking swords. The king left them at the door, and he himself advanced alone through the hall; while all the members rose to receive him. The speaker withdrew from his chair, and the king took possession of it. The speech which he made was as follows: "Gentlemen, I am sorry for this occasion of coming to you. Yesterday, I sent a serjeant-at-arms, to demand some, who, by my order, were accused of high-treason. Instead of obedience, I received a message. I must here declare to you, that, though no king that ever was in England could be more careful of your privileges than I shall be, yet in cases of treason no person has privilege. Therefore am I come to tell you, that I must have these men wheresoever I can find them. Well, since I see all the birds are flown, I do expect that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a fair and legal way: for I never meant any other. And now since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, that whatever I have done in favour and to the good of my subjects, I do intend to maintain it."

When the king was looking around for the accused members, he asked the speaker, who stood below, whether any of these persons were in the house? The speaker, falling on his knee, prudently replied: "I have, sir, neither eyes to see, nor tongue to speak, in this place, but as the house is pleased to direct me, whose servant I am. And I humbly ask pardon, that I cannot give any other answer to what your majesty is pleased to demand of me."

The commons were in the utmost disorder; and, when the king was departing, some members cried aloud, so as he might hear them, "Privilege! privilege!" And the house immediately adjourned till next day.

That evening, the accused members, to show the greater apprehension, removed into the city, which was their fortress. The citizens were the whole night in arms. Some people, who were appointed for that purpose, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were

coming to burn the city, and that the king himself was at their head.

Next morning Charles sent to the mayor, and ordered him to call a common-council immediately. About ten o'clock, he himself, attended only by three or four lords, went to Guildhall. He told the common-council, that he was sorry to hear of the apprehensions entertained of him: that he was come to them without any guard, in order to show how much he relied on their affections; and that he had accused certain men of high-treason, against whom he would proceed in a legal way, and therefore presumed that they would not meet with protection in the city. After many other gracious expressions, he told one of the sheriffs, who of the two was thought the least inclined to his service, that he would dine with him. He departed the hall without receiving the applause which he expected. In passing through the streets, he heard the cry, "Privilege of parliament! privilege of parliament!" resounding from all quarters. One of the populace, more insolent than the rest, drew nigh to his coach, and called out with a loud voice, "To your tents, O Israel!" the words employed by the mutinous Israelites, when they abandoned Rehoboam, their rash and ill-counselled sovereign.

When the house of commons met, they affected the greatest dismay; and adjourning themselves for some days, ordered a committee to sit in merchant-tailors' hall in the city. The committee made an exact inquiry into all circumstances attending the king's entry into the house: every passionate speech, every menacing gesture of any, even the meanest of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of seizing the accused members in the very house, and of murdering all who should make resistance, was inferred. And that unparalleled breach of privilege, so it was called, was still ascribed to the counsel of papists and their adherents. This expression, which then recurred every moment in speeches and memorials, and which at present is so apt to excite laughter in the reader, begat at that time the deepest and most real consternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great stress upon it. One catholic there congratulates another on the accusation of the members; and represents that incident as a branch of the same pious contrivance which had excited the Irish insurrection, and by which the profane heretics would soon be exterminated in England.

The house again met, and after confirming the votes of their committee, instantly adjourned, as if exposed to the most imminent perils from the violence of their enemies. This practice they continued for some time. When the people, by these affected panics, were wrought up to a sufficient degree of rage and terror, it was thought proper that the accused members should, with a triumphant and military procession, take their seats in the house. The river was covered with boats, and other vessels, laden with small pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own authority, major-general of the city-militia, conducted the members, at the head of this tumultuary army, to Westminster-hall. And when the populace, by land and by water, passed Whitehall, they still asked with insulting shouts, "What has become of the king and his cavaliers? And whither are they fled?"

THE KING LEAVES LONDON.

The king, apprehensive of danger from the enraged multitude, had retired to Hampton-court, deserted by all the world, and overwhelmed with grief, shame, and remorse, for the fatal measures into which he had been hurried. His distressed situation he could no longer ascribe to the rigours of destiny, or the malignity of enemies: his own precipitancy and indiscretion must bear the blame of whatever disasters should henceforth befall him. The most faithful of his adherents, between sorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every prospect blasted, faction triumphant, the discontented populace inflamed to a degree of fury, they utterly despaired of success in a cause to whose ruin friends and enemies seemed equally to conspire.

The prudence of the king in his conduct of this affair nobody pretended to justify. The legality of his proceedings met with many and just apologies; though generally offered to unwilling ears. No maxim of law, it was said, is more established or more universally allowed, than that privilege of parliament extends not to treason, felony, or breach of peace; nor has either house, during former ages, ever pretended in any of those cases to interpose in behalf of its members. Though some inconveniences should result from the observance of this maxim, that would not be sufficient, without other authority, to abolish a principle established by uninterrupted precedent, and founded on the tacit consent of the whole legislature. But what are the inconveniences so much dreaded? The king, on pretence of treason, may seize any members of the opposite faction, and, for a time, gain to his partisans the majority of voices. But if he seize only a few, will he not lose more friends by such a gross artifice than he confines enemies? If he seize a great number; is not this expedient force, open and barefaced? And what remedy at all times against such force, but to oppose to it a force which is superior? Even allowing that the king intended to employ violence, not authority, for seizing the members, though at that time, and ever afterwards, he positively asserted the contrary, yet will his conduct admit of excuse. That the hall, where the parliament assembles, is an inviolable sanctuary, was never yet pretended. And if the commons complain of the affront offered them, by an attempt to arrest their members in their very presence; the blame must lie entirely on themselves, who had formerly refused compliance with the king's message, when he peaceably demanded these members. The sovereign is the great executor of the laws; and his presence was here legally employed, both in order to prevent opposition, and to protect the house against those insults which their disobedience had so well merited.

Charles knew to how little purpose he should urge these reasons against the present fury of the commons. He proposed, therefore, by a message, that they would agree upon a legal method, by which he might carry on his prosecution against the members, lest further misunderstandings happen with regard to privilege. They desired him to lay the grounds of accusation before the house; and pretended that they must first judge whether it were proper to give up their members to a legal trial. The king then informed them, that he would wave for the present all prosecution: by successive messages, he afterwards offered a pardon to the members; offered to concur in any law that should acquit or secure them; offered any reparation to the house for the breach of privilege, of which, he acknowledged, they had reason to complain. They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure: a condition to which, they knew, that, without rendering himself for ever vile and contemptible, he could not possibly submit. Meanwhile, they continued to thunder against the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members, they plainly saw his judgment of the late parliamentary proceedings; and every adherent of the ruling faction dreaded the same fate, should royal authority be re-established in its ancient

lustre. By the most unhappy conduct, Charles, while he extremely augmented in his opponents the will, had also increased the ability of hurting him.

The more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the house by six thousand subscribers, who promised to live and die in defence of the privileges of parliament. The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received. Nay, one was encouraged from the porters; whose numbers amounted, as they said, to fifteen thousand. The address of that great body contained the same articles with all the others, the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters further desired, that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added, "That if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying, 'That necessity has no law.'"

Another petition was presented by several poor people, or beggars, in the name of many thousands more; in which the petitioners proposed as a remedy for the public miseries, "That those noble worthies of the house of peers, who concur with the happy votes of the commons, may separate themselves from the rest, and sit and vote as one entire body." The commons gave thanks for this petition.

The very women were seized with the same rage. A brewer's wife, followed by many thousands of her sex, brought a petition to the house; in which the petitioners expressed their terror of the papists and prelates, and their dread of like massacres, rapes, and outrages, with those which had been committed upon their sex in Ireland. They had been necessitated, they said, to imitate the example of the woman of Tekoah: and they claimed equal right with the men, of declaring, by petition, their sense of the public cause; because Christ had purchased them at as dear a rate, and in the free enjoyment of Christ consists equally the happiness of both sexes. Pym came to the door of the house; and having told the female zealots, that their petition was thankfully accepted, and was presented in a seasonable time, he begged that their prayers for the success of the commons might follow their petition. Such low arts of popularity were affected! and by such illiberal cant were the unhappy people incited to civil discord and convulsions!

In the mean time, not only all petitions, which favoured the church or monarchy, from whatever hand they came, were discouraged; but the petitioners were sent for, imprisoned, and prosecuted as delinquents: and this unequal conduct was openly avowed and justified. Whoever desire a change, it was said, must express their sentiments; for how, otherwise, shall they be known? But those who favour the established government in church or state, should not petition; because they already enjoy what they wish for.

The king had possessed a great party in the lower house, as appeared in the vote for the remonstrance; and this party, had every new cause of disgust been carefully avoided, would soon have become the majority, from the odium attending the violent measures embraced by the popular leaders. A great majority he always possessed in the house of peers, even after the bishops were confined or chased away; and this majority could not have been overcome, but by outrages which, in the end, would have drawn disgrace and ruin on those who incited them. By the present fury of the people, as by an inundation, were all these obstacles swept away, and every rampart of royal authority laid level with the ground. The victory was pursued with impetuosity by the sagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all opposition, and even all blame vented in private conversation, were treated as the most atrocious crimes by these severe inquisitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the house; and reflections thrown out on Pym were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the least hint, the will of their leaders; nor was it safe for any member to approach either house, who pretended to control or oppose the general torrent. After so undisguised a manner was this violence conducted, that Hollis, in a speech to the peers, desired to know the names of such members as should vote contrary to the sentiments of the commons: and Pym said in the lower house, that the people must not be restrained in the expressions of their just desires.

By the flight, or terror, or despondency of the king's party, an undisputed majority remained everywhere to their opponents; and the bills sent up by the commons, which had hitherto stopped with the peers, and would certainly have been rejected, now passed, and were presented for the royal assent. These were, the pressing bill with its preamble, and the bill against the votes of the bishops in parliament. The king's authority was at that time reduced to the lowest ebb. The queen too, being secretly threatened with an impeachment, and finding no resource in her husband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her spirit and activity, universally levelled against her. Usage, the most contumelious, she had hitherto borne with silent indignation. The commons, in their fury against priests, had seized her very confessor; nor would they release him upon her repeated applications. Even a visit of the prince to his mother had been openly complained of, and remonstrances against it had been presented to her. Apprehensive of attacks still more violent, she was desirous of facilitating her escape; and she prevailed with the king to pass these bills, in hopes of appeasing for a time the rage of the multitude.

These new concessions, however important, the king immediately found to have no other effect than had all the preceding ones: they were made the foundation of demands still more exorbitant. From the facility of his disposition, from the weakness of his situation, the commons believed that he could now refuse them nothing. And they regarded the least moment of relaxation, in their invasion of royal authority, as highly impolitic, during the uninterrupted torrent of their successes. The very moment they were informed of these last acquisitions, they affronted the queen, by opening some intercepted letters written to her by lord Digby they carried up an impeachment against Herbert, attorney-general, for obeying his master's commands in accusing their members. And they prosecuted with fresh vigour their plan of the militia, on which they rested all future hopes of an uncontrolled authority.

The commons were sensible that monarchical government, which, during so many ages, had been established in England, would soon regain some degree of its former dignity, after the present tempest was overblown; nor would all their new-invented limitations be able totally to suppress an authority to which the nation had ever been accustomed. The sword alone, to which all human ordinances must submit, could guard their acquired power, and fully insure to them personal safety against the rising indignation of their sovereign. This point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they dispatched thither sir John Hotham, a gentleman of considerable fortune in the neighbourhood, and of an ancient family: and they gave him the authority of governor. They sent orders to Goring, governor of Portsmouth, to obey no commands but such as he should receive from the parliament. Not content with having obliged the king to displace Lunsford, whom he had appointed governor of the Tower, they

never ceased soliciting him, till he had also displaced sir John Biron, a man of unexceptionable character, and had bestowed that command on sir John Conyers, in whom alone, they said, they could repose confidence. After making a fruitless attempt, in which the peers refused their concurrence, to give public warning, that the people should put themselves in a posture of defence against the enterprises of *papists and other ill-affected persons*, they now resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to confer it entirely on their own creatures and adherents.

The severe votes passed in the beginning of this parliament against lieutenants and their deputies, for exercising powers assumed by all their predecessors, had totally disarmed the crown, and had not left in any magistrate military authority sufficient for the defence and security of the nation. To remedy this inconvenience now appeared necessary. A bill was introduced and passed the two houses, which restored to lieutenants and deputies the same powers of which the votes of the commons had bereaved them; but at the same time the names of all the lieutenants were inserted in the bill; and these consisted entirely of men in whom the parliament could confide. And for their conduct, they were accountable, by the express terms of the bill, not to the king, but to the parliament.

The policy pursued by the commons, and which had hitherto succeeded to admiration, was, to astonish the king by the boldness of their enterprises, to intermingle no sweetness with their severity, to employ expressions no less violent than their pretensions, and to make him sensible in what little estimation they held both his person and his dignity. To a bill so destructive of royal authority, they prefixed, with an insolence seemingly wanton, a preamble equally dishonourable to the personal character of the king. These are the words: "Whereas there has been of late a most dangerous and desperate design upon the house of commons, which we have just cause to believe an effect of the bloody counsels of papists and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland. And whereas, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellions and insurrections in this kingdom of England, but also to back them with forces from abroad, &c."

Here Charles first ventured to put a stop to his concessions; and that not by a refusal, but a delay. When this demand was made, a demand which, if granted, the commons justly regarded as the last they should ever have occasion to make, he was at Dover, attending the queen and the princess of Orange, in their embarkation. He replied, that he had not now leisure to consider a matter of so great importance, and must therefore respite his answer till his return. The parliament instantly (22nd February) dispatched another message to him, with solicitations still more importunate. They expressed their great grief on account of his majesty's answer to their just and necessary petition. They represented, that any delay, during dangers and distractions so great and pressing, was not less unsatisfactory and destructive than an absolute denial. They insisted, that it was their duty to see put in execution a measure so necessary for public safety. And they affirmed, that the people, in many counties, had applied to them for that purpose, and, in some places were, of themselves, and by their own authority, providing against those urgent dangers with which they were threatened.

Even after this insolence, the king durst not venture upon a flat denial. Besides excepting to the preamble, which threw such dishonour upon him, and protesting the innocence of his intentions when he entered the house of commons, he only desired that the military authority, if it were defective, should first be conferred upon the crown; and he promised to bestow commissions, but such as should be revocable at pleasure, on the same persons whom the parliament had named in the bill. By a former message he had expressed his wishes, that they would lay before him, in one view, all the concessions which they deemed requisite for the settlement of the nation. They pretended that they were exposed to perils so dreadful and imminent, that they had not leisure for such a work. The expedient proposed by the king seemed a sufficient remedy during this emergence; and yet maintained the prerogatives of the crown entire and unbroken.

But the intentions of the commons were wide of this purpose, and their panics could be cured by one remedy alone. They instantly replied, (1st March,) that the dangers and distempers of the nation were such as could endure no longer delay; and, unless the king speedily complied with their demands, they should be constrained, for the safety of prince and people, to dispose of the militia by the authority of both houses, and were resolved to do it accordingly. They asserted, that those parts of the kingdom which had, from their own authority, put themselves in a posture of defence during these prevailing fears and jealousies, had acted suitably to the declarations and directions of both houses, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to fix his residence at London, where they knew he would be entirely at mercy.

"I am so much amazed at this message," said the king, in his prompt reply, "that I know not what to answer. You speak of jealousies and fears! Lay your hands on your hearts, and ask yourselves, whether I may not likewise be disturbed with fears and jealousies: and if so, I assure you that this message has nothing lessened them.

"As to the militia, I thought so much of it before I gave that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask or I in honour grant, that I shall not alter it in any point.

"For my residence near you, I wish it might be safe and honourable, and that I had no cause to absent myself from Whitehall: ask yourselves whether I have not.

"What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask what you have done for me.

"Have any of my people been transported with fears and apprehensions? I offer as free and general a pardon as yourselves can devise. All this considered, there is a judgment of Heaven upon this nation, if these distractions continue.

"God so deal with me and mine as all my thoughts and intentions are upright for the maintenance of the true protestant profession, and for the observance and preservation of the laws; and I hope God will bless and assist those laws for *my* preservation."

No sooner did the commons despair of obtaining the king's consent to their bill, than they instantly voted, that those who advised his majesty's answer were enemies to the state, and mischievous projectors against the safety of the nation; that this denial is of such dangerous consequence, that if his majesty persist in it, it will hazard the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both houses; and that such of the subjects as have put themselves in a posture of defence against the common danger, have done nothing but what is justifiable, and approved by the house.

Lest the people might be averse to the seconding of all these usurpations, they were plied anew with rumours of danger, with the terrors of invasion, with the dread of English and Irish papists; and the most unaccountable panics were spread throughout the nation. Lord Digby having entered Kingston in a coach and six, attended by a few livery-servants, the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hostile manner, to the terror and affright of her majesty's subjects, and had

levied war against the king and kingdom. Petitions from all quarters loudly demanded of the parliament to put the nation in a posture of defence: and the county of Stafford, in particular, expressed such dread of an insurrection among the papists, that every man, they said, was constrained to stand upon his guard, not even daring to go to church unarmed.

THE KING ARRIVES AT YORK.

That the same violence by which he had so long been oppressed might not still reach him, and extort his consent to the militia bill, Charles had resolved to remove further from London: and accordingly, taking the prince of Wales and the duke of York along with him, he arrived, by slow journeys, at York, which he determined for some time to make the place of his residence. The distant parts of the kingdom being removed from that furious vortex of new principles and opinions which had transported the capital, still retained a sincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected. From all quarters of England, the prime nobility and gentry, either personally, or by messages and letters, expressed their duty towards him; and exhorted him to save himself and them from that ignominious slavery with which they were threatened. The small interval of time which had passed since the fatal accusation of the members had been sufficient to open the eyes of many, and to recover them from the astonishment with which at first they had been seized. One rash and passionate attempt of the king's seemed but a small counterbalance to so many acts of deliberate violence, which had been offered to him and every branch of the legislature: and, however sweet the sound of liberty, many resolved to adhere to that moderate freedom transmitted them from their ancestors, and now better secured by such important concessions; rather than, by engaging in a giddy search after more independence, run a manifest risk either of incurring a cruel subjection, or abandoning all law and order.

Charles, finding himself supported by a considerable party in the kingdom, began to speak in a firmer tone, and to retort the accusations of the commons with a vigour which he had not before exerted. Notwithstanding their remonstrances, and menaces, and insults, he still persisted in refusing their bill; and they proceeded to frame an ordinance, in which, by the authority of the two houses, without the king's consent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garrisons, and forts of the kingdom. He issued proclamations against this manifest usurpation: and as he professed a resolution strictly to observe the law himself, so was he determined, he said, to oblige every other person to pay it a like obedience. The name of the king was so essential to all laws, and so familiar with all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too sensible to the people. In all commands, therefore, which they conferred, they bound the persons to obey the orders of his majesty, signified by both houses of parliament. And, inventing a distinction, hitherto unheard of, between the office and the person of the king, those very forces which they employed against him, they levied in his name and by his authority.

It is remarkable how much the topics of argument were now reversed between the parties. The king, while he acknowledged his former error, of employing a plea of necessity in order to infringe the laws and constitution, warned the parliament not to imitate an example on which they threw such violent blame; and the parliament, while they clothed their personal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the most exceptionable part of the king's conduct. That the liberties of the people were no longer exposed to any peril from royal authority, so narrowly circumscribed, so exactly defined, so much unsupported by revenue and by military power, might be maintained upon very plausible topics: but that the danger, allowing it to have any existence, was not of that kind—great, urgent, inevitable; which dissolves all law, and levels all limitations—seems apparent from the simplest view of these transactions. So obvious indeed was the king's present inability to invade the constitution, that the fears and jealousies which operated on the people, and pushed them so furiously to arms, were undoubtedly not of a civil, but of a religious nature. The distempered imaginations of men were agitated with a continual dread of popery, with a horror against prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was most opposite to these objects of aversion. The fanatical spirit let loose, confounded all regard to ease, safety, interest; and dissolved every moral and civil obligation. [*See note* 6 D, *at the end of this Vol.*]

Each party was now willing to throw on its antagonist the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favour and good opinion, was the chief point on both sides. Never was there a people less corrupted by vice, and more actuated by principle, than the English during that period: never were there individuals who possessed more capacity, more courage, more public spirit, more disinterested zeal. The infusion of one ingredient, in too large a proportion, had corrupted all these noble principles, and converted them into the most virulent poison. To determine his choice in the approaching contest, every man hearkened with avidity to the reasons proposed on both sides. The war of the pen preceded that of the sword, and daily sharpened the humours of the opposite parties. Besides private adventurers without number, the king and parliament themselves carried on the controversy, by messages, remonstrances, and declarations; where the nation was really the party to whom all arguments were addressed. Charles had here a double advantage. Not only his cause was more favourable, as supporting the ancient government in church and state against the most illegal pretensions: it was also defended with more art and eloquence. Lord Falkland had accepted the office of secretary; a man who adorned the purest virtue with the richest gifts of nature, and the most valuable acquisitions of learning. By him, assisted by the king himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular, that he took care to disperse everywhere the papers of the parliament, together with his own, that the people might be the more enabled, by comparison, to form a judgment between them: the parliament, while they distributed copies of their own, were anxious to suppress all the king's compositions.

To clear up the principles of the constitution, to mark the boundaries of the powers intrusted by law to the several members, to show what great improvements the whole political system had received from the king's late concessions, to demonstrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults, and indignities, to which he had been exposed; these were the topics which, with so much justness of reasoning and propriety of expression, were insisted on in the king's declarations and remonstrances. [*See note* 6 E, *at the end of this Vol.*]

Though these writings were of consequence, and tended much to reconcile the nation to Charles, it was evident that they would not be decisive, and that keener weapons must determine the controversy. To the ordinance of the parliament concerning the militia, the king opposed his commissions of array. The counties obeyed the one or the other, according as they stood affected. And in many counties, where the peo-

ple were divided, mobbish combats and skirmishes ensued. The parliament, on this occasion, went so far as to vote, "That when the lords and commons in parliament, which is the supreme court of judicature, shall declare what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privileges." This was a plain assuming of the whole legislative authority, and exerting it in the most material article, the government of the militia. Upon the same principles, they pretended, by a verbal criticism on the tense of a Latin verb, to ravish from the king his negative voice in the legislature.*

The magazine of Hull contained the arms of all the forces levied against the Scots; and sir John Hotham, the governor, though he had accepted of a commission from the parliament, was not thought to be much disaffected to the church and monarchy. Charles, therefore, entertained hopes, that, if he presented himself at Hull before the commencement of hostilities, Hotham, overawed by his presence, would admit him with his retinue; after which he might easily render himself master of the place. But the governor was on his guard. He shut the gates, and refused to receive the king, who desired leave to enter with twenty persons only. Charles immediately proclaimed him traitor, and complained to the parliament of his disobedience. The parliament avowed and justified the action.

PREPARATIONS.

The county of York levied a guard for the king of six hundred men: for the kings of England had hitherto lived among their subjects like fathers among their children, and had derived all their security from the dignity of their character, and from the protection of the laws. The two houses, though they had already levied a guard for themselves, had attempted to seize all the military power, all the navy, and all the forts of the kingdom, and had openly employed their authority in every kind of warlike preparations, yet immediately voted, "That the king, seduced by wicked counsel, intended to make war against his parliament, who, in all their consultations and actions, had proposed no other end but the care of his kingdoms, and the performance of all duty and loyalty to his person; that this attempt was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government; and that whoever should assist him in such a war, were traitors by the fundamental laws of the kingdom.

The armies, which had been everywhere raised, on pretence of the service in Ireland, were henceforth more openly enlisted by the parliament for their own purposes, and the command of them was given to the earl of Essex. In London no less than four thousand men enlisted in one day. And the parliament voted a declaration, which they required every member to subscribe, that they would live and die with their general.

They issued orders (10th June) for bringing in loans of money and plate, in order to maintain forces which should defend the king and both houses of parliament: for this style they still preserved. Within ten days, vast quantities of plate were brought to their treasurers. Hardly were there men enough to receive it, or room sufficient to stow it: and many, with regret, were obliged to carry back their offerings, and wait till the treasurers could find leisure to receive them. Such zeal animated the pious partisans of the parliament, especially in the city! The women gave up all the plate and ornaments of their houses, and even their silver thimbles and bodkins, in order to support the *good cause* against the malignants.

Meanwhile the splendour of the nobility, with which the king was environed, much eclipsed the appearance at Westminster. Lord-keeper Littleton, after sending the great seal before him, had fled to York. Above forty peers of the first rank attended the king; while the house of lords seldom consisted of more than sixteen members. Near the moiety too of the lower house absented themselves from counsels which they deemed so full of danger. The commons sent up an impeachment against nine peers, for deserting their duty in parliament. Their own members also, who should return to them, they voted not to admit, till satisfied concerning the reason of their absence.

Charles made a declaration to the peers who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers answered this declaration by a protest, in which they declared their resolution to obey no commands but such as were warranted by that authority. By these deliberate engagements, so worthy of an English prince and English nobility, they meant to confound the furious and tumultuary resolutions taken by the parliament.

The queen, disposing of the crown-jewels in Holland, had been enabled to purchase a cargo of arms and ammunition. Part of these, after escaping many perils, arrived safely to the king. His preparations were not near so forward as those of the parliament. In order to remove all jealousy, he had resolved, that their usurpations and illegal pretensions should be apparent to the whole world, and thought, that to recover the confidence of the people was a point much more material to his interest than the collecting of any magazines, stores, or armies, which might breed apprehensions of violent or illegal counsels. But the urgent necessity of his situation no longer admitted of delay. He now prepared himself for defence. With a spirit, activity, and address which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and roused up his adherents to arms. The resources of this prince's genius increased in proportion to his difficulties; and he never appeared greater than when plunged into the deepest perils and distresses. From the mixed character, indeed, of Charles, arose in part the misfortunes in which England was at this time involved. His political errors, or rather weaknesses, had raised him inveterate enemies: his eminent moral virtues had procured him zealous partisans: and between the hatred of the one, and the affections of the other, was the nation agitated with the most violent convulsions.

That the king might despair of all composition, the parliament sent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propositions, amounted to a total abolition of monarchical authority. They required, that no man should remain in the council who was not agreeable to parliament; that no deed of the king's should have validity, unless it passed the council, and was attested under their hand; that all the officers of state and principal judges should be chosen with consent of parliament, and enjoy their offices for life; that none of the royal family should marry without consent of parliament or council; that the laws should be executed against catholics; that the votes of popish lords should be excluded; that the reformation of the liturgy and church-government should have place, according to advice of parliament; that the ordinance, with regard to the militia, be submitted to; that the justice of parliament pass upon all delinquents; that a general pardon be granted, with such exceptions as should be advised by parliament; that the forts and castles be disposed of by consent of parliament; and that no peer be made but with consent of both houses.

"Should I grant these demands," said the king, in reply, "I may be waited on bare-headed; I may have my hand kissed; the title of Majesty may be continued

* The king, by his coronation-oath, promises that he would maintain the laws and customs which the people had chosen, *quas vulgus elegerit*: the parliament pretended that *elegerit* meant *shall choose*; and, consequently, that the king had no right to refuse any bills which should be presented him. See Rushworth, vol. v. p. 580.

to me; and *The king's authority, signified by both houses*, may still be the style of your commands; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre: (though even these twigs would not long flourish, when the stock upon which they grew was dead:) but as to true and real power, I should remain but the outside, but the picture, but the sign of a king." War, on any terms, was esteemed, by the king and all his counsellors, preferable to so ignominious a peace. Charles accordingly resolved to support his authority by arms. "His towns," he said, "were taken from him, his ships, his arms, his money; but there still remained to him a good cause, and the hearts of his loyal subjects, which, with God's blessing, he doubted not, would recover all the rest." Collecting, therefore, some forces, he advanced southward; (22nd August:) and at Nottingham he erected his royal standard, the open signal of discord and civil war throughout the kingdom.

CHAPTER LVI.

Commencement of the Civil War — State of Parties — Battle of Edgehill — Negotiation at Oxford — Victories of the Royalists in the West — Battle of Stratton — of Lansdown — at Roundway Down — Death of Hampden — Bristol taken — Siege of Gloucester — Battle of Newbury — Actions in the North of England — Solemn League and Covenant — Arming of the Scots — State of Ireland.

COMMENCEMENT OF THE CIVIL WAR. 1642.

WHEN two names so sacred in the English constitution as those of KING and PARLIAMENT were placed in opposition, no wonder the people were divided in their choice, and were agitated with the most violent animosities and factions.

The nobility, and more considerable gentry, dreading a total confusion of rank from the fury of the populace, inlisted themselves in defence of the monarch, from whom they received, and to whom they communicated, their lustre. Animated with the spirit of loyalty derived from their ancestors, they adhered to the ancient principles of the constitution, and valued themselves on exerting the maxims, as well as inheriting the possessions of the old English families. And while they passed their time mostly at their country-seats, they were surprised to hear of opinions prevailing, with which they had ever been unacquainted, and which implied not a limitation, but an abolition almost total, of monarchical authority.

The city of London, on the other hand, and most of the great corporations, took part with the parliament, and adopted with zeal those democratical principles on which the pretensions of that assembly were founded. The government of cities, which even under absolute monarchies is commonly republican, inclined them to this party: the small hereditary influence which can be retained over the industrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over those more numerous associations of mankind; all these causes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, saw with indignation, that notwithstanding their opulence, they could not raise themselves to a level with the ancient gentry; they therefore adhered to a power, by whose success they hoped to acquire rank and consideration. And the new splendour and glory of the Dutch commonwealth, where liberty so happily supported industry, made the commercial part of the nation desire to see a like form of government established in England.

The genius of the two religions, so closely at this time interwoven with politics, corresponded exactly to these divisions. The presbyterian religion was new, republican, and suited to the genius of the populace: the other had an air of greater show and ornament, was established on ancient authority, and bore an affinity to the kingly and aristocratical parts of the constitution. The devotees of presbytery became of course zealous partisans of the parliament: the friends of the episcopal church valued themselves on defending the rights of monarchy.

Some men also there were of liberal education, who, being either careless or ignorant of those disputes bandied about by the clergy on both sides, aspired to nothing but an easy enjoyment of life, amidst the jovial entertainment and social intercourse of their companions. All these flocked to the king's standard, where they breathed a freer air, and were exempted from that rigid preciseness and melancholy austerity, which reigned among the parliamentary party.

Never was a quarrel more unequal than seemed at first that between the contending parties: almost every advantage lay against the royal cause. The king's revenue had been seized, from the beginning, by the parliament, who issued out to him, from time to time, small sums for his present subsistence; and as soon as he withdrew to York, they totally stopped all payments. London and all the seaports, except Newcastle, being in their hands, the customs yielded them a certain and considerable supply of money; and all contributions, loans, and impositions, were more easily raised from the cities which possessed the ready money, and where men lived under their inspection, than they could be levied by the king in those open countries, which after some time declared for him.

The seamen naturally followed the disposition of the sea-ports to which they belonged: and the earl of Northumberland, lord-admiral, having embraced the party of the parliament, had appointed, at their desire, the earl of Warwick to be his lieutenant, who at once established his authority in the fleet, and kept the entire dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were from the first seized by the parliament; and their fleet intercepted the greater part of those which were sent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promise of restoring them as soon as peace should be settled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation. The custom of reviling those assemblies for corruption, as it had no pretence, so was it unknown, during all former ages. Few or no instances of their encroaching ambition or selfish claims had hitherto been observed. Men considered the house of commons in no other light than as the representatives of the nation, whose interest was the same with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the necessary defence of the people, could ever engage in an opposition to the crown. The torrent, therefore, of general affection ran to parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of course to that party. The king's adherents were the *Wicked* and the *Malignant*; their adversaries were the *Godly* and *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave shelter and protection to the parliamentary party, who could easily suppress the royalists in their neighbourhood, almost the whole kingdom, at the commencement of the war, seemed to be in the hands of the parliament.

What alone gave the king some compensation for all the advantages possessed by his adversaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous spirit of the nobles and gentry, than from the base disposition of the multitude. And as the men of estates, at their own expense, levied and armed their tenants, besides an attachment to their masters, greater force and courage were to be expected in these rustic

troops, than in the vicious and enervated populace of cities.

The neighbouring states of Europe, being engaged in violent wars, little interested themselves in these civil commotions; and this island enjoyed the singular advantage (for such it surely was) of fighting out its own quarrels without the interposition of foreigners. France, from policy, had fomented the first disorders in Scotland; had sent over arms to the Irish rebels; and continued to give countenance to the English parliament: Spain, from bigotry, furnished the Irish with some supplies of money and arms. The prince of Orange, closely allied to the crown, encouraged English officers, who served in the Low Countries, to enlist in the king's army: the Scottish officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

The contempt entertained by the parliament for the king's party was so great, that it was the chief cause of pushing matters to such extremities against him; and many believed that he never would attempt resistance, but must soon yield to the pretensions, however enormous, of the two houses. Even after his standard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more desperate, by opposing a force which was so much superior. The low condition in which he appeared at Nottingham confirmed all these hopes. His artillery, though far from numerous, had been left at York, for want of horses to transport it. Besides the trained bands of the county raised by sir John Digby, the sheriff, he had not gotten together above three hundred infantry. His cavalry, in which consisted his chief strength, exceeded not eight hundred, and were very ill provided with arms. The forces of the parliament lay at Northampton, within a few days' march of him; and consisted of above six thousand men, well armed and well appointed. Had these troops advanced upon him, they must soon have dissipated the small force which he had assembled. By pursuing him in his retreat, they had so discredited his cause, and discouraged his adherents, as to have for ever prevented his collecting an army able to make head against them. But the earl of Essex, the parliamentary general, had not yet received any orders from his masters. What rendered them so backward, after such precipitate steps as they had formerly taken, is not easily explained. It is probable that in the extreme distress of his party consisted the present safety of the king. The parliament hoped, that the royalists, sensible of their feeble condition, and convinced of their slender resources, would disperse of themselves, and leave their adversaries a victory, so much the more complete and secure, as it would be gained without the appearance of force, and without bloodshed. Perhaps too, when it became necessary to make the concluding step, and offer barefaced violence to their sovereign, their scruples and apprehensions, though not sufficient to overcome their resolutions, were able to retard the execution of them.

Sir Jacob Astley, whom the king had appointed major-general of his intended army, told him, that he could not give him assurance but he might be taken out of his bed, if the rebels, should make a brisk attempt to that purpose. All the king's attendants were full of well-grounded apprehensions. Some of the lords having desired that a message might be sent to the parliament with overtures to a treaty, Charles, who well knew that an accommodation, in his present condition, meant nothing but a total submission, hastily broke up the council, lest this proposal should be further insisted on. But next day, the earl of Southampton, whom no one could suspect of base or timid sentiments, having offered the same advice in council, it was hearkened to with more coolness and deliberation. He urged, that though such a step would probably increase the insolence of the parliament, this was so far from being an objection, that such dispositions must necessarily turn to the advantage of the royal cause: that if they refused to treat, which was more probable, the very sound of peace was so popular, that nothing could more disgust the nation than such haughty severity: that if they admitted of a treaty, their proposals, considering their present situation, would be so exorbitant, as to open the eyes of their most partial adherents, and turn the general favour to the king's party: and that, at worst, time might be gained by this expedient, and a delay of the imminent danger with which the king was at present threatened.

Charles, on assembling the council, had declared against all advances towards an accommodation; and had said, that, having now nothing left him but his honour, this last possession he was resolved steadily to preserve, and rather to perish than yield any further to the pretensions of his enemies. But, by the unanimous desire of the counsellors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with sir John Colepeper and sir William Uvedale, was dispatched to London, with offers of a treaty. The manner in which they were received gave little hopes of success. Southampton was not allowed by the peers to take his seat; but was ordered to deliver his message to the usher, and immediately to depart the city: the commons showed little better disposition towards Colepeper and Uvedale. Both houses replied, that they could admit of no treaty with the king, till he took down his standard, and recalled his proclamations, in which the parliament supposed themselves to be declared traitors. The king, by a second message, denied any such intention against the two houses; but offered to recal these proclamations, provided the parliament agreed to recall theirs, in which his adherents were declared traitors. They desired him, in return, to dismiss his forces, to reside with his parliament, and to give up delinquents to their justice; that is, abandon himself and his friends to the mercy of his enemies. Both parties flattered themselves, that, by these messages and replies, they had gained the ends which they proposed. The king believed that the people were made sufficiently sensible of the parliament's insolence and aversion to peace: the parliament intended, by this vigour in their resolutions, to support the vigour of their military operations.

The courage of the parliament was increased, besides their great superiority of force, by two recent events, which had happened in their favour. Goring was governor of Portsmouth, the best fortified town in the kingdom, and, by its situation, of great importance. This man seemed to have rendered himself an implacable enemy to the king, by betraying, probably magnifying, the secret cabals of the army; and the parliament thought that his fidelity to them might, on that account, be entirely depended on. But the same levity of mind still attended him, and the same disregard to engagements and professions. He took underhand his measures with the court, and declared against the parliament. But, though he had been sufficiently supplied with money, and long before knew his danger, so small was his foresight, that he had left the place entirely destitute of provisions, and in a few days he was obliged to surrender to the parliamentary forces.

The marquis of Hertford was a nobleman of the greatest quality and character in the kingdom, and, equally with the king, descended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the consent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon discovery of his intentions, had been obliged, for some time, to fly the kingdom. Ever after he was looked on with an evil eye at court, from which, in a great measure, he withdrew; and living in an independent manner, he addicted himself entirely to literary occupations and amusements. In proportion as the king declined in popularity, Hertford's character flourished with the people; and when

this parliament assembled, no nobleman possessed more general favour and authority. By his sagacity, he soon perceived that the commons, not content with correcting the abuses of government, were carried, by the natural current of power and popularity, into the opposite extreme, and were committing violations, no less dangerous than the former, upon the English constitution. Immediately he devoted himself to the support of the king's falling authority, and was prevailed with to be governor to the young prince, and reside at court, to which, in the eyes of all men, he gave by his presence, a new lustre and authority. So high was his character for mildness and humanity, that he still preserved, by means of these popular virtues, the public favour; and every one was sensible of the true motive of his change. Notwithstanding his habits of ease and study, he now exerted himself in raising an army for the king; and being named general of the western counties, where his interest chiefly lay, he began to assemble forces in Somersetshire. By the assistance of lord Seymour, lord Paulet, John Digby, son of the earl of Bristol, sir Francis Hawley, and others, he had drawn together some appearance of an army; when the parliament, apprehensive of the danger, sent the earl of Bedford with a considerable force against him. On his approach, Hertford was obliged to retire into Sherborne castle; and, finding that place untenable, he himself passed over into Wales, leaving sir Ralph Hopton, sir John Berkeley, Digby, and other officers, with their horse, consisting of about a hundred and twenty, to march into Cornwall, in hopes of finding that county better prepared for their reception.

All the dispersed bodies of the parliamentary army were now ordered to march to Northampton, and the earl of Essex, who had joined them, found the whole amount to fifteen thousand men. The king, though his camp had been gradually re-enforced from all quarters, was sensible that he had no army which could cope with so formidable a force; and he thought it prudent, by slow marches, to retire to Derby, thence to Shrewsbury, in order to countenance the levies which his friends were making in those parts. At Wellington, a day's march from Shrewsbury, he made a rendezvous of all his forces, and caused his military orders to be read at the head of every regiment. That he might bind himself by reciprocal ties, he solemnly made the following declaration before his whole army:—

"I do promise, in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed protestant religion, established in the church of England, and, by the grace of God, in the same will live and die.

"I desire that the laws may ever be the measure of my government, and that the liberty and property of the subject may be preserved by them with the same care as my own just rights. And if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern, to the utmost of my power, by the known statutes and customs of the kingdom, and particularly to observe inviolably the laws to which I have given my consent this parliament. Meanwhile, if this emergence, and the great necessity to which I am driven, beget any violation of law, I hope it shall be imputed by God and man to the authors of this war; not to me, who have so earnestly laboured to preserve the peace of the kingdom.

"When I willingly fail in these particulars, I shall expect no aid or relief from man, nor any protection from above: but in this resolution I hope for the cheerful assistance of all good men, and am confident of the blessing of heaven."

Though the concurrence of the church undoubtedly increased the king's adherents, it may safely be affirmed, that the high monarchical doctrines, so much inculcated by the clergy, had never done him any real service. The bulk of that generous train of nobility and gentry who now attended the king in his distresses, breathed the spirit of liberty, as well as of loyalty: and in the hopes alone of his submitting to a legal and limited government, were they willing, in his defence, to sacrifice their lives and fortunes.

While the king's army lay at Shrewsbury, and he was employing himself in collecting money, which he received, though in no great quantities, by voluntary contributions, and by the plate of the universities, which was sent him, the news arrived of an action, the first which had happened in these wars, and where he was successful.

On the appearance of commotions in England, the princes Rupert and Maurice, sons of the unfortunate palatine, had offered their service to the king; and the former at that time commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was marching towards that city. No sooner had the prince arrived, than he saw some cavalry of the enemy approaching the gates. Without delay, he briskly attacked them, as they were defiling from a lane, and forming themselves. Colonel Sandys, who led them, and who fought with valour, being mortally wounded, fell from his horse. The whole party was routed, and was pursued above a mile. The prince, hearing of Essex's approach, returned to the main body. This rencounter, though in itself of small importance, mightily raised the reputation of the royalists, and acquired to prince Rupert the character of promptitude and courage; qualities which he eminently displayed during the whole course of the war.

The king, on mustering his army, found it amount to ten thousand men. The earl of Lindesey, who in his youth had sought experience of military service in the Low Countries,* was general: prince Rupert commanded the horse: sir Jacob Astley, the foot: sir Arthur Aston, the dragoons: sir John Heydon, the artillery. Lord Bernard Stuart was at the head of a troop of guards. The estates and revenue of this single troop, according to lord Clarendon's computation, were at least equal to those of all the members who, at the commencement of war, voted in both houses. Their servants, under the command of sir William Killigrew, made another troop, and always marched with their masters.

With this army the king left Shrewsbury, (12th October,) resolving to give battle as soon as possible to the army of the parliament, which, he heard, was continually augmenting by supplies from London. In order to bring on an action, he directed his march towards the capital, which, he knew, the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the king, and to rescue him and the royal family from those desperate malignants, who had seized their persons. Two days after the departure of the royalists from Shrewsbury, he left Worcester. Though it be commonly easy in civil wars to get intelligence, the armies were within six miles of each other, ere either of the generals was acquainted with the approach of his enemy. Shrewsbury and Worcester, the places from which they set out, are not above twenty miles distant; yet had the two armies marched ten days in this mutual ignorance. So much had military skill, during a long peace, decayed in England.

BATTLE OF EDGE-HILL. *October* 23.

The royal army lay near Banbury: that of the parliament at Keinton, in the county of Warwick. Prince Rupert sent intelligence of the enemy's approach. Though the day was far advanced, the king resolved

* He was then lord Willoughby.

upon the attack. Essex drew up his men to receive him. Sir Faithful Fortescue, who had levied a troop for the Irish wars, had been obliged to serve in the parliamentary army, and was now posted on the left wing, commanded by Ramsay, a Scotchman. No sooner did the king's army approach, than Fortescue, ordering his troop to discharge their pistols in the ground, put himself under the command of prince Rupert. Partly from this incident, partly from the furious shock made upon them by the prince; that whole wing of cavalry immediately fled, and were pursued for two miles. The right wing of the parliament's army had no better success. Chased from their ground by Wilmot and sir Arthur Aston, they also took to flight. The king's body of reserve, commanded by sir John Biron, judging, like raw soldiers, that all was over, and impatient to have some share in the action, heedlessly followed the chase, which their left wing had precipitately led them. Sir William Balfour, who commanded Essex's reserve, perceived the advantage: he wheeled about upon the king's infantry, now quite unfurnished of horse; and he made great havoc among them. Lindesey, the general, was mortally wounded, and taken prisoner. His son, endeavouring his rescue, fell likewise into the enemy's hands. Sir Edmund Verney, who carried the king's standard, was killed, and the standard taken; but it was afterwards recovered. In this situation, prince Rupert, on his return, found affairs. Everything bore the appearance of a defeat instead of a victory, with which he had hastily flattered himself. Some advised the king to leave the field: but that prince rejected such pusillanimous counsel. The two armies faced each other for some time, and neither of them retained courage sufficient for a new attack. All night they lay under arms; and next morning found themselves in sight of each other. General, as well as soldier, on both sides, seemed averse to renew the battle. Essex first drew off, and retired to Warwick. The king returned to his former quarters. Five thousand men are said to have been found dead on the field of battle; and the loss of the two armies, as far as we can judge by the opposite accounts, was nearly equal. Such was the event of this first battle, fought at Keinton, or Edge-hill.

Some of Essex's horse, who had been driven off the field in the beginning of the action, flying to a great distance, carried news of a total defeat, and struck a mighty terror into the city and parliament. After a few days, a more just account arrived; and then the parliament pretended to a complete victory. The king also, on his part, was not wanting to display his advantages; though, except the taking of Banbury, a few days after, he had few marks of victory to boast of. He continued his march, and took possession of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreshed; as the weather still continued favourable, it was again put in motion. A party of horse approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garrison were seized with a panic, and fled with precipitation to London. The king, hoping that everything would yield before him, advanced with his whole army to Reading. The parliament, who, instead of their fond expectations, that Charles would never be able to collect an army, had now the prospect of a civil war, bloody, and of uncertain event; were further alarmed at the near approach of the royal army, while their own forces lay at a distance. They voted an address for a treaty. The king's nearer approach to Colebroke quickened their advances for peace. Northumberland and Pembroke, with three commoners, presented the address of both houses; in which they besought his majesty to appoint some convenient place where he might reside till committees could attend him with proposals. The king named Windsor, and desired that their garrison might be removed, and his own troops admitted into that castle.

Meanwhile Essex, advancing by hasty marches, had arrived at London. (30th November.) But neither the presence of his army, nor the precarious hopes of a treaty, retarded the king's approaches. Charles attacked, at Brentford, two regiments quartered there, and after a sharp action beat them from that village, and took about five hundred prisoners. The parliament had sent orders to forbear all hostilities, and had expected the same from the king; though no stipulations to that purpose had been mentioned by their commissioners. Loud complaints were raised against this attack, as if it had been the most apparent perfidy, and breach of treaty. Inflamed with resentment, as well as anxious for its own safety, the city marched its trained-bands in excellent order, and joined the army under Essex. The parliamentary army now amounted to above twenty-four thousand men, and was much superior to that of the king. After both armies had faced each other for some time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both sides were kept in inaction by the winter season, the king and parliament were employed in real preparations for war, and in seeming advances towards peace. By means of contributions or assessments, levied by the horse, Charles maintained his cavalry; by loans and voluntary presents, sent him from all parts of the kingdom, he supported his infantry: but the supplies were still very unequal to the necessities under which he laboured. The parliament had much greater resources for money; and had, by consequence, every military preparation in much greater order and abundance. Besides an imposition levied in London, amounting to the five-and-twentieth part of every one's substance, they established on that city a weekly assessment of ten thousand pounds, and another of twenty-three thousand five hundred and eighteen, on the rest of the kingdom. And as their authority was at present established in most counties, they levied these taxes with regularity; though they amounted to sums much greater than the nation had formerly paid to the public.

NEGOCIATION AT OXFORD. 1643.

The king and parliament sent reciprocally their demands: and a treaty commenced, but without any cessation of hostilities, as had at first been proposed. The earl of Northumberland, and four members of the lower house, came to Oxford as commissioners. In this treaty the king perpetually insisted on the re-establishment of the crown in its legal powers, and on the restoration of his constitutional prerogative: the parliament still required new concessions, and a further abridgment of regal authority, as a more effectual remedy to their fears and jealousies. Finding the king supported by more forces, and a greater party than they had ever looked for, they seemingly abated somewhat of those extravagant conditions which they had formerly claimed; but their demands were still too high for an equal treaty. Besides other articles, to which a complete victory alone could entitle them, they required the king in express terms utterly to abolish episcopacy; a demand which, before, they had only insinuated: and they required, that all other ecclesiastical controversies should be determined by *their* assembly of divines; that is, in the manner the most repugnant to the inclinations of the king and all his partisans. They insisted, that he should submit to the punishment of his most faithful adherents. And they desired him to acquiesce in their settlement of the militia, and to confer on their adherents the entire power of the sword. In answer to the king's proposal, that his magazines, towns, forts, and ships should be restored to him, the parliament required, that they should be put into such hands as they could

confide in: the nineteen propositions, which they formerly sent to the king, showed their *inclination* to abolish monarchy: they only asked, at present, the *power* of doing it. And having now, in the eye of the law, been guilty of treason, by levying war against their sovereign, it is evident that their fears and jealousies must on that account have multiplied extremely; and have rendered their personal safety, which they interwove with the safety of the nation, still more incompatible with the authority of the monarch. Though the gentleness and lenity of the king's temper might have insured them against schemes of future vengeance; they preferred, as is, no doubt, natural, an independent security, accompanied too with sovereign power, to the station of subjects, and that not entirely guarded from all apprehensions of danger. [*See note* 6 F, *at the end of this Vol.*]

The conferences went no further than the first demand on each side. The parliament, finding that there was no likelihood of coming to any agreement, suddenly recalled their commissioners.

A military enterprise, which they had concerted early in the spring, was immediately undertaken. Reading, the garrison of the king's which lay nearest to London, was esteemed a place of considerable strength in that age, when the art of attacking towns was not well understood in Europe, and was totally unknown in England. The earl of Essex sat down before this place (15th April) with an army of eighteen thousand men; and carried on the siege by regular approaches. Sir Arthur Aston, the governor, being wounded, colonel Fielding succeeded to the command. In a little time the town was found to be no longer in a condition of defence; and though the king approached, with an intention of obliging Essex to raise the siege, the disposition of the parliamentary army was so strong, as rendered the design impracticable. Fielding, therefore, was contented to yield the town, (27th April,) on condition that he should bring off all the garrison with the honours of war, and deliver up deserters. This last article was thought so ignominious and so prejudicial to the king's interests, that the governor was tried by a council of war, and condemned to lose his life, for consenting to it. His sentence was afterwards remitted by the king.

Essex's army had been fully supplied with all necessaries from London: even many superfluities and luxuries were sent by the care of the zealous citizens: yet the hardships which they suffered from the siege, during so early a season, had weakened them to such a degree, that they were no longer fit for any new enterprise. And the two armies, for some time, encamped in the neighbourhood of each other, without attempting, on either side, any action of moment.

Besides the military operations between the principal armies, which lay in the centre of England, each county, each town, each family almost, was divided within itself: and the most violent convulsions shook the whole kingdom. Throughout the winter, continual efforts had everywhere been made by each party to surmount its antagonist; and the English, roused from the lethargy of peace, with eager, though unskilful hands, employed against their fellow-citizens their long-neglected weapons. The furious zeal for liberty and presbyterian discipline, which had hitherto run uncontrolled throughout the nation, now at last excited an equal ardour for monarchy and episcopacy; when the intention of abolishing these ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though in several counties they had been entered into, and confirmed by the most solemn oaths, yet, being voted illegal by the two houses, were immediately broken; and the fire of discord was spread into every quarter. The altercation of discourse, the controversies of the pen, but, above all, the declamations of the pulpit, indisposed the minds of men towards each other, and propagated the blind rage of party. Fierce, however, and inflamed as were the dispositions of the English, by a war both civil and religious, that great destroyer of humanity; all the events of this period are less distinguished by atrocious deeds, either of treachery or cruelty, than were ever any intestine discords, which had so long a continuance. A circumstance which will be found to reflect great praise on the national character of that people, now so unhappily roused to arms.

In the north, lord Fairfax commanded for the parliament, the earl of Newcastle for the king. The latter nobleman began those associations which were afterwards so much practised in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Westmoreland, and the bishopric, and engaged some time after other counties in the same association. Finding that Fairfax, assisted by Hotham and the garrison of Hull, was making progress in the southern parts of Yorkshire, he advanced with a body of four thousand men, and took possession of York. At Tadcaster he attacked the forces of the parliament, and dislodged them; but his victory was not decisive. In other encounters he obtained some inconsiderable advantages. But the chief benefit which resulted from his enterprises was, the establishing of the king's authority in all the northern provinces.

In another part of the kingdom, lord Broke was killed by a shot, while he was taking possession of Lichfield for the parliament.* After a short combat, near Stafford, between the earl of Northampton and sir John Gell, the former, who commanded the king's forces, was killed, while he fought with great valour, and his forces, discouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford.

Sir William Waller began to distinguish himself among the generals of the parliament. Active and indefatigable in his operations, rapid and enterprising, he was fitted by his genius to the nature of the war; which, being managed by raw troops, conducted by inexperienced commanders, afforded success to every bold and sudden undertaking. After taking Winchester and Chichester, he advanced towards Gloucester, which was in a manner blockaded by lord Herbert, who had levied considerable forces in Wales for the royal party. While he attacked the Welsh on one side, a sally from Gloucester made impression on the other. Herbert was defeated; five hundred of his men killed on the spot; a thousand taken prisoners; and he himself escaped with some difficulty to Oxford. Hereford, esteemed a strong town, defended by a considerable garrison, was surrendered to Waller, from the cowardice of colonel Price, the governor. Tewkesbury underwent the same fate. Worcester refused him admittance; and Waller, without placing any garrisons in his new conquests retired to Gloucester, and he thence joined the army under the earl of Essex.

VICTORIES OF THE ROYALISTS IN THE WEST.

But the most remarkable actions of valour, during this winter-season, were performed in the west. When sir Ralph Hopton, with his small troop, retired into Cornwall before the earl of Bedford, that nobleman, despising so inconsiderable a force, abandoned the pursuit, and committed the care of suppressing the royal party to the sheriffs of the county. But the affections of Cornwall were much inclined to the king's service. While sir Richard Buller and sir Alexander Carew lay at Launceston, and employed themselves in executing the parliament's ordinance for the militia, a

* He had taken possession of Lichfield, and was viewing from a window St. Chad's cathedral, in which a party of the royalists had fortified themselves. He was dressed in complete armour, but was shot through the eye by a random ball. Lord Broke was a zealous puritan, and had formerly said, that he hoped to see with his eyes the ruin of all the cathedrals of England. It was a superstitious remark of the royalists, that he was killed on St. Chad's day by a shot from St. Chad's cathedral, which pierced that very eye by which he hoped to see the ruin of all cathedrals. Dugd. p. 118. Clarendon, &c.

meeting of the county was assembled at Truro; and after Hopton produced his commission from the earl of Hertford, the king's general, it was agreed to execute the laws, and to expel these invaders of the county. The train-bands were accordingly levied, Launceston taken, and all Cornwall reduced to peace and to obedience under the king.

It had been usual for the royal party, on the commencement of these disorders, to claim on all occasions the strict execution of the laws, which they knew were favourable to them; and the parliament, rather than have recourse to the plea of necessity, and avow the transgression of any statute, had also been accustomed to warp the laws, and by forced constructions to interpret them in their own favour. But though the king was naturally the gainer by such a method of conducting war, and it was by favour of law that the train-bands were raised in Cornwall, it appeared that those maxims were now prejudicial to the royal party. These troops could not legally, without their own consent, be carried out of the county; and consequently, it was impossible to push into Devonshire the advantage which they had obtained. The Cornish royalists, therefore, bethought themselves of levying a force which might be more serviceable. Sir Bevil Granville, the most beloved man of that country, sir Ralph Hopton, Sir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charges, to raise an army for the king; and their great interest in Cornwall soon enabled them to effect their purpose. The parliament, alarmed at this appearance of the royalists, gave a commission to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorset, Somerset, and Devon, and make an entire conquest of Cornwall. The earl of Stamford followed him at some distance with a considerable supply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, hastened to an action; lest Stamford should join him, and obtain the honour of that victory which he looked for with assurance. The royalists, in like manner, were impatient to bring the affair to a decision before Ruthven's army should receive so considerable a re-enforcement. The battle was fought on Bradoc Down; and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltash; and when that town was taken, he escaped, with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

BATTLE OF STRATTON. *May* 16.

Notwithstanding these advantages, the extreme want both of money and ammunition under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary part in Devonshire; and this neutrality held all the winter-season. In the spring it was broken by the authority of the two houses; and war recommenced with great appearance of disadvantage to the king's party. Stamford, having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair joined to the natural gallantry of these troops, commanded by the prime gentry of the county, made them resolve, by one vigorous effort, to overcome all these disadvantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by lord Mohun and sir Ralph Hopton, another by sir Bevil Granville and sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigour these four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began on all sides to gain ground. Major-general Chidley, who commanded the parliamentary army (for Stamford kept at a distance) failed not in his duty; and when he saw his men recoil, he himself advanced with a good stand of pikes, and piercing into the thickest of the enemy, was at last overpowered by numbers, and taken prisoner. His army upon this disaster, gave ground apace; insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at length met together upon the plain at the top; where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations.

BATTLE OF LANSDOWN. *July* 5.

After this success, the attention both of king and parliament was turned towards the west, as to a very important scene of action. The king sent thither the marquis of Hertford and prince Maurice with a re-enforcement of cavalry; who, having joined the Cornish army, soon overran the county of Devon; and advancing into that of Somerset, began to reduce it to obedience. On the other hand, the parliament having supplied sir William Waller, in whom they much trusted, with a complete army, dispatched him westwards, in order to check the progress of the royalists. After some skirmishes, the two armies met at Lansdown, near Bath, and fought a pitched battle, with great loss on both sides, but without any decisive event. The gallant Granville was there killed; and Hopton, by the blowing up of some powder, was dangerously hurt. The royalists next attempted to march eastwards, and to join their forces to the king's at Oxford; but Waller hung on their rear, and infested their march till they reached the Devizes. Re-enforced by additional troops, which flocked to him from all quarters, he so much surpassed the royalists in number, that they durst no longer continue their march, or expose themselves to the hazard of an action. It was resolved, that Hertford and prince Maurice should proceed with the cavalry; and having procured a re-enforcement from the king, should hasten back to the relief of their friends. Waller was so confident of taking this body of infantry, now abandoned by the horse, that he wrote to the parliament, that their work was done, and that by the next post he would inform them of the number and quality of the prisoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his western army was reduced, had prepared a considerable body of cavalry, which he immediately dispatched to their succour under the command of lord Wilmot. Waller drew up on Roundwaydown, about two miles from the Devizes; (13th July;) and advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Cornish infantry, was received with equal valour by the royalists. After a sharp action he was totally routed, and flying with a few horse, escaped to Bristol. Wilmot, seizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and dispersed the whole army.

This important victory following so quick after many other successes, struck great dismay into the parliament, and gave an alarm to their principal army, commanded by Essex. Waller exclaimed loudly against

that general, for allowing Wilmot to pass him, and proceed without any interruption to the succour of the distressed infantry at the Devizes. But Essex, finding that his army fell continually to decay after the siege of Reading, was resolved to remain upon the defensive: and the weakness of the king, and his want of all military stores, had also restrained the activity of the royal army. No action had happened in that part of England, except one skirmish, which of itself was of no great consequence, and was rendered memorable by the death alone of the famous Hambden.

Colonel Urrey, a Scotchman, who served in the parliamentary army, having received some disgust, came to Oxford, and offered his services to the king. In order to prove the sincerity of his conversion, he informed prince Rupert of the loose disposition of the enemy's quarters, and exhorted him to form some attempt upon them. The prince, who was entirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback, in order to pursue the prince, to recover the prisoners, and to repair the disgrace which the army had sustained. Among the rest, Hambden, who had a regiment of infantry that lay at a distance, joined the horse as a volunteer; and overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with two hundred prisoners, was conveyed to Oxford. But what most pleased the royalists was, the expectation that some disaster had happened to Hambden, their capital and much-dreaded enemy. One of the prisoners taken in the action said, that he was confident Mr. Hambden was hurt: for he saw him, contrary to his usual custom, ride off the field, before the action was finished; his head hanging down, and his hands leaning upon his horse's neck. Next day, the news arrived, that he was shot in the shoulder with a brace of bullets, and the bone broken. Some days after, he died, in exquisite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater consternation. The king himself so highly valued him, that either from generosity or policy, he intended to have sent him his own surgeon to assist at his cure.

Many were the virtues and talents of this eminent personage; and his valour, during the war, had shone out with a lustre equal to that of the other accomplishments by which he had ever been distinguished. Affability in conversation; temper, art, and eloquence in debate; penetration and discernment in council; industry, vigilance, and enterprise in action; all these praises are unanimously ascribed to him by historians of the most opposite parties. His virtues too, and integrity, in all the duties of private life, are allowed to have been beyond exception: we must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Through all the horrors of civil war, he sought the abolition of monarchy, and subversion of the constitution; an end which, had it been attainable by peaceful measures, ought carefully to have been avoided by every lover of his country. But whether in the pursuit of this violent enterprise, he was actuated by private ambition, or by honest prejudices, derived from the former exorbitant powers of royalty, it belongs not to an historian of this age, scarcely even to an intimate friend, positively to determine. [*See note* 6 G, *at the end of this Vol.*]

BRISTOL TAKEN. *July* 25.

Essex, discouraged by this event, dismayed by the total rout of Waller, was further informed, that the queen, who landed in Burlington-bay, had arrived at Oxford, and had brought from the north a re-enforcement of three thousand foot and fifteen hundred horse. Dislodging from Thame and Aylesbury, where he had hitherto lain, he thought proper to retreat nearer to London, and he showed to his friends his broken and disheartened forces, which a few months before he had led into the field in so flourishing a condition. The king, freed from this enemy, sent his army westward under prince Rupert, and, by their conjunction with the Cornish troops, a formidable force, for numbers as well as reputation and valour, was composed. That an enterprise correspondent to men's expectations might be undertaken, the prince resolved to lay siege to Bristol, the second town for riches and greatness in the kingdom. Nathaniel Fiennes, son of lord Say, he himself, as well as his father, a great parliamentary leader, was governor, and commanded a garrison of two thousand five hundred foot, and two regiments, one of horse, another of dragoons. The fortifications not being complete or regular, it was resolved by prince Rupert to storm the city; and next morning, with little other provisions suitable to such a work, besides the courage of the troops, the assault began. The Cornish, in three divisions, attacked the west side, with a resolution which nothing could control: but though the middle division had already mounted the wall, so great was the disadvantage of the ground, and so brave the defence of the garrison, that in the end the assailants were repulsed with a considerable loss both of officers and soldiers. On the prince's side, the assault was conducted with equal courage, and almost with equal loss, but with better success. One party, led by lord Grandison, was indeed beaten off, and the commander himself mortally wounded: another, conducted by colonel Bellasis, met with a like fate; but Washington, with a less party, finding a place in the curtain weaker than the rest, broke in and quickly made room for the horse to follow. By this irruption, however, nothing but the suburbs was yet gained; the entrance into the town was still more difficult; and by the loss already sustained, as well as by the prospect of further danger, every one was extremely discouraged; when, to the great joy of the army, the city beat a parley. The garrison was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this instance of cowardice, Fiennes was afterwards tried by a court-martial, and condemned to lose his head; but the sentence was remitted by the general.

General complaints were made of violences exercised on the garrison, contrary to the capitulation. An apology was made by the royalists, as if these were a retaliation for some violences committed on their friends at the surrender of Reading. And under pretence of like retaliations, but really from the extreme animosity of the parties, were such irregularities continued during the whole course of the war.

The loss sustained by the royalists, in the assault of Bristol, was considerable. Five hundred excellent soldiers perished. Among those of condition were Grandison, Slanning, Trevannion, and Moyle; Bellasis, Ashley, and sir John Owen, were wounded: yet was the success, upon the whole, so considerable, as mightily raised the courage of the one party, and depressed that of the other. The king, to show that he was not intoxicated with good fortune, nor aspired to a total victory over the parliament, published a manifesto, in which he renewed the protestation, formerly taken, with great solemnity, at the head of his army, and expressed his firm intention of making peace upon the re-establishment of the constitution. Having joined the camp at Bristol, and sent prince Maurice with a detachment into Devonshire, he deliberated how to employ the remaining forces in an enterprise of moment. Some proposed, and seemingly with reason, to march directly to London; where everything was in confusion, where the army of the parliament was baffled, weakened, and dismayed, and where, it was

hoped, either by an insurrection of the citizens, by victory or by treaty, a speedy end might be put to the civil disorders. But this undertaking, by reason of the great number and force of the London militia, was thought by many to be attended with considerable difficulties. Gloucester, lying within twenty miles, presented an easier, yet a very important conquest. It was the only remaining garrison possessed by the parliament in those parts. Could that city be reduced, the king held the whole course of the Severn under his command: the rich and malcontent counties of the west, having lost all protection from their friends, might be forced to pay high contributions, as an atonement for their disaffection; and open communication could be preserved between Wales and these new conquests; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-establishing the king's authority throughout the remainder. These were the reasons for embracing that resolution, fatal, as it was ever esteemed, to the royal party.

SIEGE OF GLOUCESTER.

The governor of Gloucester was one Massey, a soldier of fortune, who, before he engaged with the parliament, had offered his service to the king; and as he was free from the fumes of enthusiasm, by which most of the officers on that side were intoxicated, he would lend an ear, it was presumed, to proposals for accommodation: but Massey was resolute to preserve an entire fidelity to his masters; and though no enthusiast himself, he well knew how to employ to advantage that enthusiastic spirit so prevalent in his city and garrison. The summons to surrender, (10th August,) allowed two hours for an answer; but before that time expired, there appeared before the king two citizens, with lean, pale, sharp, and dismal visages: faces, so strange and uncouth, according to lord Clarendon; figures, so habited and accoutred, as at once moved the most severe countenance to mirth, and the most cheerful heart to sadness: it seemed impossible that such messengers could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undismayed accent, said, that they brought an answer from the godly city of Gloucester: and extremely ready were they, according to the historian, to give insolent and seditious replies to any question; as if their business were chiefly by provoking the king, to make him violate his own safe-conduct. The answer from the city was in these words: "We, the inhabitants, magistrates, officers, and soldiers, within the garrison of Gloucester, unto his majesty's gracious message return this humble answer; that we do keep this city according to our oaths and allegiance, to and for the use of his majesty, and of his royal posterity: and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both houses of parliament: and are resolved, by God's help, to keep this city accordingly." After these preliminaries, the siege was resolutely undertaken by the army, and as resolutely sustained by the citizens and garrison.

When intelligence of the siege of Gloucester arrived in London, the consternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progress of the royalists threatened the parliament with immediate subjection: the factions and discontents among themselves, in the city, and throughout the neighbouring counties, prognosticated some dangerous division or insurrection. Those parliamentary leaders, it must be owned, who had introduced such mighty innovations in the English constitution, and who had projected so much greater, had not engaged in an enterprise which exceeded their courage and capacity. Great vigour, from the beginning, as well as wisdom, they had displayed in all their counsels; and a furious, headstrong body, broken loose from the restraint of law, had hitherto been retained in subjection under their authority, and firmly united by zeal and passion, as by the most legal and established government. A small committee, on whom the two houses devolved their power, had directed all their military operations, and had preserved a secrecy in deliberation, and a promptitude in execution, beyond what the king, notwithstanding the advantages possessed by a single leader, had ever been able to attain. Sensible that no jealousy was by their partisans entertained against them, they had on all occasions exerted an authority much more despotic than the royalists, even during the pressing exigencies of war, could with patience endure in their sovereign. Whoever incurred their displeasure, or was exposed to their suspicions, was committed to prison, and prosecuted under the notion of delinquency: after all the old jails were full, many new ones were erected: and even the ships were crowded with the royalists, both gentry and clergy, who languished below decks, and perished in those unhealthy confinements: they imposed taxes, the heaviest, and of the most unusual nature, by an ordinance of the two houses: they voted a commission for sequestrations; and they seized, wherever they had power, the revenues of all the king's party:* and knowing that themselves, and all their adherents, were, by resisting the prince, exposed to the penalties of laws, they resolved, by a severe administration, to overcome these terrors, and to retain the people in obedience, by penalties of a more immediate execution. In the beginning of this summer, a combination, formed against them in London, had obliged them to exert the plenitude of their authority.

Edmund Waller, the first refiner of English versification, was a member of the lower house; a man of considerable fortune, and not more distinguished by his poetical genius than his parliamentary talents, and by the politeness and elegance of his manners. As full of keen satire and invective in his eloquence, as of tenderness and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmost boldness in blaming those violent counsels by which the commons were governed. Finding all opposition within doors to be fruitless, he endeavoured to form a party without, which might oblige the parliament to accept of reasonable conditions, and restore peace to the nation. The charms of his conversation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent person of either sex, who resided in London. They opened their breasts to him without reserve, and expressed their disapprobation of the furious measures pursued by the commons, and their wishes that some expedient could be found for stopping so impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like sentiments: and as the connexions of these two gentlemen lay chiefly in the city, they informed Waller, that the same abhorrence of war prevailed there, among all men of reason and moderation. Upon reflection it seemed not impracticable, that a combination might be formed between the lords and citizens; and, by mutual concert, the illegal taxes be refused, which the parliament, without the royal assent, imposed on the people. While this affair was in agitation, and lists were making of such as they conceived to be well affected to their design, a servant of Tomkins, who had overheard their discourse, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were seized, and tried by a court-martial. They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a test, was taken† by the lords and

* The king afterwards copied from this example; but, as the far greater part of the nobility and landed gentry were his friends, he reaped much less profit from this measure.

† 6th June.

commons, and imposed on their army, and on all who lived within their quarters. Besides resolving to amend and reform their lives, the covenanters there vow, that they will never lay down their arms so long as the papists, now in open war against the parliament, shall, by force of arms, be protected from justice; they express their abhorrence of the late conspiracy; and they promise to assist to the utmost the forces raised by both houses, against the forces levied by the king.

Waller, as soon as imprisoned, sensible of the great danger into which he had fallen, was so seized with the dread of death, that all his former spirit deserted him; and he confessed whatever he knew, without sparing his most intimate friends, without regard to the confidence reposed in him, without distinguishing between the negligence of familiar conversation, and the schemes of a regular conspiracy. With the most profound dissimulation, he counterfeited such remorse of conscience, that his execution was put off, out of mere Christian compassion, till he might recover the use of his understanding. He invited visits from the ruling clergy of all sects; and while he expressed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Presents too, of which, as well as of flattery, these holy men were not insensible, were distributed among them; as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, small account would be made, he prevailed so far as to have his life spared, and a fine of ten thousand pounds accepted in lieu of it.

The severity exercised against the conspiracy, or rather project, of Waller, increased the authority of the parliament, and seemed to ensure them against like attempts for the future. But by the progress of the king's arms, the defeat of sir William Waller, the taking of Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the house, and were so clamorous and importunate, that orders were given for dispersing them: and some of the females were killed in the fray. Bedford, Holland, and Conway had deserted the parliament, and had gone to Oxford; Clare and Lovelace had followed them. Northumberland had retired to his country-seat: Essex himself showed extreme dissatisfaction, and exhorted the parliament to make peace. The upper house sent down terms of accommodation more moderate than had hitherto been insisted on. It even passed by a majority among the commons, that these proposals should be transmitted to the king. The zealots took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party. The pulpits thundered, and rumours were spread of twenty thousand Irish, who had landed, and were to cut the throat of every protestant. The majority was again turned to the other side; and all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the parliament was sensible all their hopes of success in the war did so much depend.

Massey, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies, he infested them in their trenches, and gained sudden advantages over them: by disputing every inch of ground, he repressed the vigour and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity; and he failed not, from time to time, to inform the parliament, that, unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

The parliament, in order to repair their broken condition, and put themselves in a posture of defence, now exerted to the utmost their power and authority. They voted that an army should be levied under sir William Waller, whom, notwithstanding his misfortunes, they loaded with extraordinary caresses. Having associated in their cause the counties of Hertford, Essex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the earl of Manchester a commission to be general of the association, and appointed an army to be levied under his command. But, above all, they were intent that Essex's army, on which their whole fortune depended, should be put in a condition of marching against the king. They excited afresh their preachers to furious declamations against the royal cause. They even employed the expedient of pressing, though abolished by a late law, for which they had strenuously contended. And they engaged the city to send four regiments of its militia to the relief of Gloucester. All shops, meanwhile, were ordered to be shut; and every man expected, with the utmost anxiety, the event of that important enterprise.

Essex, carrying with him a well-appointed army of fourteen thousand men, took the road of Bedford and Leicester; and though inferior in cavalry, yet by the mere force of conduct and discipline, he passed over those open champaign countries, and defended himself from the enemy's horse, who advanced to meet him, and who infested him during his whole march. As he approached to Gloucester, the king was obliged to raise the siege, and open the way for Essex to enter that city. The necessities of the garrison were extreme. One barrel of powder was their whole stock of ammunition remaining; and their other provisions were in the same proportion. Essex had brought with him military stores; and the neighbouring country abundantly supplied him with victuals of every kind. The inhabitants had carefully concealed all provisions from the king's army, and pretending to be quite exhausted, had reserved their stores for that cause which they so much favoured.

The chief difficulty still remained. Essex dreaded a battle with the king's army, on account of its great superiority in cavalry; and he resolved to return, if possible, without running that hazard. He lay five days at Tewkesbury, which was his first stage after leaving Gloucester; and he feigned, by some preparations, to point towards Worcester. By a forced march during the night, he reached Cirencester, and obtained the double advantage of passing unmolested an open country, and of surprising a convoy of provisions which lay in that town. Without delay he proceeded towards London; but when he reached Newbury, he was surprised to find that the king, by hasty marches, had arrived before him, and was already possessed of the place.

BATTLE OF NEWBURY. *September* 20.

An action was now unavoidable; and Essex prepared for it with presence of mind, and not without military conduct. On both sides, the battle was fought with desperate valour and a steady bravery. Essex's horse were several times broken by the king's, but his infantry maintained themselves in firm array; and, besides giving a continued fire, they presented an invincible rampart of pikes against the furious shock of prince Rupert, and those gallant troops of gentry, of which the royal cavalry was chiefly composed. The militia of London especially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exercises, and being animated with unconquerable zeal for the cause in which they were engaged, equalled, on this occasion, what could be ex-

pected from the most veteran forces. While the armies were engaged with the utmost ardour, night put an end to the action, and left the victory undecided. Next morning, Essex proceeded on his march; and though his rear was once put in some disorder by an incursion of the king's horse, he reached London in safety, and received applause for his conduct and success in the whole enterprise. The king followed him on his march; and having taken possession of Reading, after the earl left it, he there established a garrison; and straitened, by that means, London, and the quarters of the enemy.

In the battle of Newbury, on the part of the king, besides the earls of Sunderland and Carnarvon, two noblemen of promising hopes, were unfortunately slain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary, viscount Falkland, secretary of state. Before assembling the present parliament, this man, devoted to the pursuits of learning, and to the society of all the polite and elegant, had enjoyed himself in every pleasure, which a fine genius, a generous disposition, and an opulent fortune could afford. Called into public life, he stood foremost in all attacks on the high prerogatives of the crown; and displayed that masculine eloquence, and undaunted love of liberty, which, from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremities, and it became requisite for him to choose his side; he tempered the ardour of his zeal, and embraced the defence of those limited powers which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party as much as of the enemy; and, among his intimate friends, often, after a deep silence and frequent sighs, he would, with a sad accent, reiterate the word *Peace*. In excuse for the too free exposing of his person, which seemed unsuitable in a secretary of state, he alleged, that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war, his natural cheerfulness and vivacity became clouded; and even his usual attention to dress, required by his birth and station, gave way to a negligence which was easily observable. On the morning of the battle in which he fell, he had shown some care of adorning his person: and gave for a reason, that the enemy should not find his body in any slovenly, indecent situation. "I am weary," subjoined he, "of the times, and foresee much misery to my country; but believe, that I shall be out of it ere night." This excellent person was but thirty-four years of age when a period was thus put to his life.

The loss sustained on both sides in the battle of Newbury, and the advanced season, obliged the armies to retire into winter-quarters.

ACTIONS IN THE NORTH.

In the north, during this summer, the great interest and popularity of the earl, now created marquis of Newcastle, had raised a considerable force for the king; and great hopes of success were entertained from that quarter. There appeared, however, in opposition to him, two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valour and military conduct. These were sir Thomas Fairfax, son of the lord of that name, and Oliver Cromwell. The former gained a considerable advantage at Wakefield* over a detachment of royalists, and took general Goring prisoner; the latter obtained a victory at Gainsborough† over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of lord Fairfax at Atherton-moor,‡ and the dispersion of his army. After this victory, Newcastle, with an army of fifteen thousand men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, partly from a jealousy entertained of lord Fairfax, partly repenting of their engagements against the king, had entered into a correspondence with Newcastle, and had expressed an intention of delivering Hull into his hands. But their conspiracy being detected, they were arrested and sent prisoners to London; where, without any regard to their former services, they fell, both of them, victims to the severity of the parliament.

Newcastle, having carried on the attack of Hull for some time, was beat off by a sally of the garrison,† and suffered so much, that he thought proper to raise the siege. About the same time, Manchester, who advanced from the eastern associated counties, having joined Cromwell and young Fairfax, obtained a considerable victory over the royalists at Horncastle; where the two officers last-mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party still remained much superior in those parts of England; and had it not been for the garrison of Hull, which kept Yorkshire in awe, a conjunction of the northern forces with the army in the south might have been made, and had probably enabled the king, instead of entering on the unfortunate, perhaps imprudent, enterprise of Gloucester, to march directly to London, and put an end to the war.

While the military enterprises were carried on with vigour in England, and the event became every day more doubtful, both parties cast their eye towards the neighbouring kingdoms, and sought assistance for the finishing of that enterprise, in which their own forces experienced such furious opposition. The parliament had recourse to Scotland; the king, to Ireland.

When the Scottish covenanters obtained that end, for which they so earnestly contended, the establishment of presbyterian discipline in their own country, they were not satisfied, but indulged still an ardent passion for propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themselves, in the fervour of their zeal, that, by supernatural assistances, they should be enabled to carry their triumphant covenant to the gates of Rome itself, it behoved them first to render it prevalent in England, which already showed so great a disposition to receive it. Even in the articles of pacification, they expressed a desire of uniformity in worship with England; and the king, employing general expressions, had approved of this inclination, as pious and laudable. No sooner was there an appearance of a rupture, than the English parliament, in order to allure that nation into a close confederacy, openly declared their wishes of ecclesiastical reformation, and of imitating the example of their northern brethren. When war was actually commenced, the same artifices were used; and the Scots beheld, with the utmost impatience, a scene of action, of which they could not deem themselves indifferent spectators. Should the king, they said, be able, by force of arms, to prevail over the parliament of England, and re-establish his authority in that powerful kingdom, he will undoubtedly retract all those concessions, which, with so many circumstances of violence and indignity, the Scots have extorted from him. Besides a sense of his own interest, and a regard to royal power, which has been entirely annihilated in this country; his very passion for prelacy and for religious ceremonies, must lead him to invade a church which he has ever been taught to regard as antichristian and unlawful. Let us but consider who the persons are that compose the factions now so furiously engaged in arms. Does not the parliament consist of those very men who have ever opposed all war with

* 21st of May † 31st of July ‡ 30th of June † 22nd of June † 12th of October.

Scotland, who have punished the authors of our oppressions, who have obtained us the redress of every grievance, and who, with many honourable expressions, have conferred on us an ample reward for our brotherly assistance! And is not the court full of papists, prelates, malignants; all of them zealous enemies to our religious model, and resolute to sacrifice their lives for their idolatrous establishments? Not to mention our own necessary security; can we better express our gratitude to Heaven for that pure light with which we are, above all nations, so eminently distinguished, than by conveying the same divine knowledge to our unhappy neighbours, who are wading through a sea of blood in order to attain it? These were, in Scotland, the topics of every conversation: with these doctrines the pulpits echoed: and the famous curse of Meroz, that curse so solemnly denounced and reiterated against neutrality and moderation, resounded from all quarters.*

The parliament of England had ever invited the Scots, from the commencement of the civil dissensions, to interpose their mediation, which, they knew, would be so little favourable to the king: and the king, for that very reason, had ever endeavoured, with the least offensive expressions, to decline it. Early this spring, the earl of Loudon, the chancellor, with other commissioners, and attended by Henderson, a popular and intriguing preacher, was sent to the king at Oxford, and renewed the offer of mediation; but with the same success as before. The commissioners were also empowered to press the king on the article of religion, and to recommend to him the Scottish model of ecclesiastic worship and discipline. This was touching Charles in a very tender point: his honour, his conscience, as well as his interest, he believed to be intimately concerned in supporting prelacy and the liturgy. [*See note* 6 H, *at the end of this Vol.*] He begged the commissioners, therefore, to remain satisfied with the concessions which he had made to Scotland; and, having modelled their own church according to their own principles, to leave their neighbours in the like liberty, and not to intermeddle with affairs of which they could not be supposed competent judges.

The divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from church history, their quotations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north: but Henderson, who had ever regarded as impious, the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, absolutely refused all disputation or controversy. The English divines went away full of admiration at the blind assurance and bigoted prejudices of the man: he, on his part, was moved with equal wonder at their obstinate attachment to such palpable errors and delusions.

By the concessions which the king had granted to Scotland, it became necessary for him to summon a parliament once in three years; and in June of the subsequent year was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself that he should be able, by some decisive advantage, to reduce the English parliament to a reasonable submission, and might then expect, with security, the meeting of a Scottish parliament. Though earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men who had already excited such dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the king's passport for London, where they purposed to confer with the English parliament; and being likewise denied this request, they returned with extreme dissatisfaction to Edinburgh.

The office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and these, instigated by the clergy, were resolved, since they could not obtain the king's consent, to summon, in his name, but by their own authority, a convention of states; and to bereave their sovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of English armies, was a convention called; an assembly which, though it meets with less solemnity, has the same authority as a parliament, in raising money and levying forces. Hamilton, and his brother, the earl of Laneric, who had been sent into Scotland in order to oppose these measures, wanted either authority or sincerity; and passively yielded to the torrent. The general assembly of the church met at the same time with the convention, and, exercising an authority almost absolute over the whole civil power, made every political consideration yield to their theological zeal and prejudices.

SOLEMN LEAGUE AND COVENANT.

The English parliament was, at that time, fallen into great distress, by the progress of the royal arms; and they gladly sent to Edinburgh commissioners, with ample powers, to treat of a nearer union and confederacy with the Scottish nation. The persons employed were the earl of Rutland, sir William Armyne, sir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Marshal and Nye, two clergymen of signal authority. In this negociation, the man chiefly trusted was Vane, who, in eloquence, address, capacity, as well as in art and dissimulation, was not surpassed by any one, even during that age, so famous for active talents. By his persuasion was framed at Edinburgh, that SOLEMN LEAGUE AND COVENANT, which effaced all former protestations and vows taken in both kingdoms; and long maintained its credit and authority. In this covenant, the subscribers, besides engaging mutually to defend each other against all opponents, bound themselves to endeavour, without respect of persons, the extirpation of popery and prelacy, superstition, heresy, schism, and profaneness; to maintain the rights and privileges of parliaments, together with the king's authority; and to discover and bring to justice all incendiaries and malignants.

The subscribers of the covenant vowed also to preserve the reformed religion established in the church of Scotland; but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that these kingdoms should be reformed, according to the word of God, and the example of the purest churches. The Scottish zealots, when prelacy was abjured, deemed this expression quite free from ambiguity, and regarded their own model as the only one which corresponded, in any degree, to such a description: but that able politician had other views, and while he employed his great talents in over-reaching the presbyterians, and secretly laughed at their simplicity, he had blindly devoted himself to the maintenance of systems still more absurd and more dangerous.

In the English parliament there remained some members, who, though they had been induced, either by private ambition, or by zeal for civil liberty, to concur with the majority, still retained an attachment to the hierarchy, and to the ancient modes of worship But, in the present danger which threatened their cause, all scruples were laid aside; and the covenant, by whose means alone they could expect to obtain so considerable a re-enforcement as the accession of the Scottish nation, was received without opposition. (17th

* "Curse ye Meroz, said the angel of the Lord; curse ye bitterly the inhabitants thereof; because they came not to the help of the Lord, to the help of the Lord against the mighty." Judges, ch. v. ver. 23.

September.) The parliament, therefore, having first subscribed it themselves, ordered it to be received by all who lived under their authority.

ARMING OF THE SCOTS.

Great were the rejoicings among the Scots, that they should be the happy instruments of extending their mode of religion, and dissipating that profound darkness in which the neighbouring nations were involved. The general assembly applauded this glorious imitation of the piety displayed by their ancestors, who, they said, in three different applications, during the reign of Elizabeth, had endeavoured to engage the English, by persuasion, to lay aside the use of the surplice, tippet, and corner-cap. The convention too, in the height of their zeal, ordered every one to swear to this covenant, under the penalty of confiscation; beside what further punishment it should please the ensuing parliament to inflict on the refusers, as enemies to God, to the king, and to the kingdom. And being determined that the sword should carry conviction to all refractory minds, they prepared themselves, with great vigilance and activity, for their military enterprises. By means of a hundred thousand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention men's favourable disposition towards the cause; they soon completed their levies. And having added, to their other forces, the troops which they had recalled from Ireland, they were ready, about the end of the year, to enter England, under the command of their old general, the earl of Leven, with an army of above twenty thousand men.

The king, foreseeing this tempest which was gathering upon him, endeavoured to secure himself by every expedient; and he cast his eye towards Ireland, in hopes that this kingdom, from which his cause had already received so much prejudice, might at length contribute somewhat towards his protection and security.

STATE OF IRELAND.

After the commencement of the Irish insurrection, the English parliament, though they undertook the suppression of it, had ever been too much engaged, either in military projects, or expeditions at home, to take any effectual step towards finishing that enterprise. They had entered, indeed, into a contract with the Scots, for sending over an army of ten thousand men into Ireland; and, in order to engage that nation in this undertaking, beside giving a promise of pay, they agreed to put Carickfergus into their hands, and to invest their general with an authority quite independent of the English government. These troops, so long as they were allowed to remain, were useful, by diverting the force of the Irish rebels, and protecting in the north the small remnants of the British planters. But, except this contract with the Scottish nation, all the other measures of the parliament either were hitherto absolutely insignificant, or tended rather to the prejudice of the protestant cause in Ireland. By continuing their violent persecution, and still more violent menaces against priests and papists, they confirmed the Irish catholics in their rebellion, and cut off all hopes of indulgence and toleration. By disposing beforehand of all the Irish forfeitures to subscribers or adventurers, they rendered all men of property desperate, and seemed to threaten a total extirpation of the natives.* And while they thus infused zeal and animosity into the enemy, no measure was pursued which could tend to support or encourage the protestants, now reduced to the last extremities.

So great is the ascendant which, from a long course of successes, the English has acquired over the Irish nation, that though the latter, when they receive military discipline among foreigners, are not surpassed by any troops, they had never, in their own country, been able to make any vigorous effort for the defence or recovery of their liberties. In many rencounters, the English, under lord More, sir William St. Leger, sir Frederic Hamilton, and others, had, though under great disadvantages of situation and numbers, put the Irish to rout, and returned in triumph to Dublin. The rebels raised the siege of Tredah, after an obstinate defence made by the garrison. Ormond had obtained two complete victories at Kilrush and Ross; and had brought relief to all the forts which were besieged or blockaded in different parts of the kingdom. But notwithstanding these successes, even the most common necessaries of life were wanting to the victorious armies. The Irish, in their wild rage against the British planters, had laid waste the whole kingdom, and were themselves totally unfit, from their habitual sloth and ignorance, to raise any convenience of human life. During the course of six months no supplies had come from England, except the fourth part of one small vessel's lading. Dublin, to save itself from starving, had been obliged to send the greater part of its inhabitants to England. The army had little ammunition, scarcely exceeding forty barrels of gunpowder; not even shoes or clothes; and for want of food the soldiers had been obliged to eat their own horses. And though the distress of the Irish was not much inferior; besides that they were more hardened against such extremities, it was but a melancholy reflection, that the two nations, while they continued their furious animosities, should make desolate that fertile island which might serve to the subsistence and happiness of both.

The justices and council of Ireland had been engaged, chiefly by the interest and authority of Ormond, to fall into an entire dependence on the king. Parsons, Temple, Loftus, and Meredith, who favoured the opposite party, had been removed; and Charles had supplied their place by others better affected to his service. A committee of the English house of commons, which had been sent over to Ireland, in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders transmitted from the king. And these were reasons sufficient, besides the great difficulties under which they themselves laboured, why the parliament was unwilling to send supplies to an army which, though engaged in a cause much favoured by them, was commanded by their declared enemies. They even intercepted some small succours sent thither by the king.

The king, as he had neither money, arms, ammunition, nor provisions to spare from his own urgent wants, resolved to embrace an expedient, which might at once relieve the necessities of the Irish protestants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English parliament. But as a treaty with a people so odious for their barbarities, and still more for their religion, might be represented in invidious colours, and renew all those calumnies with which he had been loaded, it was necessary to proceed with great caution in conducting that measure. A remonstrance from the army was made to the Irish council, representing their intolerable necessities, and craving permission to leave the kingdom: and if that were refused, "We must have recourse," they said, "to that first and primary law, with which God has endowed all men; we mean, the law of nature, which teaches every creature to preserve itself." Memorials both to the king and parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth; and though the general expressions in these memorials might perhaps be suspected of exaggeration, yet from the particular facts mentioned,

* A thousand acres in Ulster were given to every one that subscribed two hundred pounds, in Connaught to the subscribers of three hundred and fifty, in Munster for four hundred and fifty, in Leinster for six hundred.

from the confession of the English parliament itself, and from the very nature of things, it is apparent that the Irish protestants were reduced to great extremities;* and it became prudent in the king, if not absolutely necessary, to embrace some expedient, which might secure them, for a time, from the ruin and misery with which they were threatened.

Accordingly, the king gave orders† to Ormond and the justices to conclude, for a year, a cessation of arms with the council of Kilkenny, by whom the Irish were governed, and to leave both sides in possession of their present advantages. The parliament, whose business it was to find fault with every measure adopted by the opposite party, and who would not lose so fair an opportunity of reproaching the king with his favour to the Irish papists, exclaimed loudly against this cessation. Among other reasons, they insisted upon the divine vengeance, which England might justly dread, for tolerating antichristian idolatry, on pretence of civil contracts and political agreements. Religion, though every day employed as the engine of their own ambitious purposes, was supposed too sacred to be yielded up to the temporal interests or safety of kingdoms.

After the cessation, there was little necessity, as well as no means, of subsisting the army in Ireland. The king ordered Ormond, who was entirely devoted to him, to send over considerable bodies of it to England. Most of them continued in his service: but a small part, having imbibed in Ireland a strong animosity against the catholics, and hearing the king's party universally reproached with popery, soon after deserted to the parliament.

Some Irish catholics who came over with these troops, had joined the royal army, where they continued the same cruelties and disorders to which they had been accustomed. The parliament voted, that no quarter, in any action, should ever be given them: but prince Rupert, by making some reprisals, soon repressed this inhumanity.

CHAPTER LVII.

Invasion of the Scots——Battle of Marston Moor——Battle of Cropredy Bridge——Essex's Forces disarmed——Second Battle of Newbury——Rise and Character of the Independents——Self-denying Ordinance——Fairfax, Cromwell——Treaty of Uxbridge——Execution of Laud.

THE king had hitherto, during the course of the war, obtained many advantages over the parliament, and had raised himself from that low condition into which he had at first fallen, to be nearly upon an equal footing with his adversaries. Yorkshire, and all the northern counties, were reduced by the marquis of Newcastle: and, excepting Hull, the parliament was master of no garrison in these quarters. In the west, Plymouth alone, having been in vain besieged by prince Maurice, resisted the king's authority: and had it not been for the disappointment in the enterprise of Gloucester, the royal garrisons had reached, without interruption, from one end of the kingdom to the other; and had occupied a greater extent of ground than those of the parliament. Many of the royalists flattered themselves, that the same vigorous spirit, which had elevated them to the present height of power, would still favour their progress, and obtain them a final victory over their enemies: but those who judged more soundly, observed, that, besides the accession of the whole Scottish nation to the side of the parliament, the very principle on which the royal successes had been founded was every day acquired, more and more, by the opposite party. The king's troops, full of gentry and nobility, had exercised a valour superior to their enemies, and had hitherto been successful in almost every rencounter: but, in proportion as the whole nation became warlike, by the continuance of civil discords, this advantage was more equally shared; and superior numbers, it was expected, must at length obtain the victory. The king's troops also, ill paid, and destitute of every necessary, could not possibly be retained in equal discipline with the parliamentary forces, to whom all supplies were furnished from unexhausted stores and treasures. The severity of manners, so much affected by these zealous religionists, assisted their military institutions; and the rigid inflexibility of character by which the austere reformers of church and state were distinguished, enabled the parliamentary chiefs to restrain their soldiers within stricter rules and more exact order. And while the king's officers indulged themselves even in greater licences than those to which, during times of peace, they had been accustomed, they were apt, both to neglect their military duty, and to set a pernicious example of disorder to the soldiers under their command.

At the commencement of the civil war, all Englishmen, who served abroad were invited over, and treated with extraordinary respect: and most of them, being descended of good families, and by reason of their absence, unacquainted with the new principles which depressed the dignity of the crown, had inlisted under the royal standard. But it is observable that, though the military profession requires great genius, and long experience, in the principal commanders, all its subordinate duties may be discharged by ordinary talents, and from superficial practice. Citizens and country-gentlemen soon became excellent officers, and the generals of greatest fame and capacity happened, all of them, to spring up on the side of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the subordinate officers: and every man there, as in a regular established government, was confined to the station in which his birth had placed him.

The king, that he might make preparations, during winter, for the ensuing campaign, summoned to Oxford all the members of either house, who adhered to his interests; and endeavoured to avail himself of the name of parliament, so passionately cherished by the English nation. The house of peers was pretty full; and, besides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Westminster. The house of commons consisted of about a hundred and forty; which amounted not to above half of the other house of commons.

So extremely light had government hitherto lain upon the people, that the very name of *excise* was unknown to them; and, among other evils arising from these domestic wars, was the introduction of that impost into England. The parliament at Westminster having voted an excise on beer, wine, and other commodities; those at Oxford imitated the example, and conferred that revenue on the king. And in order to enable him the better to recruit his army, they granted him the sum of a hundred thousand pounds, to be levied by way of loan upon the subject. The king circulated privy-seals, countersigned by the speakers of both houses, requiring the loan of particular sums from such persons as lived within his quarters. Neither party had as yet got above the pedantry of reproaching their antagonists with these illegal measures.

The Westminster parliament passed a whimsical ordinance, commanding all the inhabitants of London and the neighbourhood to retrench a meal a week; and to pay the value of it for the support of the public cause. It is easily imagined, that, provided the money were paid, they troubled themselves but little about the execution of their ordinance.

* See further, Carte's Ormond, vol. iii. No. 113, 127, 129, 130, 134, 136, 141, 144, 149, 158, 159. All these papers put it past doubt, that the necessities of the English army in Ireland were extreme. See further, Rushworth, vol. vi. p. 547, and Dugdale, p. 853, 854.

† 7th September.

Such was the king's situation, that in order to restore peace to the nation, he had no occasion to demand any other terms than the restoring of the laws and constitution; the replacing him in the same rights which had ever been enjoyed by his predecessors; and the re-establishing, on its ancient basis, the whole frame of government, civil as well as ecclesiastical. And, that he might facilitate an end seemingly so desirable, he offered to employ means equally popular, an universal act of oblivion, and a toleration or indulgence to tender consciences. Nothing therefore could contribute more to his interests than every discourse of peace, and every discussion of the conditions upon which that blessing could be obtained. For this reason, he solicited a treaty, on all occasions, and desired a conference and mutual examination of pretensions, even when he entertained no hopes that any conclusion could possibly result from it.

For like reasons, the parliament prudently avoided, as much as possible, all advances towards negociation, and were cautious not to expose too easily to censure those high terms, which their apprehensions or their ambition made them previously demand of the king. Though their partisans were blinded with the thickest veil of religious prejudices, they dreaded to bring their pretensions to the test, or lay them open before the whole nation. In opposition to the sacred authority of the laws, to the venerable precedents of many ages, the popular leaders were ashamed to plead nothing but fears and jealousies, which were not avowed by the constitution, and for which neither the personal character of Charles, so full of virtue, nor his situation, so deprived of all independent authority, seemed to afford any reasonable foundation. Grievances which had been fully redressed; powers, either legal or illegal, which had been entirely renounced; it seemed unpopular and invidious, and ungrateful, any further to insist on.

The king, that he might abate the universal veneration paid to the name of parliament, had issued a declaration, in which he set forth all the tumults by which himself and his partisans in both houses had been driven from London; and he thence inferred that the assembly at Westminster was no longer a free parliament, and, till its liberty were restored, was entitled to no authority. As this declaration was an obstacle to all treaty, some contrivance seemed requisite, in order to elude it.

A letter was written in the foregoing spring, to the earl of Essex, and subscribed by the prince, the duke of York, and forty-three noblemen. They there exhort him to be an instrument of restoring peace, and to promote that happy end with those by whom he was employed. Essex, though much disgusted with the parliament, though apprehensive of the extremities to which they were driving, though desirous of any reasonable accommodation; yet was still more resolute to preserve an honourable fidelity to the trust reposed in him. He replied, that as the paper sent him neither contained any address to the two houses of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like proposals had been reiterated by the king, during the ensuing campaign, and still met with a like answer from Essex.

In order to make a new trial for a treaty, the king, this spring, sent another letter, directed to the lords and commons of parliament assembled at Westminster: but as he also mentioned, in the letter, the lords and commons of parliament assembled at Oxford, and declared that his scope and intention was to make provision that all the members of both houses might securely meet in a full and free assembly; the parliament, perceiving the conclusion implied, refused all treaty upon such terms. And the king, who knew what small hopes there were of accommodation, would not abandon the pretensions which he had assumed; nor acknowledge the two houses, more expressly, for a free parliament.

This winter the famous Pym died; a man as much hated by one party as respected by the other. At London, he was considered as the victim to national liberty, who had abridged his life by incessant labours for the interests of his country: at Oxford he was believed to have been struck with an uncommon disease, and to have been consumed with vermin, as a mark of divine vengeance, for his multiplied crimes and treasons. He had been so little studious of improving his private fortune in those civil wars, of which he had been one principal author, that the parliament thought themselves obliged, from gratitude, to pay the debts which he had contracted. We now return to the military operations, which, during the winter, were carried on with vigour in several places, notwithstanding the severity of the season.

The forces brought from Ireland were landed at Mostyne, in North Wales; and being put under the command of lord Biron, they besieged and took the castles of Hawarden, Beeston, Acton, and Deddington house. No place in Cheshire or the neighbourhood now adhered to the parliament, except Nantwich: and to this town Biron laid siege during the depth of winter. Sir Thomas Fairfax, alarmed at so considerable a progress of the royalists, assembled an army of four thousand men in Yorkshire, and having joined sir William Brereton, was approaching to the camp of the enemy. Biron and his soldiers, elated with successes obtained in Ireland, had entertained the most profound contempt for the parliamentary forces; a disposition which, if confined to the army, may be regarded as a good presage of victory; but if it extend to the general, is the most probable forerunner of a defeat. Fairfax suddenly attacked the camp of the royalists. (25th January.) The swelling of the river by a thaw divided one part of the army from the other. That part exposed to Fairfax, being beaten from their post, retired into the church of Acton, and were all taken prisoners: the other retreated with precipitation. And thus was dissipated, or rendered useless, that body of forces which had been drawn from Ireland; and the parliamentary party revived in those north-west counties of England.

INVASION FROM SCOTLAND.

The invasion from Scotland was attended with consequences of much greater importance. The Scots, having summoned in vain the town of Newcastle, which was fortified by the vigilance of sir Thomas Glenham, passed the Tyne, (22nd February,) and faced the marquis of Newcastle, who lay at Durham with an army of fourteen thousand men. After some military operations, in which that nobleman reduced the enemy to difficulties for forage and provisions, he received intelligence of a great disaster which had befallen his forces in Yorkshire. Colonel Bellasis, whom he had left with a considerable body of troops, was totally routed at Selby (11th April) by sir Thomas Fairfax, who had returned from Cheshire with his victorious forces. Afraid of being inclosed between two armies, Newcastle retreated; and Leven having joined lord Fairfax, they sat down before York, to which the army of the royalists had retired. But as the parliamentary and Scottish forces were not numerous enough to invest so large a town, divided by a river, they contented themselves with incommoding it by a loose blockade; and affairs remained, for some time, in suspense between these opposite armies.

During this winter and spring, other parts of the kingdom had also been infested with war. Hopton, having assembled an army of fourteen thousand men, endeavoured to break into Sussex, Kent, and the southern association, which seemed well disposed to receive him. Waller fell upon him at Cherington,* and gave him a defeat of considerable importance. In another quarter, siege being laid to Newark, by the parliamentary forces, prince Rupert prepared himself for relieving a

* 29th of March.

town of such consequence, which alone preserved the communication open between the king's southern and northern quarters. With a small force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally dissipated that army of the parliament.

But though fortune seemed to have divided her favours between the parties, the king found himself, in the main, a considerable loser by this winter-campaign; and he prognosticated a still worse event from the ensuing summer. The preparations of the parliament were great, and much exceeded the slender resources of which he was possessed. In the eastern association, they levied fourteen thousand men, under the earl of Manchester, seconded by Cromwell. An army of ten thousand men, under Essex, another of nearly the same force under Waller, were assembled in the neighbourhood of London. The former was destined to oppose the king: the latter was appointed to march into the west, where prince Maurice, with a small army which went continually to decay, was spending his time in vain before Lyme, an inconsiderable town upon the sea-coast. The utmost efforts of the king could not raise above ten thousand men at Oxford; and on their swords chiefly, during the campaign, were these to depend for subsistence.

The queen, terrified with the dangers which every way environed her, and afraid of being enclosed in Oxford, in the middle of the kingdom, fled to Exeter, where she hoped to be delivered unmolested of the child with which she was now pregnant, and whence she had the means of an easy escape into France, if pressed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king, had all along borne her. Last summer the commons had sent up to the peers an impeachment of high-treason against her; because, in his utmost distresses, she had assisted her husband with arms and ammunition, which she had bought in Holland. And had she fallen into their hands, neither her sex, she knew, nor high station, could protect her against insults at least, if not danger, from those haughty republicans, who so little affected to conduct themselves by the maxims of gallantry and politeness.

From the beginning of these dissensions, the parliament, it is remarkable, had, in all things, assumed an extreme ascendant over their sovereign, and had displayed a violence, and arrogated an authority, which on his side, would not have been compatible either with his temper or his situation. While he spoke perpetually of pardoning all *rebels*, they talked of nothing but the punishment of *delinquents* and *malignants*: while he offered a toleration and indulgence to tender consciences, they threatened the utter extirpation of prelacy: to his professions of lenity, they opposed declarations of rigour: and the more the ancient tenor of the laws inculcated a respectful subordination to the crown, the more careful were they, by their lofty pretensions, to cover that defect under which they laboured.

BATTLE OF MARSTON-MOOR. *July* 2.

Their great advantages in the north seemed to second their ambition, and finally to promise them success in their unwarrantable enterprises. Manchester, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now closely besieged by their combined forces. That town, though vigorously defended by Newcastle, was reduced to extremity; and the parliamentary generals, after enduring great losses and fatigues, flattered themselves that all their labours would at last be crowned by this important conquest. On a sudden, they were alarmed by the approach of prince Rupert. This gallant commander, having vigorously exerted himself in Lancashire and Cheshire, had collected a considerable army; and, joining sir Charles Lucas, who commanded Newcastle's horse, hastened to the relief of York, with an army of twenty thousand men. The Scottish and parliamentary generals raised the siege, and, drawing up on Marston-moor, purposed to give battle to the royalists. Prince Rupert approached the town by another quarter, and, interposing the river Ouse between him and the enemy, safely joined his forces to those of Newcastle. The marquis endeavoured to persuade him, that, having so successfully effected his purpose, he ought to be content with the present advantages, and leave the enemy, now much diminished by their losses, and discouraged by their ill success, to dissolve, by those mutual dissensions which had begun to take place among them. The prince, whose martial disposition was not sufficiently tempered with prudence, nor softened by complaisance, pretending positive orders from the king, without deigning to consult with Newcastle, whose merits and services deserved better treatment, immediately issued orders for battle, and led out the army to Marston-moor. This action was obstinately disputed between the most numerous armies that were engaged during the course of these wars; nor were the forces on each side much different in number. Fifty thousand British troops were led to mutual slaughter; and the victory seemed long undecided between them. Prince Rupert, who commanded the right wing of the royalists, was opposed to Cromwell, who conducted the choice troops of the parliament, inured to danger under that determined leader, animated by zeal, and confirmed by the most rigid discipline. After a short combat, the cavalry of the royalists gave way; and such of the infantry as stood next them were likewise borne down, and put to flight. Newcastle's regiment alone, resolute to conquer or to perish, obstinately kept their ground, and maintained, by their dead bodies, the same order in which they had at first been ranged. In the other wing, sir Thomas Fairfax and colonel Lambert, with some troops, broke through the royalists; and, transported by the ardour of pursuit, soon reached their victorious friends, engaged also in pursuit of the enemy. But after that tempest was past, Lucas, who commanded the royalists in this wing, restoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into disorder, pushed them upon their own infantry, and put that whole wing to rout. When ready to seize on their carriages and baggage, he perceived Cromwell, who was now returned from pursuit of the other wing. Both sides were not a little surprised to find that they must again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been possessed by the enemy at the beginning of the day. This second battle was equally furious and desperate with the first: but after the utmost efforts of courage by both parties, victory wholly turned to the side of the parliament. The prince's train of artillery was taken; and his whole army pushed off the field of battle.

This event was in itself a mighty blow to the king; but proved more fatal in its consequences. The marquis of Newcastle was entirely lost to the royal cause. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his disposition, into these military operations, merely by a high sense of honour, and a personal regard to his master. The dangers of war were disregarded by his valour; but its fatigues were oppressive to his natural indolence. Munificent and generous in his expense; polite and elegant in his taste; courteous and humane in his behaviour; he brought a great accession of friends and of credit to the party which he embraced. But amidst all the hurry of action, his inclinations were secretly drawn to the soft arts of peace, in which he took delight; and the charms of poetry, music, and conversation, often stole him from his rougher occupa-

* 3d of March.

tions. He chose sir William Davenant, an ingenious poet, for his lieutenant-general: the other persons, in whom he placed confidence, were more the instruments of his refined pleasures, than qualified for the business which they undertook: and the severity and application requisite to the support of discipline, were qualities in which he was entirely wanting.

When prince Rupert, contrary to his advice, resolved on this battle, and issued all orders, without communicating his intentions to him, he took the field, but, he said, merely as a volunteer; and, except by his personal courage, which shone out with lustre, he had no share in the action. Enraged to find that all his successful labours were rendered abortive by one act of fatal temerity, terrified with the prospect of renewing his pains and fatigue, he resolved no longer to maintain the few resources which remained to a desperate cause, and thought that the same regard to honour, which had at first called him to arms, now required him to abandon a party, where he met with such unworthy treatment. Next morning early he sent word to the prince that he was instantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a vessel, which carried him beyond sea. During the ensuing years, till the Restoration, he lived abroad in great necessity, and saw, with indifference, his opulent fortune sequestered by those who assumed the government of England. He disdained, by submission or composition, to show obeisance to their usurped authority; and the least favourable censors of his merit allowed, that the fidelity and services of a whole life had sufficiently atoned for one rash action into which his passion had betrayed him.

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancashire. Glenham, in a few days, was obliged to surrender York; and he marched out his garrison with all the honours of war. (16th July.) Lord Fairfax, remaining in the city, established his government in that whole county, and sent a thousand horse into Lancashire, to join with the parliamentary forces in that quarter, and attend the motions of prince Rupert: the Scottish army marched northwards, in order to join the earl of Calender, who was advancing with ten thousand additional forces; and to reduce the town of Newcastle, which they took by storm: the earl of Manchester, with Cromwell, to whom the fame of this great victory was chiefly ascribed, and who was wounded in the action, returned to the eastern association, in order to recruit his army.

While these events passed in the north, the king's affairs in the south were conducted with more success and greater abilities. Ruthven, a Scotchman, who had been created earl of Brentford, acted, under the king, as general.

BATTLE OF CROPREDY-BRIDGE. *June* 29.

The parliament soon completed their two armies commanded by Essex and Waller. The great zeal of the city facilitated this undertaking. Many speeches were made to the citizens by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to spare, on this important occasion, either their purses, their persons, or their prayers; and, in general, it must be confessed, they were sufficiently liberal in all these contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the king retired into that city, to lay siege to it, and by one enterprise put a period to the war. The king, leaving a numerous garrison in Oxford, passed with dexterity between the two armies, which had taken Abingdon, and had inclosed him on both sides.* He marched towards Worcester; and Waller received orders from Essex to follow him and watch his motions; while he himself marched into the west in quest of prince Maurice. Waller had approached within two miles of the royal camp, and was only separated from it by the Severn, when he received intelligence that the king was advanced to Bewdley, and had directed his course towards Shrewsbury. In order to prevent him, Waller presently dislodged, and hastened by quick marches to that town; while the king, suddenly returning upon his own footsteps, reached Oxford; and having re-enforced his army from that garrison, now in his turn marched out in quest of Waller. The two armies faced each other at Cropredy-bridge, near Banbury; but the Charwell ran between them. Next day the king decamped, and marched towards Daventry. Waller ordered a considerable detachment to pass the bridge, with an intention of falling on the rear of the royalists. He was repulsed, routed, and pursued with considerable loss. Stunned and disheartened with this blow, his army decayed and melted away by desertion; and the king thought he might safely leave it, and march westward against Essex. That general, having obliged prince Maurice to raise the siege of Lyme, having taken Weymouth and Taunton, advanced still in his conquests, and met with no equal opposition. The king followed him, and having re-enforced his army from all quarters, appeared in the field with an army superior to the enemy. Essex retreating into Cornwall, informed the parliament of his danger, and desired them to send an army, which might fall on the king's rear. General Middleton received a commission to execute that service; but came too late. Essex's army, cooped up in a narrow corner at Lestithiel, deprived of all forage and provisions, and seeing no prospect of succour, was reduced to the last extremity. The king pressed them on one side; prince Maurice on another; sir Richard Granville on a third. Essex, Robarts, and some of the principal officers, escaped in a boat to Plymouth; Balfour with his horse passed the king's outposts, in a thick mist, and got safely to the garrisons of his own party. The foot under Skippon were obliged to surrender their arms, artillery, baggage, and ammunition; and being conducted to the parliament's quarters, were dismissed. By this advantage, which was much boasted of, the king, besides the honour of the enterprise, obtained what he stood extremely in need of: the parliament, having preserved the men, lost what they could easily repair.

No sooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Essex for his fidelity, courage, and conduct; and this method of proceeding, no less politic than magnanimous, was preserved by the parliament throughout the whole course of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with success, these two powerful engines of reward and punishment, in confirmation of their authority.

SECOND BATTLE OF NEWBURY. *October* 27.

That the king might have less reason to exult in the advantages which he had obtained in the west, the parliament opposed to him very numerous forces. Having armed anew Essex's subdued, but not disheartened troops, they ordered Manchester and Cromwell to march with their recruited forces from the eastern association; and joining their armies to those of Waller and Middleton, as well as of Essex, offer battle to the king. Charles chose his post at Newbury, where the parliamentary armies, under the earl of Manchester, attacked him with great vigour; and that town was a second time the scene of the bloody animosities of the English. Essex's soldiers, exhorting one another to repair their broken honour, and revenge the disgrace of Lestithiel, made an impetuous assault on the royalists; and having recovered some of their cannon, lost in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themselves with valour, they were overpowered by numbers; and the night came very seasonably to their relief, and

* 3rd of June.

prevented a total overthrow. Charles, leaving his baggage and cannon in Dennington-castle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There prince Rupert and the earl of Northampton joined him, with considerable bodies of cavalry. Strengthened by this re-enforcement, he ventured to advance towards the enemy, now employed before Dennington-castle. Essex, detained by sickness, had not joined the army since his misfortune in Cornwall; Manchester, who commanded, though his forces were much superior to those of the king, declined an engagement, and rejected Cromwell's advice, who earnestly pressed him not to neglect so favourable an opportunity of finishing the war. The king's army, by bringing off their cannon from Dennington-castle, in the face of the enemy, seemed to have sufficiently repaired the honour which they had lost at Newbury; and Charles, having the satisfaction to excite, between Manchester and Cromwell, equal animosities with those which formerly took place between Essex and Waller, distributed his army into winter-quarters. (23rd November.)

Those contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter season; and each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and parliament. There had long prevailed, in that party, a secret distinction, which, though the dread of the king's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself, with high contest and animosity. The INDEPENDENTS, who had, at first, taken shelter and concealed themselves under the wings of the PRESBYTERIANS, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the scene of action.

RISE AND CHARACTER OF THE INDEPENDENTS.

During those times, when the enthusiastic spirit met with such honour and encouragement, and was the immediate means of distinction and preferment; it was impossible to set bounds to these holy fervours, or confine, within any natural limits, what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavoured to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degree of fanaticism, each sect became dangerous and destructive; and as the independents went a note higher than the presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

The independents rejected all ecclesiastical establishments, and would admit of no spiritual courts, no government among pastors, no interposition of the magistrate in religious concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and exercised a jurisdiction, but one destitute of temporal sanctions, over its own pastor and its own members. The election alone of the congregation was sufficient to bestow the sacerdotal character; and as all essential distinction was denied between the laity and the clergy, no ceremony, no institution, no vocation, no imposition of hands, was, as in all other churches, supposed requisite to convey a right to holy orders. The enthusiasm of the presbyterians led them to reject the authority of prelates, to throw off the restraint of liturgies, to retrench ceremonies, to limit the riches and authority of the priestly office: the fanaticism of the independents, exalted to a higher pitch, abolished ecclesiastical government, disdained creeds and systems, neglected every ceremony, and confounded all ranks and orders. The soldier, the merchant, the mechanic, indulging the fervours of zeal, and guided by the illapses of the Spirit, resigned himself to an inward and superior direction, and was consecrated, in a manner, by an immediate intercourse and communication with Heaven.

The catholics, pretending to an infallible guide, had justified, upon that principle, their doctrine and practice of persecution: the presbyterians, imagining that such clear and certain tenets, as they themselves adopted, could be rejected only from a criminal and pertinacious obstinacy, had hitherto gratified, to the full, their bigoted zeal, in a like doctrine and practice: the independents, from the extremity of the same zeal, were led into the milder principles of toleration. Their mind, set afloat in the wide sea of inspiration, could confine itself within no certain limits; and the same variations, in which an enthusiast indulged himself, he was apt, by a natural train of thinking, to permit in others. Of all Christian sects this was the first, which, during its prosperity as well as its adversity, always adopted the principle of toleration; and it is remarkable that so reasonable a doctrine owed its origin, not to reasoning, but to the height of extravagance and fanaticism.

Popery and prelacy alone, whose genius seemed to tend towards superstition, were treated by the independents with rigour. The doctrines too of fate or destiny, were deemed by them essential to all religion. In these rigid opinions, the whole sectaries, amidst all their other differences, unanimously concurred.

The political system of the independents kept pace with their religious. Not content with confining to very narrow limits the power of the crown, and reducing the king to the rank of first magistrate, which was the project of the presbyterians, this sect, more ardent in the pursuit of liberty, aspired to a total abolition of the monarchy, and even of the aristocracy, and projected an entire equality of rank and order in a republic, quite free and independent. In consequence of this scheme, they were declared enemies to all proposals for peace, except on such terms as, they knew, it was impossible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that, whoever draws the sword against his sovereign, should throw away the scabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the opposition against peace, than had adopted their other principles with regard to government and religion. And the great success, which had already attended the arms of the parliament, and the greater, which was soon expected, confirmed them still further in this obstinacy.

Sir Harry Vane, Oliver Cromwell, Nathaniel Fiennes, and Oliver St. John, the solicitor-general, were regarded as the leaders of the independents. The earl of Essex, disgusted with a war, of which he began to foresee the pernicious consequences, adhered to the presbyterians, and promoted every reasonable plan of accommodation. The earl of Northumberland, fond of his rank and dignity, regarded with horror a scheme, which, if it took place, would confound himself and his family with the lowest in the kingdom. The earls of Warwick and Denbigh, sir Philip Stapleton, sir William Waller, Hollis, Massey, Whitlocke, Maynard, Glyn, had embraced the same sentiments. In the parliament, a considerable majority, and a much greater in the nation, were attached to the presbyterian party; and it was only by cunning and deceit at first, and afterwards by military violence, that the independents could entertain any hopes of success.

The earl of Manchester, provoked at the impeachment which the king had lodged against him, had long

forwarded the war with alacrity; but, being a man of humanity and good principles, the view of public calamities, and the prospect of a total subversion of government, began to moderate his ardour, and inclined him to promote peace on any safe or honourable terms. He was even suspected, in the field, not to have pushed to the utmost against the king the advantages obtained by the arms of the parliament; and Cromwell, in the public debates, revived the accusation, that this nobleman had wilfully neglected at Denningtoncastle a favourable opportunity of finishing the war by a total defeat of the royalists. "I showed him evidently," said Cromwell, "how this success might be obtained; and only desired leave with my own brigade of horse, to charge the king's army in their retreat; leaving it in the earl's choice, if he thought proper, to remain neuter with the rest of his forces: but, notwithstanding my importunity, he positively refused his consent; and gave no other reason but that, if we met with a defeat, there was an end of our pretensions: we should all be rebels and traitors, and be executed and forfeited by law."

Manchester, by way of recrimination, informed the parliament, that, at another time, Cromwell having proposed some scheme, to which it seemed improbable the parliament would agree, he insisted and said, "'My lord, if you will stick firm to honest men, you shall find yourself at the head of an army which shall give law both to king and parliament.' This discourse," continued Manchester, "made the greater impression on me, because I knew the lieutenant-general to be a man of very deep designs; and he has even ventured to tell me, that it never would be well with England till I were Mr. Montague, and there were ne'er a lord or peer in the kingdom." So full was Cromwell of these republican projects, that, notwithstanding his habits of profound dissimulation, he could not so carefully guard his expressions, but that sometimes his favourite notions would escape him.

These violent dissensions brought matters to extremity, and pushed the independents to the execution of their designs. The present generals, they thought, were more desirous of protracting than finishing the war; and having entertained a scheme for preserving still some balance in the constitution, they were afraid of entirely subduing the king, and reducing him to a condition where he should not be entitled to ask any concessions. A new model alone of the army could bring complete victory to the parliament, and free the nation from those calamities under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Essex was very great with the parliament. Not only he had served them all along with the most exact and scrupulous honour: it was, in some measure, owing to his popularity, that they had ever been enabled to levy an army, or make head against the royal cause. Manchester, Warwick, and the other commanders, had likewise great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpose of their antagonists. The Scots and Scottish commissioners, jealous of the progress of the independents, were a new obstacle; which, without the utmost art and subtlety, it would be difficult to surmount. The methods by which this intrigue was conducted are so singular, and show so fully the genius of the age, that we shall give a detail of them, as they are delivered by lord Clarendon.

A fast, on the last Wednesday of every month, had been ordered by the parliament at the beginning of these commotions; and their preachers, on that day, were careful to keep alive, by their vehement declamations, the popular prejudices entertained against the king, against prelacy, and against popery. The king, that he might combat the parliament with their own weapons, appointed likewise a monthly fast, when the people should be instructed in the duties of loyalty and of submission to the higher powers; and he chose the second Friday of every month for the devotion of the royalists. It was now proposed and carried in parliament, by the independents, that a new and more solemn fast should be voted; when they should implore the divine assistance for extricating them from those perplexities in which they were at present involved. On that day, the preachers, after many political prayers, took care to treat of the reigning divisions in the parliament, and ascribed them entirely to the selfish ends pursued by the members. In the hands of those members, they said, are lodged all the considerable commands of the army, all the lucrative offices in the civil administration: and while the nation is falling every day into poverty, and groans under an insupportable load of taxes, these men multiply possession on possession, and will, in a little time, be masters of all the wealth of the kingdom. That such persons, who fatten on the calamities of their country, will ever embrace any effectual measure for bringing them to a period, or ensuring final success to the war, cannot reasonably be expected. Lingering expedients alone will be pursued: and operations in the field concurring, in the same pernicious end, with deliberations in the cabinet, civil commotions will for ever be perpetuated in the nation. After exaggerating these disorders the ministers returned to their prayers; and besought the Lord, that he would take his own work into his own hand; and if the instruments, whom he had hitherto employed were not worthy to bring to a conclusion so glorious a design, that he would inspire others more fit, who might perfect what was begun, and by establishing true religion, put a speedy period to the public miseries.

On the day subsequent to these devout animadversions, when the parliament met, a new spirit appeared in the looks of many. Sir Henry Vane told the commons, that if ever God appeared to them, it was in the ordinances of yesterday: that, as he was credibly informed by many, who had been present in different congregations, the same lamentations and discourses, which the godly preachers had made before them, had been heard in other churches: that so remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: that he therefore entreated them, in vindication of their own honour, in consideration of their duty to God and their country, to lay aside all private ends, and renounce every office attended with profit or advantage: that the absence of so many members, occupied in different employments, had rendered the house extremely thin, and diminished the authority of their determinations: and that he could not forbear, for his own part, accusing himself as one who enjoyed a gainful office, that of treasurer of the navy; and though he was possessed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to resign it, and to sacrifice, to the welfare of his country, every consideration of private interest and advantage.

Cromwell next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were so unwilling to be informed. Though they dwelt on many things, he said, on which he had never before reflected; yet, upon revolving them, he could not but confess, that, till there were a perfect reformation in these particulars, nothing which they undertook could possibly prosper. The parliament, no doubt, continued he, had done wisely on the commencement of the war, in engaging several of its members in the most dangerous parts of it, and thereby satisfying the nation, that they intended to share all hazards with the meanest of the people. But affairs are now changed. During the progress of military operations, there have arisen, in the parliamentary armies, many excellent officers, who are qualified for higher commands than they are now possessed

of. And though it becomes not men engaged in such a cause *to put trust in the arm of flesh*, yet he could assure them, that their troops contained generals fit to command in any enterprise in Christendom. The army indeed, he was sorry to say it, did not correspond, by its discipline, to the merit of the officers; nor were there any hopes, till the present vices and disorders, which prevail among the soldiers, were repressed by a new model, that their forces would ever be attended with signal success in any undertaking.

In opposition to this reasoning of the independents, many of the presbyterians showed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though in every change of government he always adhered to the ruling power, said, that besides the ingratitude of discarding, and that by fraud and artifice, so many noble persons, to whom the parliament had hitherto owed its chief support; they would find it extremely difficult to supply the place of men now formed by experience to command and authority: that the rank alone, possessed by such as were members of either house, prevented envy, retained the army in obedience, and gave weight to military orders: that greater confidence might safely be reposed in men of family and fortune, than in mere adventurers, who would be apt to entertain separate views from those which were embraced by the persons who employed them: that no maxim of policy was more undisputed, than the necessity of preserving an inseparable connexion between the civil and military powers, and of retaining the latter in strict subordination to the former: that the Greeks and Romans, the wisest and most passionate lovers of liberty, had ever intrusted to their senators the command of armies, and had maintained an unconquerable jealousy of all mercenary forces; and that such men alone, whose interests were involved in those of the public, and who possessed a vote in the civil deliberations, would sufficiently respect the authority of parliament, and never could be tempted to turn the sword against those by whom it was committed to them.

SELF-DENYING ORDINANCE.

Notwithstanding these reasonings, a committee was chosen to frame what was called the *self-denying ordinance*, by which the members of both houses were excluded from all civil and military employments, except a few offices which were specified. This ordinance was the subject of great debate, and, for a long time, rent the parliament and city into factions. But, at last, by the prevalence of envy with some; with others of false modesty; with a great many, of the republican and independent views; it passed the house of commons, and was sent to the upper house. The peers, though the scheme was, in part, levelled against their order; though all of them were, at bottom, extremely averse to it; though they even ventured once to reject it; yet possessed so little authority, that they durst not persevere in opposing the resolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin which they saw approaching. The ordinance, therefore, having passed both houses, Essex, Warwick, Manchester, Denbigh, Waller, Brereton, and many others, resigned their commands, and received the thanks of parliament for their good services. A pension of ten thousand pounds a year was settled on Essex.

1645. It was agreed to recruit the army to twenty-two thousand men; and sir Thomas Fairfax was appointed general. It is remarkable that his commission did not run, like that of Essex, in the name of the king and parliament, but in that of the parliament alone; and the article concerning the safety of the king's person was omitted. So much had animosities increased between the parties. Cromwell, being a member of the lower house, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtlety, and by that political craft, in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent with a body of horse, to relieve Taunton, besieged by the royalists. His absence being remarked, orders were dispatched for his immediate attendance in parliament; and the new general was directed to employ some other officer in that service. A ready compliance was feigned; and the very day was named, on which, it was averred, he would take his place in the house. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and desired leave to retain, for some days, lieutenant-general Cromwell, whose advice, he said, would be useful in supplying the place of those officers who had resigned. Shortly after, he begged, with much earnestness, that they would allow Cromwell to serve that campaign. And thus the independents, though the minority, prevailed by art and cunning over the presbyterians, and bestowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwell.

FAIRFAX.

Fairfax was a person equally eminent for courage and for humanity; and though strongly infected with prejudices, or principles derived from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted, by private interest or ambition, from adhering strictly to these principles. Sincere in his professions; disinterested in his views; open in his conduct; he had formed one of the most shining characters of the age; had not the extreme narrowness of his genius, in everything but in war, and his embarrassed and confused elocution on every occasion, but when he gave orders, diminished the lustre of his merit, and rendered the part which he acted, even when vested with the supreme command, but secondary and subordinate.

CROMWELL.

Cromwell, by whose sagacity and insinuation Fairfax was entirely governed, is one of the most eminent and most singular personages that occurs in history: the strokes of his character are as open and strongly marked, as the schemes of his conduct were, during the time, dark and impenetrable. His extensive capacity enabled him to form the most enlarged projects: his enterprising genius was not dismayed with the boldest and most dangerous. Carried by his natural temper to magnanimity, to grandeur, and to an imperious and domineering policy, he yet knew, when necessary, to employ the most profound dissimulation, the most oblique and refined artifice, the semblance of the greatest moderation and simplicity. A friend to justice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the instrument of his ambition; he was engaged in crimes from the prospect of sovereign power, a temptation which is, in general, irresistible to human nature. And by using well that authority which he had attained by fraud and violence, he has lessened, if not overpowered, our detestation of his enormities, by our admiration of his success and of his genius.

TREATY OF UXBRIDGE.

During this important transaction of the self-denying ordinance, the negociations for peace were likewise carried on, though with small hopes of success. The king having sent two messages, one from Evesham,* another from Tavistoke,† desiring a treaty, the parlia-

* 4th of April, 1644. † 8th of September, 1644.

ment despatched commissioners to Oxford, with proposals as high as if they had obtained a complete victory. The advantages gained during the campaign, and the great distresses of the royalists, had much elevated their hopes; and they were resolved to place no trust in men inflamed with the highest animosity against them, and who, were they possessed of power, were fully authorised by law to punish all their opponents as rebels and traitors.

The king, when he considered the proposals and the disposition of the parliament, could not expect any accommodation, and had no prospect but of war, or of total submission and subjection: yet, in order to satisfy his own party, who were impatient for peace, he agreed to send the duke of Richmond and earl of Southampton with an answer to the proposals of the parliament, and at the same time to desire a treaty upon their mutual demands and pretensions. It now became necessary for him to retract his former declaration, that the two houses at Westminster were not a free parliament; and accordingly he was induced, though with great reluctance, to give them, in his answer, the appellation of the parliament of England. But it appeared afterwards, by a letter which he wrote to the queen, and of which a copy was taken at Naseby, that he secretly entered an explanatory protest in his council-book; and he pretended that, though he had *called* them the parliament, he had not thereby *acknowledged* them for such.* This subtlety, which has been frequently objected to Charles, is the most noted of those very few instances, from which the enemies of this prince have endeavoured to load him with the imputation of insincerity; and have inferred, that the parliament could repose no confidence in his professions and declarations, not even in his laws and statutes. There is, however, it must be confessed, a difference universally avowed between simply giving to men the appellation which they assume, and the formal acknowledgment of their title to it; nor is anything more common and familiar in all public transactions.

The time and place of treaty being settled, sixteen commissioners from the king met at Uxbridge, with twelve authorized by the parliament, attended by the Scottish commissioners. (30th January.) It was agreed, that the Scottish and parliamentary commissioners should give in their demands, with regard to three important articles, *religion*, the *militia*, and *Ireland*; and that these should be successively discussed in conference with the king's commissioners. It was soon found impracticable to come to any agreement with regard to any of these articles.

In the summer, 1643, while the negociations were carried on with Scotland, the parliament had summoned an assembly at Westminster, consisting of a hundred and twenty-one divines and thirty laymen, celebrated in their party for piety and learning. By their advice, alterations were made in the thirty-nine articles, or in the metaphysical doctrines of the church; and, what was of greater importance, the liturgy was entirely abolished, and, in its stead, a new directory for worship was established; by which, suitably to the spirit of the puritans, the utmost liberty, both in praying and preaching, was indulged to the public teachers. By the solemn league and covenant, episcopacy was abjured, as destructive of all true piety; and a national engagement, attended with every circumstance that could render a promise sacred and obligatory, was entered into with the Scots, never to suffer its readmission. All these measures showed little spirit of accommodation in the parliament; and the king's commissioners were not surprised to find the establishment of presbytery and the directory positively demanded, together with the subscription of the covenant, both by the king and kingdom.*

Had Charles been of a disposition to neglect all theological controversy, he yet had been obliged, in good policy, to adhere to episcopal jurisdiction, not only because it was favourable to monarchy, but because all his adherents were passionately devoted to it; and to abandon them, in what they regarded as so important an article, was for ever to relinquish their friendship and assistance. But Charles had never attained such enlarged principles. He deemed bishops essential to the very being of a Christian church; and he thought himself bound, by more sacred ties than those of policy, or even of honour, to the support of that order. His concessions, therefore, on this head, he judged sufficient, when he agreed that an indulgence should be given to tender consciences with regard to ceremonies; that the bishops should exercise no act of jurisdiction or ordination, without the consent and counsel of such presbyters as should be chosen by the clergy of each diocese; that they should reside constantly in their diocese, and be bound to preach every Sunday; that pluralities be abolished; that abuses in ecclesiastical courts be redressed; and that a hundred thousand pounds be levied on the bishops' estates and the chapter-lands, for payment of debts contracted by the parliament. These concessions, though considerable, gave no satisfaction to the parliamentary commissioners; and, without abating anything of their rigour on this head, they proceeded to their demands with regard to the militia.

The king's partisans had all along maintained, that the fears and jealousies of the parliament, after the securities so early and easily given to public liberty, were either feigned or groundless; and that no human institution could be better poised and adjusted, than was now the government of England. By the abolition of the star-chamber and court of high-commission, the prerogative, they said, has lost all that coercive power by which it had formerly suppressed or endangered liberty: by the establishment of triennial parliaments, it can have no leisure to acquire new powers, or guard itself, during any time, from the inspection of that vigilant assembly: by the slender revenue of the crown, no king can ever attain such influence as to procure a repeal of these salutary statutes: and while the prince commands no military force, he will in vain, by violence, attempt an infringement of laws, so clearly defined by means of late disputes, and so passionately cherished by all his subjects. In this situation, surely, the nation, governed by so virtuous a monarch, may, for the present, remain in tranquillity, and try whether it be not possible, by peaceful arts, to elude that danger with which, it is pretended, its liberties are still threatened.

* His words are: "As for my calling those at London a parliament, I shall refer thee to Digby for particular satisfaction: this in general. If there had been but two besides myself of my opinion, I had not done it; and the agreement that prevailed with me was, that the calling did not any acknowledge them to be a parliament; upon which condition and construction I did it; and no otherwise, and accordingly it is registered in the council books, with the council's unanimous approbation."—"The King's Cabinet opened." Rushworth, vol. iv. p 943.

* Such love of contradiction prevailed in the parliament, that they had converted Christmas, which, with the churchmen, was a great festival, into a solemn fast and humiliation; "In order," as they said, "that it might call to remembrance our sins, and the sins of our forefathers, who, pretending to celebrate the memory of Christ, have turned this feast into an extreme forgetfulness of him, by whom the parliament should prescribe it to them. The keeping of Christmas holydays was long a great mark of malignancy, and very severely censured by the commons." Whitlocke, p. 286. "Even mincedpies, which custom had made a Christmas dish among the churchmen, was regarded, during that season, as a profane and superstitious vanity by the sectaries; though at other times it agreed very well with their stomachs. In the parliamentary ordinance too, for the observance of the Sabbath, they inserted a clause for the taking down of maypoles, which they called a heathenish vanity. Since we are upon this subject, it may not be amiss to mention giving liberty to carnal and sensual delights." Rushworth, vol. vi. p. 817. It is remarkable that, as the parliament abolished all holidays, and severely prohibited all amusement on the sabbath; and even burned, by the hands of the hangman, the king's book of sports; the nation found that there was no time left for relaxation or diversion. Upon application, therefore, of the servants and apprentices, the parliament appointed the second Tuesday of every month for play and recreation. Rushworth, vol. vii. p. 369. Whitlocke, p. 217. But these institutions they found great difficulty to execute; and the people were resolved to be merry when they themselves pleased, not that, beside setting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thursdays, for resolving cases of conscience, and conferring about their progress in grace. What they were chiefly anxious about, was the fixing the precise moment of their conversion or new birth: and whoever could not ascertain so difficult a point of calculation, could not pretend to any title to sainteship. The profane scholars at Oxford, after the parliament became masters of that town, gave to the house in which the zealots assembled the denomination of "Scruple Shop;" the zealots, in their turn, insulted the scholars and professors; and, intruding into the place of lectures, declaimed against human learning, and challenged the most knowing of them to prove that their calling was from Christ. See Wood's Fasti Oxonienses, p. 730.

But though the royalists insisted on these plausible topics before the commencement of war, they were obliged to own, that the progress of civil commotions had somewhat abated the force and evidence of this reasoning. If the power of the militia, said the opposite party, be intrusted to the king, it would not now be difficult for him to abuse that authority. By the rage of intestine discord, his partisans are inflamed into an extreme hatred against their antagonists; and have contracted, no doubt, some prejudices against popular privileges, which, in their apprehension, have been the source of so much disorder. Were the arms of the state, therefore, put entirely into such hands, what public security, it may be demanded, can be given to liberty, or what private security to those who, in opposition to the letter of the law, have so generously ventured their lives in its defence? In compliance with this apprehension, Charles offered, that the arms of the state should be intrusted, during three years, to twenty commissioners, who should be named, either by common agreement between him and the parliament, or one half by him, the other by the parliament. And after the expiration of that term, he insisted that his constitutional authority over the militia should again return to him.

The parliamentary commissioners at first demanded, that the power of the sword should for ever be intrusted to such persons as the parliament alone should appoint: but, afterwards, they relaxed so far as to require that authority only for seven years; after which it was not to return to the king, but to be settled by bill, or by common agreement between him and his parliament. The king's commissioners asked, Whether jealousies and fears were all on one side, and whether the prince, from such violent attempts and pretensions as he had experienced, had not, at least, as great reason to entertain apprehensions for his authority, as they for their liberty? Whether there were any equity in securing only one party, and leaving the other, during the space of seven years, entirely at the mercy of their enemies? Whether, if unlimited power were intrusted to the parliament during so long a period, it would not be easy for them to frame the subsequent bill in the manner most agreeable to themselves, and keep for ever possession of the sword, as well as of every article of civil power and jurisdiction.

The truth is, after the commencement of war, it was very difficult, if not impossible, to find security for both parties, especially for that of the parliament. Amidst such violent animosities, power alone could ensure safety; and the power on one side was necessarily attended with danger to the other. Few or no instances occur in history of an equal, peaceful, and durable accommodation, that has been concluded between two factions which had been inflamed into civil war.

With regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded, that the truce with the rebels should be declared null; that the management of the war should be given over entirely to the parliament; and that, after the conquest of Ireland, the nomination of the lord-lieutenant and of the judges, or, in other words, the sovereignty of that kingdom, should likewise remain in their hands.

What rendered an accommodation more desperate was, that the demands on these three heads, however exorbitant, were acknowledged, by the parliamentary commissioners, to be nothing but preliminaries. After all these were granted, it would be necessary to proceed to the discussion of those other demands, still more exorbitant, which a little before had been transmitted to the king at Oxford. Such ignominious terms were there insisted on, that worse could scarcely be demanded, were Charles totally vanquished, a prisoner, and in chains. The king was required to attaint and except from a general pardon, forty of the most considerable of his English subjects, and nineteen of his Scottish, together with all popish recusants in both kingdoms who had borne arms for him. It was insisted, that forty-eight more, with all the members who had sitten in either house at Oxford, all lawyers and divines who had embraced the king's party, should be rendered incapable of any office, be forbidden the exercise of their profession, be prohibited from coming within the verge of the court, and forfeit the third of their estates to the parliament. It was required, that whoever had borne arms for the king, should forfeit the tenth of their estates, or if that did not suffice, the sixth, for the payment of public debts. As if royal authority were not sufficiently annihilated by such terms, it was demanded, that the court of wards should be abolished; that all the considerable officers of the crown, and all the judges, should be appointed by parliament; and that the right of peace and war should not be exercised without the consent of that assembly. The presbyterians, it must be confessed, after insisting on such conditions, differed only in words from the independents, who required the establishment of a pure republic. When the debates had been carried on to no purpose during twenty days among the commissioners, they separated, and returned; those of the king, to Oxford, those of the parliament, to London.

EXECUTION OF LAUD.

A little before the commencement of this fruitless treaty, a deed was executed by the parliament, which proved their determined resolution to yield nothing, but to proceed in the same violent and imperious manner with which they had at first entered on these dangerous enterprises. Archbishop Laud, the most favourite minister of the king, was brought to the scaffold; and in this instance the public might see, that popular assemblies, as, by their very number, they are, in a great measure, exempt from the restraint of shame, so, when they also overleap the bounds of law, naturally break out into acts of the greatest tyranny and injustice.

From the time that Laud had been committed, the house of commons, engaged in enterprises of greater moment, had found no leisure to finish his impeachment; and he had patiently endured so long an imprisonment without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like spirit in England; and the sectaries resolved to gratify their vengeance in the punishment of this prelate, who had so long, by his authority, and by the execution of penal laws, kept their zealous spirit under confinement. He was accused of high-treason in endeavouring to subvert the fundamental laws, and of other high crimes and misdemeanors. The same illegality of an accumulative crime and a constructive evidence, which appeared in the case of Stafford; the same violence and iniquity in conducting the trial; are conspicuous throughout the whole course of this prosecution. The groundless charge of popery, though belied by his whole life and conduct, was continually urged against the prisoner; and every error rendered unpardonable by this imputation, which was supposed to imply the height of all enormities. "This man, my lords," said serjeant Wilde, concluding his long speech against him, "is like Naaman the Syrian; a great man, but a leper."

We shall not enter into a detail of this matter, which, at present, seems to admit of little controversy. It suffices to say, that, after a long trial, and the examination of above a hundred and fifty witnesses, the commons found so little likelihood of obtaining a judicial sentence against Laud, that they were obliged to have recourse to their legislative authority, and to pass an ordinance for taking away the life of this aged prelate. Notwithstanding the low condition into which the house of peers was fallen, there appeared some intention of rejecting this ordinance; and the popular

leaders were again obliged to apply to the multitude, and to extinguish, by threats of new tumults, the small remains of liberty possessed by the upper-house. Seven peers alone voted in this important question. The rest, either from shame or fear, took care to absent themselves.

Laud, who had behaved during his trial with spirit and vigour of genius, sunk not under the horrors of his execution; but though he had usually professed himself apprehensive of a violent death, he found all his fears to be dissipated before that superior courage by which he was animated. "No one," said he, "can be more willing to send me out of life than I am desirous to go." Even upon the scaffold, and during the intervals of his prayers, he was harassed and molested by sir John Clotworthy, a zealot of the reigning sect, and a great leader in the lower house: this was the time he chose for examining the principles of the dying primate, and trepanning him into a confession, that he trusted for his salvation to the merits of good works, not to the death of the Redeemer. Having extricated himself from these theological toils, the archbishop laid his head on the block; and it was severed from the body at one blow.* Those religious opinions, for which he suffered, contributed, no doubt, to the courage and constancy of his end. Sincere he undoubtedly was, and however misguided, actuated by pious motives in all his pursuits; and it is to be regretted, that a man of such spirit, who conducted his enterprises with so much warmth and industry, had not entertained more enlarged views and embraced principles more favourable to the general happiness of society.

The great and important advantage which the party gained by Strafford's death may, in some degree, palliate the iniquity of the sentence pronounced against him; but the execution of this old infirm prelate, who had so long remained an inoffensive prisoner, can be ascribed to nothing but vengeance and bigotry in those severe religionists, by whom the parliament was entirely governed. That he deserved a better fate was not questioned by any reasonable man: the degree of his merit in other respects, was disputed. Some accused him of recommending slavish doctrines, of promoting persecution, and of encouraging superstition; while others thought that his conduct, in these three particulars, would admit of apology and extenuation.

That the *letter* of the law, as much as the most flaming court-sermon, inculcates passive obedience, is apparent: and though the *spirit* of a limited government seems to require, in extraordinary cases, some mitigation of so rigorous a doctrine, it must be confessed, that the preceding genius of the English constitution had rendered a mistake in this particular very natural and excusable. To inflict death, at least on those who depart from the exact line of truth in these nice questions, so far from being favourable to national liberty, savours strongly of the spirit of tyranny and proscription.

Toleration had hitherto been so little the principle of any Christian sect, that even the catholics, the remnant of the religion professed by their forefathers, could not obtain from the English the least indulgence. This very house of commons, in their famous remonstrance, took care to justify themselves, as from the highest imputation, from any intention to relax the golden reins of discipline, as they called them, or to grant any toleration: and the enemies of the church were so fair from the beginning, as not to lay claim to liberty of conscience, which they called a toleration for soul-murder. They openly challenged the superiority, and even menaced the established church with that persecution which they afterwards exercised against her with such severity. And if the question be considered in the view of policy; though a sect, already formed and advanced, may with good reason demand a toleration, what title had the puritans to this indulgence, who were just on the point of separation from the church, and whom, it might be hoped, some wholesome and legal severities would still retain in obedience? [*See Note* G I, *at the end of this Vol.*]

Whatever ridicule, to a philosophical mind, may be thrown on pious ceremonies, it must be confessed, that during a very religious age, no institutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy spirit of devotion, to which they are subject. Even the English church, though it had retained a share of popish ceremonies, may justly be thought too naked and unadorned, and still to approach too near the abstract and spiritual religion of the puritans. Laud and his associates, by reviving a few primitive institutions of this nature, corrected the error of the first reformers, and presented to the affrightened and astonished mind, some sensible exterior observances, which might occupy it during its religious exercises, and abate the violence of its disappointed efforts. The thought, no longer bent on that divine and mysterious essence, so superior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itself in the contemplation of pictures, postures, vestments, buildings; and all the fine arts, which minister to religion, thereby received additional encouragement. The primate, it is true, conducted this scheme, not with the enlarged sentiments and cool reflection of a legislator, but with the intemperate zeal of a sectary; and by overlooking the circumstances of the times, served rather to inflame that religious fury which he meant to repress. But this blemish is more to be regarded as a general imputation on the whole age, than any particular failing of Laud's; and it is sufficient for his vindication to observe, that his errors were the most excusable of all those which prevailed during that zealous period.

* 19th of July, 1644.

CHAPTER LVIII.

Montrose's Victories—The new Model of the Army—Battle of Naseby—Surrender of Bristol—The West conquered by Fairfax—Defeat of Montrose—Ecclesiastical Affairs—King goes to the Scots at Newark—End of the War—King delivered up by the Scots.

WHILE the king's affairs declined in England, some events happened in Scotland, which seemed to promise him a more prosperous issue of the quarre..

MONTROSE'S VICTORIES.

Before the commencement of these civil disorders, the earl of Montrose, a young nobleman of a distinguished family, returning from his travels, had been introduced to the king, and had made an offer of his services; but by the insinuations of the marquis, afterwards duke of Hamilton, who possessed much of Charles's confidence, he had not been received with that distinction to which he thought himself justly entitled. Disgusted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himself, during the first Scottish insurrection, with great zeal, as well as success, in levying and conducting their armies. Being commissioned by the Tables to wait upon the king, while the royal army lay at Berwick, he was so gained by the civilities and caresses of that monarch, that he thenceforth devoted himself entirely, though secretly, to his service, and entered into a close correspondence with him. In the second insurrection, a great military command was intrusted to him by the covenanters; and he was the first that passed the Tweed, at the head of their troops in the

invasion of England. He found means, however, soon after, to convey a letter to the king: and by the infidelity of some about that prince—Hamilton, as was suspected—a copy of this letter was sent to Leven, the Scottish general. Being accused of treachery, and a correspondence with the enemy, Montrose openly avowed the letter, and asked the generals, if they dared to call their sovereign an enemy: and by this bold and magnanimous behaviour, he escaped the danger of an immediate prosecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw those who had entertained like sentiments into a bond of association for his master's service. Though thrown into prison for this enterprise,* and detained some time, he was not discouraged; but still continued, by his countenance and protection, to infuse spirit into the distressed royalists. Among other persons of distinction, who united themselves to him, was lord Napier of Merchiston, son of the famous inventor of the logarithms, the person to whom the title of GREAT MAN is more justly due, than to any other whom his country ever produced.

There was in Scotland another party, who, professing equal attachment to the king's service, pretended only to differ with Montrose about the means of attaining the same end: and of that party, duke Hamilton was the leader. This nobleman had cause to be extremely devoted to the king, not only by reason of the connexion of blood, which united him to the royal family, but on account of the great confidence and favour with which he had ever been honoured by his master. Being accused by lord Rae, not without some appearance of probability, of a conspiracy against the king; Charles was so far from harbouring suspicion against him, that the very first time that Hamilton came to court, he received him into his bedchamber, and passed alone the night with him. But such was the duke's unhappy fate or conduct, that he escaped not the imputation of treachery to his friend and sovereign; and though he at last sacrificed his life in the king's service, his integrity and sincerity have not been thought by historians entirely free from blemish. Perhaps (and this is the more probable opinion) the subtleties and refinements of his conduct and his temporizing maxims, though accompanied with good intentions, have been the chief cause of a suspicion, which has never yet been either fully proved or refuted. As much as the bold and vivid spirit of Montrose prompted him to enterprising measures, as much was the cautious temper of Hamilton inclined to such as were moderate and dilatory. While the former foretold that the Scottish covenanters were secretly forming an union with the English parliament, and inculcated the necessity of preventing them by some vigorous undertaking; the latter still insisted, that every such attempt would precipitate them into measures, to which, otherwise, they were not, perhaps, inclined. After the Scottish convention was summoned without the king's authority, the former exclaimed, that their intentions were now visible, and that, if some unexpected blow were not struck, to dissipate them, they would arm the whole nation against the king; the latter maintained the possibility of out-voting the disaffected party, and securing, by peaceful means, the allegiance of the kingdom. Unhappily for the royal cause, Hamilton's representations met with more credit from the king and queen, than those of Montrose; and the covenanters were allowed, without interruption, to proceed in all their hostile measures. Montrose then hastened to Oxford; where his invectives against Hamilton's treachery, concurring with the general prepossession, and supported by the unfortunate event of his counsels, were entertained with universal approbation. Influenced by the clamour of his party, more than his own suspicions, Charles, as soon as Hamilton appeared, sent him prisoner to Pendennis castle, in Cornwall. His brother, Laneric, who was also put under confinement, found means to make his escape, and to fly into Scotland.

The king's ears were now opened to Montrose's counsels, who proposed none but the boldest and most daring, agreeably to the desperate state of the royal cause in Scotland. Though the whole nation was subjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant administration, he undertook, by his own credit, and that of the few friends who remained to the king, to raise such commotions, as would soon oblige the malcontents to recall those forces, which had so sensibly thrown the balance in favour of the parliament. Not discouraged with the defeat at Marstonmoor, which rendered it impossible for him to draw any succour from England; he was content to stipulate with the earl of Antrim, a nobleman of Ireland, for some supply of men from that country. And he himself, changing his disguises, and passing through many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and secretly prepared the minds of his partisans for attempting some great enterprise.

No sooner were the Irish landed, though not exceeding eleven hundred foot, very ill armed, than Montrose declared himself, and entered upon that scene of action which has rendered his name so celebrated. About eight hundred of the men of Athole flocked to his standard. Five hundred men more, who had been levied by the covenanters, were persuaded to embrace the royal cause: and with this combined force, he hastened to attack lord Elcho, who lay at Perth with an army of six thousand men, assembled upon the first news of the Irish invasion. Montrose, inferior in number, totally unprovided with horse, ill supplied with arms and ammunition, had nothing to depend on but the courage, which he himself, by his own example, and the rapidity of his enterprises, should inspire into his raw soldiers. Having received the fire of the enemy, which was answered chiefly by a volley of stones, he rushed amidst them with his sword drawn, threw them into confusion, pushed his advantage, and obtained a complete victory, with the slaughter of two thousand of the covenanters.

This victory, though it augmented the renown of Montrose, increased not his powers or numbers. The far greater part of the kingdom was extremely attached to the covenant; and such as bore an affection to the royal cause, were terrified by the established authority of the opposite party. Dreading the superior power of Argyle, who, having joined his vassals to a force levied by the public, was approaching with a considerable army; Montrose hastened northwards, in order to rouse again the marquis of Huntley and the Gordons, who, having before hastily taken arms, had been instantly suppressed by the covenanters. He was joined on his march by the earl of Airly, with his two younger sons, sir Thomas and sir David Ogilvy: the eldest was, at that time, a prisoner with the enemy. He attacked at Aberdeen the lord Burley, who commanded a force of 2500 men. After a sharp combat, by his undaunted courage, which, in his situation, was true policy, and was also not unaccompanied with military skill, he put the enemy to flight, and in the pursuit did great execution upon them.

But by this second advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montrose's glory, rendered him averse to join an army where he himself must be so much eclipsed by the superior merit of the general. Argyle, re-enforced by the earl of Lothian, was behind him with a great army: the militia of the northern counties, Murray, Ross, Caithness, to the number of five thousand men, opposed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude these numerous armies, he turned aside into the hills, and saved his weak but active troops in Badenoch

* It is not improper to take notice of a mistake committed by Clarendon, much to the disadvantage of this gallant nobleman, that he offered the king, when his majesty was in Scotland, to assassinate Argyle. All the time the king was in Scotland, Montrose was confined to prison. Rushworth, vol. vi. p. 980

After some marches and countermarches, Argyle came up to him at Faivy-castle. This nobleman's character, though celebrated for political courage and conduct, was very low for military prowess; and after some skirmishes, in which he was worsted, he here allowed Montrose to escape him. By quick marches through these inaccessible mountains, that general freed himself from the superior forces of the covenanters.

Such was the situation of Montrose, that very good or very ill fortune was equally destructive to him, and diminished his army. After every victory, his soldiers, greedy of spoil, but deeming the smallest acquisition to be unexhaustible riches, deserted in great numbers, and went home to secure the treasures which they had acquired. Tired too, and spent with hasty and long marches, in the depth of winter, through snowy mountains, unprovided with every necessary, they fell off, and left their general almost alone with the Irish, who, having no place to which they could retire, still adhered to him in every fortune.

With these, and some re-enforcements of the Atholemen and Macdonalds, whom he had recalled, Montrose fell suddenly upon Argyle's country, and let loose upon it all the rage of war; carrying off the cattle, burning the houses, and putting the inhabitants to the sword. This severity, by which Montrose sullied his victories, was the result of private animosity against the chieftain, as much as of zeal for the public cause. Argyle, collecting three thousand men, marched in quest of the enemy, who had retired with their plunder; and he lay at Innerlochy, supposing himself still at a considerable distance from them. The earl of Seaforth, at the head of the garrison of Inverness, who were veteran soldiers, joined to five thousand new-levied troops of the northern counties, pressed the royalists on the other side, and threatened them with inevitable destruction. By a quick and unexpected march, Montrose hastened to Innerlochy, and presented himself in order of battle before the surprised, but not affrightened, covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists. After a vigorous resistance they were defeated, and pursued with great slaughter. (2nd February.) And the power of the Campbels (that is Argyle's name) being thus broken, the Highlanders, who were in general well affected to the royal cause, began to join Montrose's camp in great numbers. Seaforth's army dispersed of itself, at the very terror of his name. And lord Gordon, eldest son of Huntley, having escaped from his uncle Argyle, who had hitherto detained him, now joined Montrose with no contemptible number of his followers, attended by his brother, the earl of Aboine.

The council at Edinburgh, alarmed at Montrose's progress, began to think of a more regular plan of defence against an enemy whose repeated victories had rendered him extremely formidable. They sent for Baillie, an officer of reputation, from England; and joining him in command with Urrey, who had again enlisted himself among the king's enemies, they sent them to the field, with a considerable army, against the royalists. Montrose, with a detachment of eight hundred men, had attacked Dundee, a town extremely zealous for the covenant: and having carried it by assault, had delivered it up to be plundered by his soldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him. His conduct and presence of mind, in this emergence, appeared conspicuous. Instantly he called off his soldiers from plunder, put them in order, secured his retreat by the most skilful measures; and having marched sixty miles in the face of an enemy much superior, without stopping, or allowing his soldiers the least sleep or refreshment, he at last secured himself in the mountains.

Baillie and Urrey now divided their troops, in order the better to conduct the war against an enemy, who surprised them, as much by the rapidity of his marches, as by the boldness of his enterprises. Urrey, at the head of four thousand men, met him at Alderne, near Inverness; and, encouraged by the superiority of number (for the covenanters were double the royalists,) attacked him in the post which he had chosen. Montrose, having placed his right wing in strong ground, drew the best of his forces to the other, and left no main body between them; a defect which he artfully concealed, by showing a few men through the trees and bushes with which that ground was covered. That Urrey might have no leisure to perceive the stratagem, he instantly led his left wing to the charge; and making a furious impression upon the covenanters, drove them off the field, and gained a complete victory. In this battle, the valour of young Napier, son to the lord of that name, shone out with signal lustre.

Baillie now advanced, in order to revenge Urrey's discomfiture; but, at Alford, he met, himself, with a like fate. Montrose, weak in cavalry, here lined his troops of horse with infantry; and after putting the enemy's horse to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loss of the gallant lord Gordon on the part of the royalists. And having thus prevailed in so many battles, which his vigour ever rendered as decisive as they were successful, he summoned together all his friends and partisans, and prepared himself for marching into the southern provinces, in order to put a final period to the power of the covenanters, and dissipate the parliament, which, with great pomp and solemnity, they had summoned to meet at St. Johnstone's.

While the fire was thus kindled in the north of the island, it blazed out with no less fury in the south: the parliamentary and royal armies, as soon as the season would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick decision. The passing of the self-denying ordinance had been protracted by so many debates and intrigues, that the spring was far advanced before it received the sanction of both houses; and it was thought dangerous by many to introduce, so near the time of action, such great innovations into the army. Had not the punctilious principles of Essex engaged him, amidst all the disgusts which he received, to pay implicit obedience to the parliament, this alteration had not been effected without some fatal accident: since, notwithstanding his prompt resignation of the command, a mutiny was generally apprehended. Fairfax, or more properly speaking, Cromwell, under his name, introduced, at last, the *new model* into the army, and threw the troops into a different shape. From the same men, new regiments and new companies were formed, different officers appointed, and the whole military force put into such hands, as the independents could rely on. Besides members of parliament, who were excluded, many officers, unwilling to serve under the new generals, threw up their commissions; and unwarily facilitated the project of putting the army entirely into the hands of that faction.

Though the discipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorously executed, by these new commanders. Valour indeed was very generally diffused over the one party as well as the other, during this period: discipline also was attained by the forces of the parliament: but the perfection of the military art in concerting the general plans of action, and the operations of the field, seems still, on both sides, to have been, in a great measure, wanting. Historians at least, perhaps from their own ignorance and inexperience, have not remarked anything but a headlong impetuous conduct; each party hurrying to a battle, where valour and fortune chiefly determined the success. The great ornament of history, during these reigns, are the civil, not the military transactions.

NEW MODEL OF THE ARMY.

Never surely was a more singular army assembled, than that which was now set on foot by the parliament.

To the greater number of the regiments, chaplains were not appointed. The officers assumed the spiritual duty, and united it with their military functions. During the intervals of action, they occupied themselves in sermons, prayers, exhortations; and the same emulation, there, attended them, which, in the field, is so necessary to support the honour of that profession. Rapturous ecstasies supplied the place of study and reflection; and while the zealous devotees poured out their thoughts in unpremeditated harangues, they mistook that eloquence, which, to their own surprise, as well as that of others, flowed in upon them, for divine illuminations, and for illapses of the Holy Spirit. Wherever they were quartered, they excluded the minister from his pulpit; and, usurping his place, conveyed their sentiments to the audience, with all the authority which followed their power, their valour, and their military exploits, united to their appearing zeal and fervour. The private soldiers, seized with the same spirit, employed their vacant hours in prayer, in perusing the Holy Scriptures, in ghostly conferences, where they compared the progress of their souls in grace, and mutually stimulated each other to further advances in the great work of their salvation. When they were marching to battle, the whole field resounded, as well with psalms and spiritual songs adapted to the occasion, as with the instruments of military music; and every man endeavoured to drown the sense of present danger, in the prospect of that crown of glory which was set before him. In so holy a cause, wounds were esteemed meritorious; death, martyrdom, and the hurry and dangers of action, instead of banishing their pious visions, rather served to impress their minds more strongly with them.

The royalists were desirous of throwing a ridicule on this fanaticism of the parliamentary armies, without being sensible how much reason they had to apprehend its dangerous consequences. The forces assembled by the king at Oxford, in the west, and in other places, were equal, if not superior in number, to their adversaries; but actuated by a very different spirit. That licence, which had been introduced by want of pay, had risen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the soldiery, had indulged the troops in unwarrantable liberties: Wilmot, a man of dissolute manners, had promoted the same spirit of disorder: and the licentious Goring, Gerrard, sir Richard Granville, now carried it to a great pitch of enormity. In the west especially, where Goring commanded, universal spoil and havoc were committed; and the whole country was laid waste by the rapine of the army. All distinction of parties being in a manner dropped, the most devoted friends of the church and monarchy wished there for such success to the parliamentary forces, as might put an end to these oppressions. The country people, despoiled of their substance, flocked together in several places, armed with clubs and staves; and though they professed an enmity to the soldiers of both parties, their hatred was in most places levelled chiefly against the royalists, from whom they had met with the worst treatment. Many thousands of these tumultuary peasants were assembled in different parts of England; who destroyed all such straggling soldiers as they met with, and much infested the armies.

The disposition of the forces on both sides was as follows: part of the Scottish army was employed in taking Pomfret, and other towns in Yorkshire: part of it besieged Carlisle, valiantly defended by sir Thomas Glenham. Chester, where Biron commanded, had long been blockaded by sir William Brereton; and was reduced to great difficulties. The king, being joined by the princes Rupert and Maurice, lay at Oxford, with a considerable army, about 15,000 men. Fairfax and Cromwell were posted at Windsor, with the new-modelled army, about 22,000 men. Taunton, in the county of Somerset, defended by Blake, suffered a long siege from sir Richard Granville, who commanded an army of about 8000 men; and though the defence had been obstinate, the garrison was now reduced to the last extremity. Goring commanded, in the west, an army of nearly the same number.

On opening the campaign, the king formed the project of relieving Chester; Fairfax, that of relieving Taunton. The king was first in motion. When he advanced to Draiton, in Shropshire, Biron met him, and brought intelligence, that his approach had raised the siege, and that the parliamentary army had withdrawn. Fairfax, having reached Salisbury in his road westward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay siege to Oxford, now exposed by the king's absence. He obeyed, after sending colonel Weldon to the west, with a detachment of 4000 men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raised the siege, and allowed this pertinacious town, now half taken and half burned, to receive relief: but the royalists, being re-enforced with 3000 horse under Goring, again advanced to Taunton, and shut up Weldon, with his small army, in that ruinous place.

The king, having effected his purpose with regard to Chester, returned southwards; and, in his way, sat down before Leicester, a garrison of the parliament's. Having made a breach in the wall, he stormed the town on all sides; and, after a furious assault, the soldiers entered sword in hand, and committed all those disorders to which their natural violence, especially when inflamed by resistance, is so much addicted. A great booty was taken and distributed among them: fifteen hundred prisoners fell into the king's hands. This success, which struck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king, with an intention of offering him battle. The king was advancing towards Oxford, in order to raise the siege, which, he apprehended, was now begun; and both armies, ere they were aware, had advanced within six miles of each other. A council of war was called by the king, in order to deliberate concerning the measures which he should now pursue. On the one hand, it seemed more prudent to delay the combat; because Gerrard, who lay in Wales with 3000 men, might be enabled, in a little time, to join the army; and Goring, it was hoped, would soon be master of Taunton; and having put the west in full security, would then unite his forces to those of the king, and give them an incontestable superiority over the enemy. On the other hand, prince Rupert, whose boiling ardour still pushed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royalists laboured, and from which nothing but a victory could relieve them: the resolution was taken to give battle to Fairfax; and the royal army immediately advanced upon him.

BATTLE OF NASEBY.

At Naseby was fought, with forces nearly equal, this decisive and well-disputed action, between the king and parliament. The main body of the royalists was commanded by the king himself: the right wing by prince Rupert; the left by sir Marmaduke Langdale. Fairfax, seconded by Skippon, placed himself in the main body of the opposite army: Cromwell in the right wing: Ireton, Cromwell's son-in-law, in the left. The charge was begun, with his usual celerity and usual success, by prince Rupert. Though Ireton made stout resistance, and even after he was run through the thigh with a pike, still maintained the combat, till he was taken prisoner, yet was that whole wing broken, and pursued with precipitate fury by Rupert: he was even so inconsiderate as to lose time in summoning and attacking the artillery of the enemy, which had been

left with a good guard of infantry. The king led on his main body, and displayed, in this action, all the conduct of a prudent general, and all the valour of a stout soldier. Fairfax and Skippon encountered him, and well supported that reputation which they had acquired. Skippon, being dangerously wounded, was desired by Fairfax to leave the field; but he declared that he would remain there as long as one man maintained his ground. The infantry of the parliament was broken, and pressed upon by the king; till Fairfax, with great presence of mind, brought up the reserve, and renewed the combat. Meanwhile Cromwell, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valour. Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying, he turned back upon the king's infantry, and threw them into the utmost confusion. One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax: and that general, excited by so steady a resistance, ordered Doyley, the captain of his life-guard, to give them a third charge in front, while he himself attacked them in rear. The regiment was broken. Fairfax, with his own hands, killed an ensign, and, having seized the colours, gave them to a soldier to keep for him. The soldier afterwards boasting that he had won this trophy, was reproved by Doyley, who had seen the action; "Let him retain that honour," said Fairfax, "I have to-day acquired enough beside."

Prince Rupert, sensible too late of his error, left the fruitless attack on the enemy's artillery, and joined the king, whose infantry was now totally discomfited. Charles exhorted this body of cavalry not to despair, and cried aloud to them, "One charge more, and we recover the day." But the disadvantages under which they laboured were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy. The slain, on the side of the parliament, exceeded those on the side of the king: they lost a thousand men; he not above eight hundred. But Fairfax made 500 officers prisoners, and 4000 private men; took all the king's artillery and ammunition; and totally dissipated his infantry: so that scarce any victory could be more complete than that which he obtained.

Among the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be published. They chose, no doubt, such of them as they thought would reflect dishonour on him: yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment, he expresses to his consort, and often professes that he never would embrace any measures which she disapproved: but such declarations of civility and confidence are not always to be taken in a full literal sense. And so legitimate an affection, avowed by the laws of God and man, may, perhaps, be excusable towards a woman of beauty and spirit, even though she was a papist.*

The Athenians, having intercepted a letter written by their enemy, Philip of Macedon, to his wife, Olympia, so far from being moved by a curiosity of prying into the secrets of that relation, immediately sent the letter to the queen unopened. Philip was not their sovereign; nor were they inflamed with that violent animosity against him which attends all civil commotions.

* Hearne has published the following extract from a manuscript work of sir Simon D'Ewes, who was no mean man in the parliamentary party. "On Thursday, the 29th and last day of this instant, June, 1625, I went to Whitehall, purposely to see the queen, which I had believed, the night before at dinner, I should not be able to do, she being then shut up in her chamber, and all the tearms of her face, touched with a reddish and purplish cast about her eyes. Besides, her countenance among her women was sorrowful and humble, and not spread and looks to persons of quality as she had formerly used to do, and got about from divers deep places and sighs, to conceive, that she feared the knowledge of the true religion." See preface to the Chronicle of Dunstable, p. 66.

After the battle, the king retreated with that body of horse which remained entire, first to Hereford, then to Abergavenny; and remained some time in Wales, from the vain hope of raising a body of infantry in those harassed and exhausted quarters. Fairfax, having first retaken Leicester, which was surrendered upon articles, (17th June,) began to deliberate concerning his future enterprises. A letter was brought him written by Goring to the king, and unfortunately intrusted to a spy of Fairfax's. Goring there informed the king, that in three weeks he hoped to be master of Taunton; after which he would join his majesty with all the forces in the west; and entreated him, in the meanwhile, to avoid coming to any general action. This letter, which, had it been safely delivered, had probably prevented the battle of Naseby, served now to direct the operations of Fairfax. After leaving a body of 3000 men to Pointz and Rossiter, with orders to attend the king's motions, he marched immediately to the west, with a view of saving Taunton, and suppressing the only considerable force which now remained to the royalists.

In the beginning of the campaign, Charles, apprehensive of the event, had sent the prince of Wales, then fifteen years of age, to the west, with the title of general, and had given orders, if he were pressed by the enemy, that he should make his escape into a foreign country, and save one part of the royal family from the violence of the parliament. Prince Rupert had thrown himself into Bristol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach, the siege of Taunton was raised; (10th July;) and the royalists retired to Lamport, an open town in the county of Somerset. Fairfax attacked them in that post, beat them from it, killed about 300 men, and took 1400 prisoners. After this advantage, he sat down before Bridgewater, a town esteemed strong and of great consequence in that country. When he had entered the outer town by storm, Windham, the governor, who had retired into the inner, immediately capitulated, and delivered up the place to Fairfax. The garrison, to the number of 2600 men, were made prisoners of war. (23rd July.)

SURRENDER OF BRISTOL. *September* 11.

Fairfax, having next taken Bath and Sherborne, resolved to lay siege to Bristol, and made great preparations for an enterprise, which, from the strength of the garrison, and the reputation of prince Rupert the governor, was deemed of the last importance. But, so precarious in most men is this quality of military courage! a poorer defence was not made by any town during the whole war: and the general expectations were here extremely disappointed. No sooner had the parliamentary forces entered the lines by storm, than the prince capitulated, and surrendered the city to Fairfax. A few days before, he had written a letter to the king, in which he undertook to defend the place for four months, if no mutiny obliged him to surrender it. Charles, who was forming schemes and collecting forces for the relief of Bristol, was astonished at so unexpected an event, which was little less fatal to his cause than the defeat at Naseby. Full of indignation, he instantly recalled all prince Rupert's commissions, and sent him a pass to go beyond sea.

The king's affairs now went fast to ruin in all quarters. The Scots, having made themselves masters of Carlisle,* after an obstinate siege, marched southwards, and laid siege to Hereford; but were obliged to raise it on the king's approach: and this was the last glimpse of success which attended his arms. Having marched to the relief of Chester, which was anew besieged by the parliamentary forces under colonel Jones, Pointz attacked his rear, and forced him to give battle. (24th September.) While the fight was continued with great

* 30th of June.

obstinacy, and victory seemed to incline to the royalists. Lesley fell upon them from the other side, and put them to rout, with the loss of six hundred slain, and one thousand prisoners. The king, with the remains of his horse army, fled to Newark, and thence escaped to Oxford, where he shut himself up during the winter season.

The news which he received from every quarter were no less fatal than those events which passed where he himself was present. Fairfax and Cromwell, after the surrender of Bristol, having divided their forces, the former marched westwards, in order to complete the conquest of Devonshire and Cornwall; the latter attacked the king's garrisons which lay to the east of Bristol. The Devizes were surrendered to Cromwell; Berkeley castle was taken by storm; Winchester capitulated; Basinghouse was entered sword in hand: and all these middle counties of England were, in a little time, reduced to obedience under the parliament.

THE WEST CONQUERED BY FAIRFAIX. 1646.

The same rapid and uninterrupted success attended Fairfax. The parliamentary forces, elated by past victories, governed by the most rigid discipline, met with no equal opposition from troops dismayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royalists at Bovey-Tracey, Fairfax sat down before Dartmouth, and in a few days entered it by storm. (18th of January.) Poudram castle being taken by him, and Exeter blockaded on all sides, Hopton, a man of merit, who now commanded the royalists, having advanced to the relief of that town with an army of eight thousand men, met with the parliamentary army at Torrington; (19th February;) where he was defeated, all his foot dispersed, and he himself, with his horse, obliged to retire into Cornwall. Fairfax followed him, and vigorously pursued the victory. Having inclosed the royalists at Truro, he forced the whole army, consisting of five thousand men, chiefly cavalry, to surrender upon terms. The soldiers, delivering up their horses and arms, were allowed to disband, and received twenty shillings a piece, to carry them to their respective abodes. Such of the officers as desired it had passes to retire beyond sea; the others, having promised never more to bear arms, paid compositions to the parliament,* and procured their pardon. And thus Fairfax, after taking Exeter, which completed the conquest of the west, marched with his victorious army to the centre of the kingdom, and fixed his camp at Newbury. The prince of Wales, in pursuance of the king's orders, retired to Scilly; thence to Jersey; whence he went to Paris; where he joined the queen, who had fled thither from Exeter, at the time the earl of Essex conducted the parliamentary army to the west.

In the other parts of England, Hereford was taken by surprise: Chester surrendered: lord Digby, who had attempted, with 1200 horse, to break into Scotland and join Montrose, was defeated at Sherburn, in Yorkshire, by colonel Copley: his whole force was dispersed; and he himself was obliged to fly, first to the Isle of Man, thence to Ireland. News too arrived that Montrose himself, after some more successes, was at last routed; and this only remaining hope of the royal party finally extinguished.

When Montrose descended into the southern counties, the covenanters, assembling their whole force, met him with a numerous army, and gave him battle, but with [illegible] at Kilsyth. This was the most complete victory that Montrose ever obtained. The royalists put to the sword six thousand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was shaken with these repeated successes of Montrose; and many noblemen, who secretly favoured the royal cause, now declared openly for it, when they saw a force able to support them. The marquis of Douglas, the earls of Annandale and Hartfield, the lords Fleming, Seton, Maderty, Carnegy, with many others, flocked to the royal standard. Edinburgh opened its gates, and gave liberty to all the prisoners there detained by the covenanters. Among the rest was lord Ogilvy, son of Airly, whose family had contributed extremely to the victory gained at Kilsyth.

David Lesly was detached from the army in England, and marched to the relief of his distressed party in Scotland. Montrose advanced still further to the south, allured by vain hopes, both of rousing to arms the earls of Hume, Traquaire, and Roxborough, who had promised to join him: and of obtaining from England some supply of cavalry, in which he was deficient. By the negligence of his scouts, Lesly, at Philiphaugh in the Forest, surprised his army, much diminished in numbers, from the desertion of the Highlanders, who had retired to the hills, according to custom, in order to secure their plunder. After a sharp conflict, where Montrose exerted great valour, his forces were routed by Lesly's cavalry;* and he himself was obliged to fly with his broken forces into the mountains, where he again prepared himself for new battles and new enterprises.

The covenanters used the victory with rigour. Their prisoners, sir Robert Spottiswood, secretary of state, and son to the late primate, sir Philip Nisbet, sir William Rollo, colonel Nathaniel Gordon, Andrew Guthry, son of the bishop of Murray, William Murray, son of the earl of Tullibardine, were condemned and executed. The sole crime imputed to the secretary, was his delivering to Montrose the king's commission to be captain-general of Scotland. Lord Ogilvy, who was again taken prisoner, would have undergone the same fate, had not his sister found means to procure his escape, by changing clothes with him. For this instance of courage and dexterity, she met with harsh usage. The clergy solicited the parliament, that more royalists might be executed; but could not obtain their request.

After all these repeated disasters, which everywhere befell the royal party, there remained only one body of troops, on which fortune could exercise her rigour. Lord Astley, with a small army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the king, was met at Stowe, by Colonel Morgan, and entirely defeated, (22nd March,) himself being taken prisoner. "You have done your work," said Astley to the parliamentary officers; "and may now go to play, unless you choose to fall out among yourselves."†

The condition of the king, during this whole winter, was to the last degree disastrous and melancholy. As the dread of ills is commonly more oppressive than their real presence, perhaps in no period of his life was he more justly the object of compassion. His vigour of mind, which, though it sometimes failed him in acting, never deserted him in his sufferings, was what alone supported him; and he was determined, as he wrote to lord Digby, if he could not live as a king, to die like a gentleman; nor should any of his friends, he said, ever have reason to blush for the prince whom they had so unfortunately served. The murmurs of discontented officers, on the one hand, harassed their unhappy sovereign; while they overrated those services and sufferings, which, they now saw, must for ever go unrewarded. The [illegible]

* [illegible]

† [illegible]

duty, on the other hand, of his more generous friends, who respected his misfortunes and his virtues, as much as his dignity, wrung his heart with a new sorrow, when he reflected, that such disinterested attachment would so soon be exposed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceful and equitable accommodation with the parliament, served to no purpose but to convince them that the victory was entirely in their hands. They deigned not to make the least reply to several of his messages, in which he desired a passport for commissioners. At last, after reproaching him with the blood spilt during the war, they told him, that they were preparing bills for him; and his passing them would be the best pledge of his inclination towards peace: in other words, he must yield at discretion. He desired a personal treaty, and offered to come to London, upon receiving a safe-conduct for himself and his attendants: they absolutely refused him admittance, and issued orders for the guarding, that is, the seizing of his person, in case he should attempt to visit them. A new incident, which happened in Ireland, served to inflame the minds of men, and to increase those calumnies with which his enemies had so much loaded him, and which he ever regarded as the most grievous part of his misfortunes.

After the cessation with the Irish rebels, the king was desirous of concluding a final peace with them, and obtaining their assistance in England: and he gave authority to Ormond, lord-lieutenant, to promise them an abrogation of all the penal laws enacted against catholics, together with the suspension of Poining's statute, with regard to some particular bills, which should be agreed on. Lord Herbert, created earl of Glamorgan, (though his patent had not yet passed the seals,) having occasion for his private affairs to go to Ireland, the king considered, that this nobleman, being a catholic, and allied to the best Irish families, might be of service: he also foresaw, that further concessions with regard to religion might probably be demanded by the bigoted Irish; and that, as these concessions, however necessary, would give great scandal to the protestant zealots in his three kingdoms, it would be requisite both to conceal them during some time, and to preserve Ormond's character, by giving private orders to Glamorgan to conclude and sign these articles. But as he had a better opinion of Glamorgan's zeal and affection for his service, than of his capacity, he enjoined him to communicate all his measures to Ormond; and though the final conclusion of the treaty must be executed only in Glamorgan's own name, he was required to be directed, in the steps towards it, by the opinion of the lord-lieutenant. Glamorgan, bigoted to his religion, and passionate for the king's service, but guided in these pursuits by no manner of judgment or discretion, secretly, of himself, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed, in the king's name, that the Irish should enjoy all the churches of which they had ever been in possession since the commencement of their insurrection, on condition that they should assist the king in England with a body of ten thousand men. This transaction was discovered by accident. The titular archbishop of Tuam being killed by a sally of the garrison of Sligo, the articles of the treaty were found among his baggage, and were immediately published everywhere, and copies of them sent over to the English parliament. The lord-lieutenant and lord Digby, foreseeing the clamour which would be raised against the king, committed Glamorgan to prison, charged him with treason for his temerity, and maintained, that he had acted altogether without any authority from his master. The English parliament, however, neglected not so favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them, "That the earl of Glamorgan having made an offer to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, had a commission for that purpose, and to that purpose only, and that he had no commission at all to treat of anything else, without the privity and direction of the lord-lieutenant, much less to capitulate anything concerning religion, or any property belonging either to church or laity. Though this declaration seems agreeable to truth, it gave no satisfaction to the parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince. [*See note* G K, *at the end of this Vol.*]

Having lost all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only resource which remained to the king was derived from the intestine dissensions, which ran very high among his enemies. Presbyterians and independents, even before their victory was fully completed, fell into contests about the division of the spoil; and their religious as well as civil disputes agitated the whole kingdom.

ECCLESIASTICAL AFFAIRS.

The parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place; and their committees of religion had hitherto assumed the whole ecclesiastical jurisdiction: but they now established, by an ordinance, the presbyterian model in all its forms of *congregational*, *classical*, *provincial*, and *national* assemblies. All the inhabitants of each parish were ordered to meet and choose elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns within the congregation. A number of neighbouring parishes, commonly between twelve and twenty, formed a classis; and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighbouring classes, and was composed entirely of clergymen: the national assembly was constituted in the same manner; and its authority extended over the whole kingdom. It is probable, that the tyranny exercised by the Scottish clergy had given warning not to allow laymen a place in the provincial or national assemblies; lest the nobility and more considerable gentry, soliciting a seat in these great ecclesiastical courts, should bestow a consideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might serve rather to temper the usual zeal of the clergy.

But though the presbyterians, by the establishment of parity among the ecclesiastics, were so far gratified, they were denied satisfaction in several other points, on which they were extremely intent. The assembly of divines had voted presbytery to be of divine right. The parliament refused their assent to that decision. Selden, Whitlocke, and other political reasoners, assisted by the independents, had prevailed in this important deliberation. They thought, that, had the bigoted religionists been able to get their heavenly charter recognised, the presbyters would soon become more dangerous to the magistrate than had ever been the prelatical clergy. These latter, while they claimed to themselves a divine right, admitted of a like origin to civil authority: the former, challenging to their own order a celestial pedigree, derived the legislative power from a source no more dignified than the voluntary association of the people.

Under colour of keeping the sacraments from profanation, the clergy of all Christian sects had assumed what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a sufficient lesson for the parliament to use precaution in guarding against so severe a tyranny. They determined, by a general ordinance, all the cases in which excommunication could be used. They allowed of appeals to parliament from all ecclesiastical courts. And they appointed commissioners in every province to judge of such cases as fell not within their general ordinance. So much civil authority, intermixed with the ecclesiastical, gave disgust to all the zealots.

But nothing was attended with more universal scandal than the propensity of many in the parliament towards a toleration of the protestant sectaries. The presbyterians exclaimed, that this indulgence made the church of Christ resemble Noah's ark, and rendered it a receptacle for all unclean beasts. They insisted, that the least of Christ's truths was superior to all political considerations. They maintained the eternal obligation imposed by the covenant to extirpate heresy and schism. And they menaced all their opponents with the same rigid persecution, under which they themselves had groaned, when held in subjection by the hierarchy.

So great prudence and reserve, in such material points, does great honour to the parliament; and proves, that, notwithstanding the prevalency of bigotry and fanaticism, there were many members who had more enlarged views, and paid regard to the civil interests of society. These men, uniting themselves to the enthusiasts, whose genius is naturally averse to clerical usurpations, exercised so jealous an authority over the assembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not intrust them even with the power of electing their own chairman or his substitute, or of supplying the vacancies of their own members.

While these disputes were canvassed by theologians, who engaged in their spiritual contests every order of the state; the king, though he entertained hopes of reaping advantage from those divisions, was much at a loss which side it would be most for his interest to comply with. The presbyterians were, by their principles, the least averse to regal authority; but were rigidly bent on the extirpation of prelacy: the independents were resolute to lay the foundation of a republican government; but as they pretended not to erect themselves into a national church, it might be hoped, that, if gratified with a toleration, they would admit the re-establishment of the hierarchy. So great attachment had the king to episcopal jurisdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might hope to reap from the divisions in the parliamentary party, he was apprehensive lest it should come too late to save him from the destruction with which he was instantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper measures for laying siege to Oxford, which must infallibly fall into his hands. To be taken captive, and led in triumph by his insolent enemies, was what Charles justly abhorred; and every insult, if not violence, was to be dreaded from that enthusiastic soldiery, who hated his person and despised his dignity. In this desperate extremity, he embraced a measure which, in any other situation, might lie under the imputation of imprudence and indiscretion.

THE KING GOES TO THE SCOTCH CAMP AT NEWARK.

Montreville, the French minister, interested for the king more by the natural sentiments of humanity, than any instructions from his court, which seemed rather to favour the parliament, had solicited the Scottish generals and commissioners to give protection to their distressed sovereign; and having received many general professions and promises, he had always transmitted these, perhaps with some exaggeration, to the king. From his suggestions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottish army, which at that time lay before Newark. He considered that the Scottish nation had been fully gratified in all their demands; and having already, in their own country, annihilated both episcopacy and regal authority, had no further concessions to exact from him. In all disputes which had passed about settling the terms of peace, the Scots, he heard, had still adhered to the milder side, and had endeavoured to soften the rigour of the English parliament. Great disgusts also, on other accounts, had taken place between the nations; and the Scots found that, in proportion as their assistance became less necessary, less value was put upon them. The progress of the independents gave them great alarm; and they were scandalized to hear their beloved covenant spoken of, every day, with less regard and reverence. The refusal of a divine right to presbytery, and the infringing of ecclesiastical discipline from political considerations, were, to them, the subject of much offence: and the king hoped, that in their present disposition, the sight of their native prince, flying to them in this extremity of distress, would rouse every spark of generosity in their bosom, and procure him their favour and protection.

That he might the better conceal his intentions, orders were given at every gate in Oxford, for allowing three persons to pass: and in the night the king, accompanied by none but Dr. Hudson and Mr. Ashburnham, went out at that gate which leads to London. He rode before a portmanteau, and called himself Ashburnham's servant. He passed through Henley, St. Alban's, and came so near to London as Harrow-on-the-Hill. He once entertained thoughts of entering into that city, and of throwing himself on the mercy of the parliament. But at last, after passing through many cross-roads he arrived at the Scottish camp before Newark. (5th May.) The parliament, hearing of his escape from Oxford, issued rigorous orders, and threatened with instant death whoever should harbour or conceal him.

The Scottish generals and commissioners affected great surprise on the appearance of the king: and though they paid him all the exterior respect due to his dignity, they instantly set a guard upon him, under colour of protection, and made him in reality a prisoner. They informed the English parliament of this unexpected incident, and assured them that they had entered into no private treaty with the king. They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity; and the orders were instantly obeyed. And hearing that the parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them, they thought proper to retire northwards, and to fix their camp at Newcastle.

This measure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news; and on every great event, the whole Scripture was ransacked by the clergy for passages applicable to the present occasion. The first minister who preached before the king, chose these words for his text: "And, behold, all the men of Israel came to the king, and said unto him, Why have our brethren, the men of Judah, stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us; where

fore then be ye angry for this matter? Have we eaten at all of the king's cost; or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had, in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel."[1] But the king found, that the happiness chiefly of the allusion had tempted the preacher to employ this text, and that the covenanting zealots were nowise pacified towards him. Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung:

"Why dost thou, tyrant, boast thyself,
Thy wicked deeds to praise?"

The king stood up, and called for that psalm which begins with these words,

"Have mercy, Lord, on me, I pray;
For men would me devour."

The goodnatured audience, in pity to fallen majesty, showed for once greater deference to the king than to the minister, and sung the psalm which the former had called for.

Charles had very little reason to be pleased with his situation. He not only found himself a prisoner very strictly guarded: all his friends were kept at a distance; and no intercourse, either by letters or conversation, was allowed him, with any one on whom he could depend, or who was suspected of any attachment towards him. The Scottish generals would enter into no confidence with him; and still treated him with distant ceremony and feigned respect. And every proposal, which they made him, tended further to his abasement and to his ruin.

They required him to issue orders to Oxford, and all his other garrisons, commanding their surrender to the parliament: and the king, sensible that their resistance was to very little purpose, willingly complied. The terms given to most of them were honourable; and Fairfax, as far as it lay in his power, was very exact in observing them. Far from allowing violence, he would not even permit insults or triumph over the unfortunate royalists; and by his generous humanity, so cruel a civil war was ended, in appearance very calmly, between the parties.

Ormond having received the like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montrose also, after having experienced still more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

The marquis of Worcester, a man past eighty-four, was the last in England that submitted to the authority of the parliament. He defended Raglan castle to extremity; and opened not its gates till the middle of August. Four years, a few days excepted, were now elapsed since the king first erected his standard at Nottingham. So long had the British nations, by civil and religious quarrels, been occupied in shedding their own blood, and laying waste their native country.

The parliament and the Scots laid their proposals before the king. They were such as a captive, entirely at mercy, could expect from the most inexorable victor: yet were they little worse than what were insisted on before the battle of Naseby. The power of the sword, instead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament should think proper for the support of their armies. The other conditions were, in the main, the same with those which had formerly been offered to the king.

Charles said, that proposals which introduced such important innovations in the constitution, demanded time for deliberation: the commissioners replied, that he must give his answer in ten days. He desired to reason about the meaning and import of some terms: they informed him, that they had no power of debate; and peremptorily required his consent or refusal. He requested a personal treaty with the parliament: they threatened, that, if he delayed compliance, the parliament would, by their own authority, settle the nation.

What the parliament was most intent upon, was not their treaty with the king, to whom they paid little regard; but that with the Scots. Two important points remained to be settled with that nation; their delivery of the king, and the estimation of their arrears.

The Scots might pretend, that as Charles was king of Scotland as well as of England, they were entitled to an equal vote in the disposal of his person: and that, in such a case, where the titles are equal, and the subject indivisible, the preference was due to the present possessor. The English maintained that the king being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent; since such a situation is not anywhere to be found in history.

As the Scots concurred with the English, in imposing such severe conditions on the king, that, notwithstanding his unfortunate situation, he still refused to accept of them, it is certain that they did not desire his freedom; nor could they ever intend to join lenity and rigour together, in so inconsistent a manner. Before the settlement of terms, the administration must be possessed entirely by the parliaments of both kingdoms; and how incompatible that scheme with the liberty of the king, is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported to guard him, was a measure so full of inconvenience and danger, that, even if the English had consented to it, must have appeared to the Scots themselves altogether ineligible: and how could such a plan be supported in opposition to England, possessed of such numerous and victorious armies, which were at that time, or at least seemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themselves with the royalists in both kingdoms, endeavour by force of arms to reduce the English parliament to more moderate conditions: but beside that this measure was full of extreme hazard; what was it but instantly to combine with their old enemies against their old friends; and, in a fit of romantic generosity, overturn what, with so much expense of blood and treasure, they had, during the course of so many years, been so carefully erecting?

But though all these reflections occurred to the Scottish commissioners, they resolved to prolong the dispute, and to keep the king as a pledge for those arrears which they claimed from England, and which they were not likely, in the present disposition of that nation, to obtain by any other expedient. The sum, by their account, amounted to near two millions: for they had received little regular pay since they had entered England. And though the contributions which they had levied, as well as the price of their living at free-quarters, must be deducted; yet still the sum which they insisted on was very considerable. After many discussions, it was, at last, agreed, that, in lieu of all demands, they should accept of 400,000 pounds, one half to be paid instantly, another in two subsequent payments.

Great pains were taken by the Scots (and the English complied with their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person: but common sense requires, that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of

[1] 2 Sam. xix. 41–43

receiving the king, would never have parted with so considerable a sum; and, while they weakened themselves, by the same measure have strengthened a people, with whom they must afterwards have so material an interest to discuss.

Thus the Scottish nation underwent, and still undergo, (for such grievous stains are not easily wiped off,) the reproach of selling their king, and betraying their prince for money. In vain did they maintain, that this money was, on account of former services, undoubtedly their due; that in their present situation, no other measure, without the utmost indiscretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered, that they made use of this scandalous expedient for obtaining their wages; and that, after taking arms, without any provocation, against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation, from which they could not extricate themselves, without either infamy or imprudence.

The infamy of this bargain had such an influence on the Scottish parliament, that they once voted, that the king should be protected and his liberty insisted on. But the general assembly interposed, and pronounced, that, as he had refused to take the covenant, which was pressed on him, it became not the godly to concern themselves about his fortunes. After this declaration, it behoved the parliament to retract their vote.

Intelligence concerning the final resolution of the Scottish nation to surrender him, was brought to the king; and he happened at that very time to be playing at chess. Such command of temper did he possess, that he continued his game without interruption; and none of the bystanders could perceive that the letter, which he perused, had brought him news of any consequence. The English commissioners, who, some days after, came to take him under their custody, were admitted to kiss his hands; and he received them with the same grace and cheerfulness, as if they had travelled on no other errand than to pay court to him. The old earl of Pembroke in particular, who was one of them, he congratulated on his strength and vigour, that he was still able, during such a season, to perform so long a journey, in company with so many young people.

KING DELIVERED UP BY THE SCOTS.
1647.

The king being delivered over by the Scots to the English commissioners, was conducted, under a guard, to Holdenby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancour against him, in his present condition, they passed in silence; while his well-wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety. That ancient superstition likewise, of desiring the king's touch in scrofulous distempers, seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch.

The commissioners rendered his confinement at Holdenby very rigorous; dismissing his ancient servants, debarring him from visits, and cutting off all communication with his friends or family. The parliament, though earnestly applied to by the king, refused to allow his chaplains to attend him, because they had not taken the covenant. The king refused to assist at the service exercised according to the directory; because he had not as yet given his consent to that mode of worship. Such religious zeal prevailed on both sides! And such was the unhappy and distracted condition to which it had reduced king and people!

During the time that the king remained in the Scottish army at Newcastle, died the earl of Essex, the discarded, but still powerful and popular, general of the parliament. His death, in this conjuncture, was a public misfortune. Fully sensible of the excesses to which affairs had been carried, and of the worse consequences which were still to be apprehended, he had resolved to conciliate a peace, and to remedy, as far as possible, all those ills to which, from mistake rather than any bad intentions, he had himself so much contributed. The presbyterian, or the moderate party among the commons, found themselves considerably weakened by his death: and the small remains of authority which still adhered to the house of peers, were in a manner wholly extinguished.

CHAPTER LIX.

Mutiny of the Army — The King seized by Joyce — The Army march against the Parliament — The Army subdue the Parliament — The King flies to the Isle of Wight — Second Civil War — Invasion from Scotland — The Treaty of Newport — The Civil War and Invasion repressed — The King seized again by the Army — The House purged — The King's Trial, and Execution — His Character.

THE dominion of the parliament was of short duration. No sooner had they subdued their sovereign, than their own servants rose against them, and tumbled them from their slippery throne. The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it.

In proportion as the terror of the king's power diminished, the division between independent and presbyterian became every day more apparent; and the neuters found it at last requisite to seek shelter in one or the other faction. Many new writs were issued for elections, in the room of members who had died, or were disqualified by adhering to the king; yet still the presbyterians retained the superiority among the commons: and all the peers, except lord Say, were esteemed of that party. The independents, to whom the inferior sectaries adhered, predominated in the army: and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the independent party among the commons chiefly trust, in their projects for acquiring the ascendant over their antagonists.

Soon after the retreat of the Scots, the presbyterians, seeing everything reduced to obedience, began to talk of diminishing the army: and, on pretence of easing the public burdens, they levelled a deadly blow at the opposite faction. They purposed to embark a strong detachment, under Skippon and Massey, for the service of Ireland: they openly declared their intention of making a great reduction of the remainder.* It was even imagined, that another new model of the army was projected, in order to regain to the presbyterians that superiority which they had so imprudently lost by the former.

The army had small inclination to the service of Ireland; a country barbarous, uncultivated, and laid waste by massacres and civil commotions: they had less inclination to disband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purposed to enjoy in ease and tranquillity. And most of the officers, having risen from the dregs of the people, had no other prospect, if deprived of their commission, than that of returning to languish in their native poverty and obscurity.

* Fourteen thousand men were only intended to be kept up: 6000 horse, 6000 foot, and 2000 dragoons.—Bates.

These motives of interest acquired additional influence, and became more dangerous to the parliament, from the religious spirit by which the army was universally actuated. Among the generality of men, educated in regular, civilized societies, the sentiments of shame, duty, honour, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage: but, by the predominancy of enthusiasm among the parliamentary forces, these salutary principles lost their credit, and were regarded as mere human inventions, yea, moral institutions, fitter for heathens than for Christians. The saint, resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind.

The military confessors were further encouraged in disobedience to superiors, by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janizaries, mercenary troops enlisted for hire, and to be disposed of at the will of their paymasters. Religion and liberty were the motives which had excited them to arms; and they had a superior right to see those blessings, which they had purchased with their blood, ensured to future generations. By the same title that the presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet of *godly*, or the *well affected*, the independents did now, in contradistinction to the presbyterians, assume this magnificent appellation, and arrogate all the ascendant, which naturally belongs to it.

Hearing of parties in the house of commons, and being informed that the minority were friends to the army, the majority enemies, the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partisans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed to a settled design of oppressing them, and resented as an effect of the animosity and malice of their adversaries.

Notwithstanding the great revenue, which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army; and many of the private men, as well as officers, had near a twelvemonth's pay still owing them. The army suspected, that this deficiency was purposely contrived, in order to oblige them to live at free quarters; and by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members as were employed in committees and civil offices accumulate fortunes, they accused them of rapine and public plunder. And, as no plan was pointed out by the commons for the payment of arrears, the soldiers dreaded, that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two houses, would entirely defraud them of their right, and oppress them with impunity.

MUTINY OF THE ARMY.

On this ground or pretence did the first commotions begin in the army. A petition, addressed to Fairfax, the general, was handed about, craving an indemnity, and that ratified by the king, for any illegal actions of which, during the course of the war, the soldiers might have been guilty; together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded. The commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above the civil authority. Besides summoning some officers to answer for this attempt, they immediately (30th March) voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obstruct the relief of Ireland; and they threatened to proceed against the promoters of it, as enemies to the state, and disturbers of public peace. This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented that they were deprived of the privileges of Englishmen; that they were not allowed so much as to represent their grievances; that, while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped; and that they who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the most grievous servitude.

In this disposition was the army found by Warwick, Dacres, Massey, and other commissioners, who were sent to make them proposals for entering into the service of Ireland. Instead of enlisting, the generality objected to the terms; demanded an indemnity; were clamorous for their arrears; and, though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwell. Some officers, who were of the presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to enlist under them. And, as these officers lay all under the grievous reproach of deserting the army, and betraying the interest of their companions, the rest were further confirmed in that confederacy, which they had secretly formed.

To petition and remonstrate being the most cautious method of conducting a confederacy, an application to parliament was signed by near two hundred officers; in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower house. The private men likewise of some regiments sent a letter to Skippon; in which, together with insisting on the same topics, they lament that designs were formed against them and many of the godly party in the kingdom; and declare that they could not engage for Ireland, till they were satisfied in their expectations, and had their just desires granted. The army, in a word, felt their power, and resolved to be masters.

The parliament too resolved, if possible, to preserve their dominion: but being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient which could contribute to their purpose. The expedient which they now made use of was the worst imaginable. They sent Skippon, Cromwell, Ireton, and Fleetwood, to the head-quarters at Saffron-Walden, in Essex; (7th of May;) and empowered them to make offers to the army, and inquire into the cause of its *distempers*. These very generals, at least the three last, were secretly the authors of all the discontents; and failed not to foment those disorders, which they pretended to appease. By their suggestion, a measure was embraced, which at once brought matters to extremity, and rendered the mutiny incurable.

In opposition to the parliament at Westminster, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the house of peers, a more free representative of the army was composed, by the election of two private men or inferior officers, under the title of agitators, from each troop or company. By these means, both the general humour of that time was gratified, intent on plans of imaginary republics; and an easy method contrived for conducting underhand, and propagating the sedition of the army.

This terrible court, when assembled, having first declared that they found no *distempers* in the army, but many *grievances*, under which it laboured, immediately voted the offers of the parliament unsatisfactory. Eight weeks' pay alone, they said, was promised; a small

part of fifty-six weeks, which they claimed as their due: no visible security was given for the remainder: and having been declared public enemies by the commons, they might hereafter be prosecuted as such, unless the declaration were recalled. Before matters came to this height, Cromwell had posted up to London, on pretence of laying before the parliament the rising discontents of the army.

The parliament made one vigorous effort more, to try the force of their authority: they voted that all the troops which did not engage for Ireland, should instantly be disbanded in their quarters. At the same time, the counsel of the army ordered a general rendezvous of all the regiments, in order to provide for their common interests. And while they thus prepared themselves for opposition to the parliament, they struck a blow, which at once decided the victory in their favour.

THE KING SEIZED BY JOYCE. *June* 3.

A party of five hundred horse appeared at Holdenby, conducted by one Joyce, who had once been a tailor by profession; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence, armed with pistols, and told him, that he must immediately go along with him. "Whither?" said the king. "To the army," replied Joyce. "By what warrant?" asked the king. Joyce pointed to the soldiers, whom he brought along; tall, handsome, and well accoutred. "Your warrant," said Charles, smiling, "is writ in fair characters, legible without spelling." The parliamentary commissioners came into the room: they asked Joyce, whether he had any orders from the parliament? he said, "No:" from the general? "No:" by what authority he came? He made the same reply as to the king: "They would write," they said, "to the parliament, to know their pleasure." "You may do so," replied Joyce; "but in the mean time the king must immediately go with me." Resistance was vain. The king, after protracting the time as long as he could, went into his coach; and was safely conducted to the army, who were hastening to their rendezvous at Triplo-Heath, near Cambridge. The parliament, informed of this event by their commissioners, were thrown into the utmost consternation.

Fairfax himself was no less surprised at the king's arrival. That bold measure, executed by Joyce, had never been communicated to the general. The orders were entirely verbal; and nobody avowed them. And while every one affected astonishment at the enterprise, Cromwell, by whose council it had been directed, arrived from London, and put an end to their deliberations.

This artful and audacious conspirator had conducted himself in the parliament with such profound dissimulation, with such refined hypocrisy, that he had long deceived those, who, being themselves very dexterous practitioners in the same arts, should naturally have entertained the more suspicion against others. At every intelligence of disorders in the army, he was moved to the highest pitch of grief and of anger. He wept bitterly: he lamented the misfortunes of his country: he advised every violent measure for suppressing the mutiny; and by these precipitate counsels, at once seemed to evince his own sincerity, and inflamed those discontents, of which he intended to make advantage. He obtested heaven and earth, that his devoted attachment to the parliament had rendered him so odious in the army, that his life, while among them, was in the utmost danger: and he had very narrowly escaped a conspiracy formed to assassinate him. But information being brought, that the most active officers and agitators were entirely his creatures, the parliamentary leaders secretly resolved, that next day, when he should come to the house, an accusation should be entered against him, and he should be sent to the Tower. Cromwell, who in the conduct of his desperate enterprises frequently approached to the very brink of destruction, knew how to make the requisite turn with proper dexterity and boldness. Being informed of this design, he hastened to the camp; where he was received with acclamations, and was instantly invested with the supreme command, both of general and army.

Fairfax, having neither talents himself for cabal, nor penetration to discover the cabals of others, had given his entire confidence to Cromwell; who, by the best-coloured pretences, and by the appearance of an open sincerity and a scrupulous conscience, imposed on the easy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwell's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a situation, where he could cover his enterprises from public view; and, seeming either to obey the commands of his superior officer, or yield to the movements of the soldiers, could secretly pave the way for his future greatness. While the disorders of the army were yet in their infancy, he kept at a distance, lest his counterfeit aversion might throw a damp upon them, or his secret encouragement beget suspicion in the parliament. As soon as they came to maturity, he openly joined the troops; and in the critical moment, struck that important blow of seizing the king's person, and depriving the parliament of any resource of an accommodation with him. Though one vizor fell off, another still remained to cover his natural countenance. Where delay was requisite, he could employ the most indefatigable patience: where celerity was necessary, he flew to a decision. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

THE ARMY MARCH AGAINST THE PARLIAMENT.

The parliament, though at present defenceless, was possessed of many resources; and time might easily enable them to resist that violence with which they were threatened. Without further deliberation, therefore, Cromwell advanced the army upon them, and arrived in a few days at St. Albans.

Nothing could be more popular than this hostility which the army commenced against the parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

The self-denying ordinance had no longer been put in execution, than till Essex, Manchester, Waller, and the other officers of that party, had resigned their commission: immediately after, it was laid aside by tacit consent; and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A small supply of 100,000 pounds a year could never be obtained by former kings from the jealous humour of parliaments; and the English, of all nations in Europe, were the least accustomed to taxes: but this parliament, from the commencement of the war, according to some computations, had levied, in five years, above forty millions;* yet were loaded with debts and incumbrances, which, during that age, were regarded as prodigious. If these computations should be

* Clement Walker's History of the Two Juntos, prefixed to his History of Independency, p. 8. This is an author of spirit and ingenuity; and being a zealous parliamentarian, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large; especially as the sequestrations, during the time of war, could not be so considerable as afterwards

thought much exaggerated, as they probably are,* the taxes and impositions were certainly far higher than in any former state of the English government; and such popular exaggerations are, at least, a proof of popular discontents.

But the disposal of this money was no less the object of general complaint against the parliament than the levying of it. The sum of 300,000 pounds they openly took, it is affirmed, and divided among their own members. The committees, to whom the management of the different branches of revenue was intrusted, never brought in their accounts, and had unlimited power of secreting whatever sums they pleased from the public treasure. These branches were needlessly multiplied, in order to render the revenue more intricate, to share the advantages among greater numbers, and to conceal the frauds of which they were universally suspected.

The method of keeping accounts practised in the exchequer was confessedly the exactest, the most ancient, the best known, and the least liable to fraud. The exchequer was, for that reason, abolished, and the revenue put under the management of a committee who were subject to no control.

The excise was an odious tax, formerly unknown to the nation; and was now extended over provisions, and the common necessaries of life. Near one half of the goods and chattels, and at least one half of the lands, rents, and revenues of the kingdom had been sequestered. To great numbers of royalists, all redress from these sequestrations was refused: to the rest, the remedy could be obtained only by paying large compositions and subscribing the covenant, which they abhorred. Besides pitying the ruin and desolation of so many ancient and honourable families, indifferent spectators could not but blame the hardship of punishing with such severity actions which the law in its usual and most undisputed interpretation strictly required of every subject.

The severities too, exercised against the episcopal clergy, naturally affected the royalists, and even all men of candour in a sensible manner. By the most moderate computation,† it appears, that above one half of the established clergy had been turned out to beggary and want, for no other crime than their adhering to the civil and religious principles in which they had been educated; and for their attachment to those laws under whose countenance they had at first embraced that profession. To renounce episcopacy and the liturgy, and to subscribe the covenant, were the only terms which could save them from so rigorous a fate; and if the least mark of malignancy, as it was called, or affection to the king, who so entirely loved them, had ever escaped their lips, even this hard choice was not permitted. The sacred character, which gives the priesthood such authority over mankind, becoming more venerable from the sufferings endured, for the sake of principle, by these distressed royalists, aggravated the general indignation against their persecutors.

But what excited the most universal complaint was, the unlimited tyranny and despotic rule of the country-committees. During the war, the discretionary power of these courts was excused, from the plea of necessity; but the nation was reduced to despair, when it saw neither end put to their duration, nor bounds to their authority. These could sequester, fine, imprison, and corporally punish, without law or remedy. They interposed in questions of private property. Under colour of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and sometimes to the innocent, they sold their protection. And instead of one star-chamber, which had been abolished, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority.*

Could anything have increased the indignation against that slavery into which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the elect, interlarded all their iniquities with long and fervent prayers, saved themselves from blushing by their pious grimaces, and exercised in the name of the Lord all their cruelty on men. An undisguised violence could be forgiven: but such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

The parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to the present necessity. London still retained a strong attachment to presbyterianism: and its militia, which was numerous, and had acquired reputation in wars, had by a late ordinance been put into hands in whom the parliament could entirely confide. This militia was now called out, and ordered to guard the lines, which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their service to the parliament. An army of 5000 men lay in the north under the command of general Pointz, who was of the presbyterian faction; but these were too distant to be employed in so urgent a necessity. The forces destined for Ireland were quartered in the west; and, though deemed faithful to the parliament, they also lay at a distance. Many inland garrisons were commanded by officers of the same party; but their troops being so much dispersed, could at present be of no manner of service. The Scots were faithful friends, and zealous for presbytery and the covenant; but a long time was required, ere they could collect their forces, and march to the assistance of the parliament.

In this situation, it was thought more prudent to submit, and by compliance to stop the fury of the enraged army. The declaration, by which the military petitioners had been voted public enemies, was recalled and erased from the journal-book. This was the first symptom which the parliament gave of submission; and the army, hoping, by terror alone, to effect all their purposes, stopped at St. Albans, and entered into negociation with their masters.

Here commenced the encroachments of the military upon the civil authority. The army, in their usurpations on the parliament, copied exactly the model which the parliament itself had set them, in their recent usurpations on the crown.

Every day they rose in their demands. If one claim was granted, they had another ready, still more enormous and exorbitant; and were determined never to be satisfied. At first they pretended only to petition for what concerned themselves as soldiers: next, they must have a vindication of their character: then it was necessary, that their enemies be punished: at last they claimed a right of modelling the whole government, and settling the nation.

They preserved, in words, all deference and respect to the parliament; but, in reality, insulted them, and tyrannized over them. That assembly they pretended not to accuse: it was only evil counsellors, who seduced and betrayed it.

On the 16th of June they proceeded so far as to name

* Yet the same sum precisely is assigned in a book, called Royal Treasury of England, p. 297.

† See John Walker's Attempt towards recovering an Account of the Numbers and Sufferings of the Clergy. The parliament pretended to leave the sequestered clergy a fifth of their revenue; but this author makes it sufficiently appear, that this provision, small as it is, was never regularly paid the ejected clergy.

* Clement Walker's History of Independency, p. 5. Hollis gives the same representation as Walker of the plunderings, oppressions, and tyranny of the parliament: only instead of laying the fault on both parties, as Walker does, he ascribes it solely to the independent faction. The presbyterians, indeed, being commonly denominated the *moderate* party, would probably be more inoffensive. See Rushworth, vol. VII. p. 598, and Parl. Hist. vol. XV. p. 230.

eleven members, whom, in general terms, they charged with high-treason, as enemies to the army, and evil counsellors to the parliament. Their names were, Hollis, sir Philip Stapleton, sir William Lewis, sir John Clotworthy, sir William Waller, sir John Maynard, Massey, Glyn, Long, Harley, and Nicholas. These were the very leaders of the presbyterian party.

They insisted, that these members should immediately be sequestered from parliament, and be thrown into prison. The commons replied, that they could not, upon a general charge, proceed so far. The army observed to them, that the cases of Strafford and Laud were direct precedents for that purpose. At last, the eleven members themselves, not to give occasion for discord, begged leave to retire from the house; and the army, for the present, seemed satisfied with this mark of submission.

Pretending that the parliament intended to levy war upon them, and to involve the nation again in blood and confusion, they required that all new levies should be stopped. The parliament complied with this demand.

There being no signs of resistance, the army, in order to save appearances, removed, at the desire of the parliament, to a greater distance from London, and fixed their head-quarters at Reading. They carried the king along with them in all their marches.

That prince now found himself in a better situation than at Holdenby, and had attained some greater degree of freedom, as well as of consideration, with both parties.

All his friends had access to his presence: his correspondence with the queen was not interrupted: his chaplains were restored to him, and he was allowed the use of the liturgy: his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided. He had not seen the duke of Gloucester, his youngest son, and the princess Elizabeth, since he left London, at the commencement of the civil disorders;* nor the duke of York, since he went to the Scottish army before Newark. No private man, unacquainted with the pleasures of a court and the tumult of a camp, more passionately loved his family, than did this good prince; and such an instance of indulgence in the army was extremely grateful to him. Cromwell, who was witness to the meeting of the royal family, confessed, that he never had been present at so tender a scene; and he extremely applauded the benignity which displayed itself in the whole disposition and behaviour of Charles.

That artful politician, as well as the leaders of all parties, paid court to the king; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The parliament, afraid of his forming some accommodation with the army, addressed him in a more respectful style than formerly; and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation. The chief officers treated him with regard, and spake on all occasions of restoring him to his just powers and prerogatives. In the public declarations of the army, the settlement of his revenue and authority were insisted on. The royalists everywhere entertained hopes of the restoration of monarchy; and the favour which they universally bore to the army, contributed very much to discourage the parliament, and to forward their submission.

The king began to feel of what consequence he was. The more the national confusion increased, the more was he confident that all parties would, at length, have recourse to his lawful authority as the only remedy for the public disorders. "You cannot be without me," said he, on several occasions: "you cannot settle the nation but by my assistance." A people without government and without liberty, a parliament without authority, an army without a legal master: distractions everywhere, terrors, oppressions, convulsions: from this scene of confusion, which could not long continue, all men, he hoped, would be brought to reflect on that ancient government, under which they and their ancestors had so long enjoyed happiness and tranquillity.

Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: they had confined his person. In both these particulars, the army showed more indulgence. He had a free intercourse with his friends. And in the proposals, which the council of officers sent for the settlement of the nation, they insisted neither on the abolition of episcopacy, nor of the punishment of the royalists; the two points to which the king had the most extreme reluctance: and they demanded, that a period should be put to the present parliament; the event for which he most ardently longed.

His conjunction too seemed more natural with the generals, than with that usurping assembly, who had so long assumed the entire sovereignty of the state, and who had declared their resolution still to continue masters. By gratifying a few persons with titles and preferments, he might draw over, he hoped, the whole military power, and, in an instant, reinstate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland; to Cromwell, the garter, the title of earl of Essex, and the command of the army. Negociations to this purpose were secretly conducted. Cromwell pretended to hearken to them; and was well pleased to keep the door open for an accommodation, if the course of events should, at any time, render it necessary. And the king, who had no suspicion that one born a private gentleman could entertain the daring ambition of seizing a sceptre transmitted through a long line of monarchs, indulged hopes that he would, at last, embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him.

While Cromwell allured the king by these expectations, he still continued his scheme of reducing the parliament to subjection, and depriving them of all means of resistance. To gratify the army, the parliament invested Fairfax with the title of general-in-chief of all the forces in England and Ireland; and intrusted the whole military authority to a person who, though well inclined to their service, was no longer at his own disposal.

They voted that the troops which, in obedience to them, had enlisted for Ireland, and deserted the rebellious army, should be disbanded, or, in other words, be punished for their fidelity. The forces in the north, under Pointz, had already mutinied against their general, and had entered into an association with that body of the army which was so successfully employed in exalting the military above the civil authority.

That no resource might remain to the parliament, it was demanded that the militia of London should be changed, the presbyterian commissioners displaced, and the command restored to those who, during the course of the war, had constantly exercised it. The parliament even complied with so violent a demand, and passed a vote in obedience to the army.

By this unlimited patience they purposed to temporize under their present difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence: but the impatience of the city lost them all the advantage of their cautious measures. A petition against the alteration of the militia was carried to Westminster, (20th July,) attended by the apprentices and seditious multitudes, who besieged the door of the house of commons, and, by their clamour, noise, and violence, obliged them to reverse that vote, which they had passed so lately. When gratified

* When the king applied to have his children, the parliament always told him, that they could take as much care at London, both of their bodies and souls, as could be done at Oxford. Parl. Hist. vol. XIII. p. 127

in this pretension, they immediately dispersed, and left the parliament at liberty.

No sooner was intelligence of this tumult conveyed to Reading, than the army was put in motion. The two houses being under restraint, they were resolved, they said, to vindicate, against the seditious citizens, the invaded privileges of parliament, and restore that assembly to its just freedom of debate and counsel. In their way to London, they were drawn up on Hounslow-heath; a formidable body, twenty thousand strong, and determined, without regard to laws or liberty, to pursue whatever measures their generals should dictate to them. Here the most favourable event happened, to quicken and encourage their advance. The speakers of the two houses, Manchester and Lenthal, attended by eight peers, and about sixty commoners, having secretly retired from the city, presented themselves with their maces, and all the ensigns of their dignity; and complaining of the violence put upon them, applied to the army for defence and protection. They were received with shouts and acclamations: respect was paid to them as to the parliament of England; and the army being provided with so plausible a pretence, which, in all public transactions, is of great consequence, advanced to chastise the rebellious city, and to reinstate the violated parliament.

Neither Lenthal nor Manchester were esteemed independents; and such a step in them was unexpected. But they probably foresaw, that the army must, in the end, prevail; and they were willing to pay court in time to that authority, which began to predominate in the nation.

The parliament, forced from their temporising measures, and obliged to resign, at once, or combat for their liberty and power, prepared themselves with vigour for defence, and determined to resist the violence of the army. The two houses immediately chose new speakers, lord Hunsdon, and Henry Pelham: they renewed their former orders for enlisting troops: they appointed Massey to be commander: they ordered the trained-bands to man the lines: and the whole city was in a ferment, and resounded with military preparations.

When any intelligence arrived, that the army stopped or retreated, the shout of "One and all!" ran with alacrity from street to street, among the citizens: when news came of their advancing, the cry of "Treat and capitulate!" was no less loud and vehement. The terror of an universal pillage, and even massacre, had seized the timid inhabitants.

THE ARMY SUBDUE THE PARLIAMENT.

As the army approached, Rainsborow, being sent by the general over the river, presented himself before Southwark, and was gladly received by some soldiers, who were quartered there for its defence, and who were resolved not to separate their interests from those of the army. It behoved then the parliament to submit. The army marched in triumph through the city, (6th August,) but preserved the greatest order, decency, and appearance of humility. They conducted to Westminster the two speakers, who took their seats as if nothing had happened. The eleven impeached members being accused as authors of the tumult, were expelled; and most of them retired beyond sea: seven peers were impeached: the mayor, one sheriff, and three aldermen sent to the Tower: several citizens and officers of the militia committed to prison: every deed of the parliament annulled, from the day of the tumult till the return of the speakers; the lines about the city levelled: the militia restored to the independents: regiments quartered in Whitehall and the Meuse: and the parliament being reduced to a regular formed servitude, a day was appointed of solemn thanksgiving for the restoration of its liberty.

The independent party among the commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands; and they had a near prospect of moulding the government into that imaginary republic which had long been the object of their wishes. They had secretly concurred in all encroachments of the military upon the civil power; and they expected, by the terror of the sword, to impose a more perfect system of liberty on the reluctant nation. All parties, the king, the church, the parliament, the presbyterians, had been guilty of errors since the commencement of these disorders: but it must be confessed, that this delusion of the independents and republicans was, of all others, the most contrary to common sense and the established maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St. John, Martin, the men in England the most celebrated for profound thought and deep contrivance; and by their well-coloured pretences and professions, they had overreached the whole nation. To deceive such men, would argue a superlative capacity in Cromwell; were it not that, besides the great difference there is between their dark, crooked councils and true wisdom, an exorbitant passion for rule and authority will make the most prudent overlook the dangerous consequences of such measures as seem to tend, in any degree, to their own advancement.

The leaders of the army, having established their dominion over the parliament and city, ventured to bring the king to Hampton-court; and he lived, for some time, in that palace, with an appearance of dignity and freedom. Such equability of temper did he possess, that during all the variety of fortune which he underwent, no difference was perceived in his countenance or behaviour; and though a prisoner, in the hands of his most inveterate enemies, he supported towards all who approached him, the majesty of a monarch; and that neither with less nor greater state than he had been accustomed to maintain. His manner, which was not in itself popular nor gracious, now appeared amiable, from its great meekness and equality.

The parliament renewed their applications to him, and presented him with the same conditions which they had offered at Newcastle. The king declined accepting them: and desired the parliament to take the proposals of the army into consideration, and make them the foundation of the public settlement. He still entertained hopes that his negociations with the generals would be crowned with success; though everything, in that particular, daily bore a worse aspect. Most historians have thought that Cromwell never was sincere in his professions; and that, having by force rendered himself master of the king's person, and, by fair pretences, acquired the countenance of the royalists, he had employed these advantages to the enslaving of the parliament: and afterwards thought of nothing but the establishment of his own unlimited authority, with which he esteemed the restoration, and even life of the king, altogether incompatible. This opinion, so much warranted by the boundless ambition and profound dissimulation of his character, meets with ready belief; though it is more agreeable to the narrowness of human views, and the darkness of futurity, to suppose, that this daring usurper was guided by events, and did not as yet foresee, with any assurance, that unparalleled greatness which he afterwards attained. Many writers of that age have asserted, [*See note* 6 L, *at the end of this Vol.*,] that he really intended to make a private bargain with the king; a measure which carried the most plausible appearance both for his safety and advancement; but that he found insuperable difficulties in reconciling it to the wild humours of the army. The horror and antipathy of these fanatics had, for many years, been artfully fomented against Charles; and though their principles were on all occasions easily warped and eluded by private interest, yet was some colouring requisite, and a flat contradiction to all former professions and tenets could not safely be proposed to them. It is certain, at least,

that Cromwell made use of this reason, why he admitted rarely of visits from the king's friends, and showed less favour than formerly to the royal cause. The agitators, he said, had rendered him odious to the army, and had represented him as a traitor, who, for the sake of private interest, was ready to betray the cause of God to the great enemy of piety and religion. Desperate projects, too, he asserted to be secretly formed, for the murder of the king; and he pretended much to dread lest all his authority, and that of the commanding officers, would not be able to restrain these enthusiasts from their bloody purposes.

Intelligence being daily brought to the king, of menaces thrown out by the agitators, he began to think of retiring from Hampton-court, and of putting himself in some place of safety. The guards were doubled upon him: the promiscuous concourse of people restrained: a more jealous care exerted in attending his person; all, under colour of protecting him from danger; but really with a view of making him uneasy in his present situation. These artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not then access to any good counsel, took suddenly a resolution of withdrawing himself, though without any concerted, at least any rational, scheme for the future disposal of his person. Attended only by sir John Berkeley, Ashburnham, and Leg, he privately left Hampton-court; (11th November;) and his escape was not discovered till near an hour after; when those who entered his chamber found on the table some letters directed to the parliament, to the general, and to the officer who had attended him. All night he travelled through the forest, and arrived next day at Titchfield, a seat of the earl of Southampton's, where the countess dowager resided, a woman of honour, to whom the king knew he might safely intrust his person. Before he arrived at this place, he had gone to the sea-coast; and expressed great anxiety, that a ship which he seemed to look for, had not arrived; and thence, Berkeley and Leg, who were not in the secret, conjectured, that his intention was to transport himself beyond sea.

THE KING FLIES TO THE ISLE OF WIGHT.

The king could not hope to remain long concealed at Titchfield: what measures should next be embraced was the question. In the neighbourhood lay the Isle of Wight, of which Hammond was governor. This man was entirely dependent on Cromwell. At his recommendation he had married a daughter of the famous Hambden, who, during his lifetime, had been an intimate friend of Cromwell's, and whose memory was ever respected by him. These circumstances were very unfavourable: yet, because the governor was nephew to Dr. Hammond, the king's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him, in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were dispatched to the island. They had orders not to inform Hammond of the place where the king was concealed, till they had first obtained a promise from him not to deliver up his majesty, though the parliament and army should require him; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security; yet even without exacting it, Ashburnham, imprudently, if not treacherously, brought Hammond to Titchfield; and the king was obliged to put himself in his hands, and to attend him to Carisbroke castle in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner.

Lord Clarendon is positive, that the king, when he fled from Hampton-court, had no intention of going to this island; and indeed all the circumstances of that historian's narrative, which we have here followed, strongly favour this opinion. But there remains a letter of Charles's to the earl of Laneric, secretary of Scotland, in which he plainly intimates, that that measure was voluntarily embraced; and even insinuates, that, if he had thought proper, he might have been in Jersey, or any other place of safety. [*See note* 6 M, *at the end of this Vol.*] Perhaps, he still confided in the promises of the generals; and flattered himself, that if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favour.

Whatever may be the truth in this matter, for it is impossible fully to ascertain the truth, Charles never took a weaker step, nor one more agreeable to Cromwell and all his enemies. He was now lodged in a place, removed from his partisans, at the disposal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwell, whenever he pleased, to have sent him thither; yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

Cromwell being now entirely master of the parliament, and free from all anxiety with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army which he himself had so artfully raised, and so successfully employed against both king and parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men; and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic: and the plans of imaginary republics, for the settlement of the state, were every day the topics of conversation among these armed legislators. Royalty it was agreed to abolish: nobility must be set aside: even all ranks of men be levelled; and an universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth: an entire parity had place among the elect: and, by the same rule, that the apostles were exalted from the most ignoble professions, the meanest sentinel, if enlightened by the Spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwell had issued orders for discontinuing the meetings of the agitators; and he pretended to pay entire obedience to the parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instrument of his authority. But the *Levellers*, for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings: they asserted, that their officers, as much as any part of the church or state, needed reformation: several regiments joined in seditious remonstrances and petitions. Separate rendezvouses were concerted; and everything tended to anarchy and confusion. But this distemper was soon cured by the rough but dexterous hand of Cromwell. He chose the opportunity of a review, that he might display the greater boldness and spread the terror the wider. He seized the ringleaders before their companions: held in the field a council of war: shot one mutineer instantly: and struck such dread into the rest, that they presently threw down the symbols of sedition, which they had displayed, and thenceforth returned to their wonted discipline and obedience.

Cromwell had great deference for the counsels of Ireton; a man who, having grafted the soldier on the lawyer, the statesman on the saint, had adopted such principles as were fitted to introduce the severest tyranny, while they seemed to encourage the most un



bounded licence in human society. Fierce in his nature, though probably sincere in his intentions, he purposed by arbitrary power to establish liberty, and, in prosecution of his imagined religious purposes, he thought himself dispensed from all the ordinary rules of morality by which inferior mortals must allow themselves to be governed. From his suggestion, Cromwell secretly called at Windsor a council of the chief officers, in order to deliberate concerning the settlement of the nation, and the future disposal of the king's person. In this conference, which commenced with devout prayers, poured forth by Cromwell himself, and other inspired persons, (for the officers of this army received inspiration with their commission,) was first opened the daring and unheard-of counsel, of bringing the king to justice, and of punishing, by a judicial sentence, their sovereign, for his pretended tyranny and mal-administration. While Charles lived, even though restrained to the closest prison, conspiracies, they knew, and insurrections would never be wanting in favour of a prince, who was so extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compassion. To murder him privately was exposed to the imputation of injustice and cruelty, aggravated by the baseness of such a crime: and every odious epithet of *traitor* and *assassin* would, by the general voice of mankind, be indisputably ascribed to the actors in such a villany. Some unexpected procedure must be attempted, which would astonish the world by its novelty, would bear the semblance of justice, and would cover its barbarity by the audaciousness of the enterprise. Striking in with the fanatical notions of the entire equality of mankind, it would ensure the devoted obedience of the army, and serve as a general engagement against the royal family, whom, by their open and united deed, they would so heinously affront and injure.*

This measure, therefore, being secretly resolved on, it was requisite, by degrees, to make the parliament adopt it, and to conduct them from violence to violence, till this last act of atrocious iniquity should seem in a manner wholly inevitable. The king, in order to remove those fears and jealousies which were perpetually pleaded as reasons for every invasion of the constitution, had offered, by a message sent from Carisbroke castle, to resign, during his own life, the power of the militia and the nomination to all the great offices; provided that, after his demise, these prerogatives should revert to the crown. But the parliament acted entirely as victors and enemies; and, in all their transactions with him, paid no longer any regard to equity or reason. At the instigation of the independents and army, they neglected this offer, and framed four proposals, which they sent him as preliminaries; and, before they would deign to treat, they demanded his positive assent to all of them. By one he was required to invest the parliament with the military power for twenty years, together with an authority to levy whatever money should be necessary for exercising it: and even after the twenty years should be elapsed, they reserved a right of resuming the same authority, whenever they should declare the safety of the kingdom to require it. By the second, he was to recall all his proclamations and declarations against the parliament, and acknowledge that assembly to have taken arms in their just and necessary defence. By the third, he was to annul all the acts, and void all the patents of peerage, which had passed the great seal, since it had been carried from London by lord-keeper Littleton; and at the same time, renounce for the future the power of making peers without consent of parliament. By the fourth, he gave the two houses power to adjourn as they thought proper: a demand seemingly of no great importance: but contrived by the independents, that they might be able to remove the parliament to places where it should remain in perpetual subjection to the army.

1648. The king regarded the pretension as unusual and exorbitant, that he should make such concessions, while not secure of any settlement; and should blindly trust his enemies for the conditions which they were afterwards to grant him. He required, therefore, a personal treaty with the parliament, and desired, that all the terms on both sides should be adjusted, before any concession, on either side, should be insisted on. The republican party in the house pretended to take fire at this answer; and openly inveighed, in violent terms, against the person and government of the king; whose name, hitherto, had commonly, in all debates, been mentioned with some degree of reverence. Ireton, seeming to speak the sense of the army, under the appellation of many thousand godly men, who had ventured their lives in defence of the parliament, said, that the king, by denying the four bills, had refused safety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on his part, they were freed from all obligations to allegiance, and must settle the nation without consulting any longer so misguided a prince. Cromwell, after giving an ample character of the valour, good affections, and godliness of the army, subjoined, that it was expected the parliament should guide and defend the kingdom by their own power and resolutions, and not accustom the people any longer to expect safety and government from an obstinate man, whose heart God had hardened; that those who at the expense of their blood had hitherto defended the parliament from so many dangers, would still continue, with fidelity and courage, to protect them against all opposition in this vigorous measure. "Teach them not," added he, "by your neglecting your own safety and that of the kingdom, (in which theirs too is involved,) to imagine themselves betrayed, and their interests abandoned to the rage and malice of an irreconcilable enemy, whom, for your sake, they have dared to provoke. Beware," (*and at these words he laid his hand on his sword,*) "beware, lest despair cause them to seek safety by some other means than by adhering to you, who know not how to consult your own safety." Such arguments prevailed, though ninety-one members had still the courage to oppose. It was voted (15th January) that no more addresses be made to the king, nor any letters or messages be received from him; and that it be treason for any one, without leave of the two houses, to have any intercourse with him. The lords concurred in the same ordinance.

By this vote of non-address, so it was called, the king was in reality dethroned, and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the commons no less violent. The blackest calumnies were there thrown upon the king; such as, even in their famous remonstrance, they thought proper to omit, as incredible and extravagant: the poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre. By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills, than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to sir Philip Warwick a decrepid old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed, during several months that this rigorous confinement lasted. No amusement was allowed him, nor society, which might relieve his anxious thoughts: to be speedily poisoned or assassinated was the only prospect which he had every moment before his eyes: for he entertained no apprehension of a judicial sentence and exe-

* The following was a favourite text among the enthusiasts of that age — "Let the high praises of God be in the mouths of his saints, and a twofold sword in their hands, to execute vengeance upon the heathen and punishment upon the people; to bind their kings with chains and their nobles with fetters of iron; to execute upon them the judgments written: this honour have all his saints." Psalm cxlix. ver. 6—9. Hugh Peters, the mad chaplain of Cromwell, preached frequently upon this text.

cution; an event of which no history hitherto furnished an example. Meanwhile, the parliament was very industrious in publishing, from time to time, the intelligence which they received from Hammond; how cheerful the king was, how pleased with every one that approached him, how satisfied in his present condition; as if the view of such benignity and constancy had not been more proper to inflame, than allay, the general compassion of the people. The great source whence the king derived consolation amidst all his calamities, was undoubtedly religion; a principle which in him seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While everything around him bore a hostile aspect; while friends, family, relations, whom he passionately loved, were placed at a distance, and unable to serve him, he reposed himself with confidence in the arms of that Being who penetrates and sustains all nature, and whose severities, if received with piety and resignation, he regarded as the surest pledges of unexhausted favour.

SECOND CIVIL WAR.

The parliament and army, meanwhile, enjoyed not in tranquillity that power which they had obtained with so much violence and injustice. Combinations and conspiracies, they were sensible, were everywhere forming around them; and Scotland, whence the king's cause had received the first fatal disaster, seemed now to promise its support and assistance.

Before the surrender of the king's person at Newcastle, and much more since that event, the subjects of discontent had been daily multiplying between the two kingdoms. The independents, who began to prevail, took all occasions of mortifying the Scots, whom the presbyterians looked on with the greatest affection and veneration. When the Scottish commissioners, who, joined to a committee of English lords and commons, had managed the war, were ready to depart, it was proposed in parliament to give them thanks for their civilities and good offices. The independents insisted, that the words *good offices* should be struck out; and thus the whole brotherly friendship and intimate alliance with the Scots resolved itself into an acknowledgment of their being well-bred gentlemen.

The advance of the army to London, the subjection of the parliament, the seizing of the king at Holdenby, his confinement in Carisbroke castle, were so many blows sensibly felt by that nation, as threatening the final overthrow of presbytery, to which they were so passionately devoted. The covenant was profanely called, in the house of commons, an almanac out of date: and that impiety, though complained of, had passed uncensured. Instead of being able to determine and establish orthodoxy by the sword and by penal statutes, they saw the sectarian army, who were absolute masters, claim an unbounded liberty of conscience, which the presbyterians regarded with the utmost abhorrence. All the violences put on the king they loudly blamed, as repugnant to the covenant, by which they stood engaged to defend his royal person. And those very actions of which they themselves had been guilty, they denominated treason and rebellion, when executed by an opposite party.

The earls of Loudon, Lauderdale, and Laneric, who were sent to London, protested against the four bills; as containing too great a diminution of the king's civil power, and providing no security for religion. They complained, that notwithstanding this protestation, the bills were still insisted on; contrary to the solemn league, and to the treaty between the two nations. And when they accompanied the English commissioners to the Isle of Wight, they secretly formed a treaty with the king, for arming Scotland in his favour.

INVASION FROM SCOTLAND.

Three parties at that time prevailed in Scotland: the *royalists*, who insisted upon the restoration of the king's authority, without any regard to religious sects or tenets: of these Montrose, though absent, was regarded as the head. The *rigid presbyterians*, who hated the king even more than they abhorred toleration; and who determined to give him no assistance, till he should subscribe the covenant: these were governed by Argyle. The *moderate presbyterians*, who endeavoured to reconcile the interests of religion and of the crown, and hoped, by supporting the presbyterian party in England, to suppress the sectarian army, and to reinstate the parliament, as well as the king, in their just freedom and authority: the two brothers, Hamilton and Laneric, were leaders of this party.

When Pedennis castle was surrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generously determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish parliament to arm 40,000 men in support of the king's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster. And though he openly protested, that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, sir Marmaduke Langdale and sir Philip Musgrave, who had levied considerable forces in the north of England.

The general assembly, who sat at the same time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy, without the establishment of presbytery, in England. To join the king before he had subscribed the covenant was, in their eyes, to restore him to his honour before Christ had obtained his; and they thundered out anathemas against every one who paid obedience to the parliament. Two supreme independent judicatures were erected in the kingdom; one threatening the people with damnation and eternal torments, the other with imprisonment, banishment, and military execution. The people were distracted in their choice; and the armament of Hamilton's party, though seconded by all the civil power, went on slowly. The royalists he would not as yet allow to join them, lest he might give offence to the ecclesiastical party; though he secretly promised them trust and preferment as soon as his army should advance into England.

While the Scots were making preparations for the invasion of England, every part of that kingdom was agitated with tumults, insurrections, conspiracies, discontents. It is seldom that the people gain anything by revolutions in government; because the new settlement, jealous and insecure, must commonly be supported with more expense and severity than the old: but on no occasion was the truth of this maxim more sensibly felt, than in the present situation of England. Complaints against the oppression of ship-money, against the tyranny of the star-chamber, had roused the people to arms; and having gained a complete victory over the crown, they found themselves loaded with a multiplicity of taxes, formerly unknown; and scarcely an appearance of law and liberty remained in the administration. The presbyterians, who had chiefly supported the war, were enraged to find the prize, just when it seemed within their reach, snatched by violence from them. The royalists, disappointed in their expectations, by the cruel treatment which the king now received from the army, were strongly animated to restore him to liberty, and to recover the advantages which they had unfortunately lost. All orders of men were inflamed with indignation at seeing the military prevail over

the civil power, and king and parliament at once reduced to subjection by a mercenary army. Many persons of family and distinction had, from the beginning of the war, adhered to the parliament: but all these were, by the new party, deprived of authority; and every office was intrusted to the most ignoble part of the nation. A base populace exalted above their superiors; hypocrites exercising iniquity under the vizor of religion: these circumstances promised not much liberty or lenity to the people; and these were now found united in the same usurped and illegal administration.

Though the whole nation seemed to combine in their hatred of military tyranny, the ends which the several parties pursued were so different, that little concert was observed in their insurrections. Langhorne, Poyer, and Powel, presbyterian officers, who commanded bodies of troops in Wales, were the first that declared themselves; and they drew together a considerable army in those parts, which was extremely devoted to the royal cause. An insurrection was raised in Kent by young Hales and the earl of Norwich. Lord Capel, sir Charles Lucas, sir George Lisle, excited commotions in Essex. The earl of Holland, who had several times changed sides since the commencement of the civil wars, endeavoured to assemble forces in Surrey. Pomfret castle in Yorkshire was surprised by Maurice. Langdale and Musgrave were in arms, and masters of Berwick and Carlisle in the north.

What seemed the most dangerous circumstance, the general spirit of discontent had seized the fleet. Seventeen ships, lying in the mouth of the river, declared for the king; and putting Rainsborow, their admiral, ashore, sailed over to Holland, where the prince of Wales took the command of them.

The English royalists exclaimed loudly against Hamilton's delays, which they attributed to a refined policy in the Scots; as if their intentions were, that all the king's party should be first suppressed, and the victory remain solely to the presbyterians. Hamilton, with better reason, complained of the precipitate humour of the English royalists, who, by their ill-timed insurrections, forced him to march his army before his levies were completed, or his preparations in any forwardness.

No commotions beyond a tumult of the apprentices, which was soon suppressed, were raised in London: the terror of the army kept the citizens in subjection. The parliament was so overawed, that they declared the Scots to be enemies, and all who joined them traitors. Ninety members, however, of the lower house had the courage to dissent from this vote.

Cromwell and the military council prepared themselves with vigour and conduct for defence. The establishment of the army was at this time 26,000 men; but by enlisting supernumeraries, the regiments were greatly augmented, and commonly consisted of more than double their stated complement. Colonel Horton first attacked the revolted troops in Wales, and gave them a considerable defeat. The remnants of the vanquished threw themselves into Pembroke, and were there closely besieged, and soon after taken, by Cromwell. Lambert was opposed to Langdale and Musgrave in the north, and gained advantages over them. Sir Michael Livesey defeated the earl of Holland at Kingston, and pursuing his victory, took him prisoner at St. Neots. Fairfax, having routed the Kentish royalists at Maidstone, followed the broken army; and when they joined the royalists of Essex, and threw themselves into Colchester, he laid siege to that place, which defended itself to the last extremity. A new fleet was manned, and sent out under the command of Warwick, to oppose the revolted ships, of which the prince had taken the command.

While the forces were employed in all quarters, the parliament regained its liberty, and began to act with its wonted courage and spirit. The members, who had withdrawn, from terror of the army, returned; and infusing boldness into their companions, restored to the presbyterian party the ascendant which it had formerly lost. The eleven impeached members were recalled, and the vote, by which they were expelled, was reversed. The vote too of non-addresses was repealed; and commissioners, five peers and ten commoners, were sent to Newport, in the Isle of Wight, in order to treat with the king. He was allowed to summon several of his friends and old counsellors, that he might have their advice in this important transaction. The theologians, on both sides, armed with their syllogisms and quotations, attended as auxiliaries. By them the flame had first been raised; and their appearance was but a bad prognostic of its extinction. Any other instruments seemed better adapted for a treaty of pacification.

TREATY OF NEWPORT. *September* 18.

When the king presented himself to this company, a great and sensible alteration was remarked in his aspect, from what it appeared the year before, when he resided at Hampton-court. The moment his servants had been removed, he had laid aside all care of his person, and had allowed his beard and hair to grow, and to hang dishevelled and neglected. His hair was become almost entirely grey; either from the decline of years, or from that load of sorrows under which he laboured, and which, though borne with constancy, preyed inwardly on his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that *grey and discrowned head*, as he himself terms it, in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic. Having in vain endeavoured by courage to defend his throne from his armed adversaries, it now behoved him, by reasoning and persuasion, to save some fragments of it from these peaceful, and no less implacable negociators.

The vigour of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and undecayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter into reasoning with any but himself. He alone, during the transactions of two months, was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both houses; and no advantage was ever obtained over him. This was the scene, above all others, in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner; by these accomplishments he triumphed in all discussions of cool and temperate reasoning. "The king is much changed," said the earl of Salisbury to sir Philip Warwick: "he is extremely improved of late." "No," replied sir Philip; "he was always so: but you are now at last sensible of it." Sir Henry Vane, discoursing with his fellow-commissioners, drew an argument from the king's uncommon abilities, why the terms of pacification must be rendered more strict and rigid. But Charles's capacity shone not equally in action as in reasoning.

The first point, insisted on by the parliamentary commissioners, was the king's recalling all his proclamations and declarations against the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession; but long scrupled the latter. The falsehood, as well as indignity, of that acknowledgment, begat in his breast an extreme reluctance against it. The king had, no doubt, in some particulars of moment, invaded, from a seeming necessity, the privileges of his people: but having renounced all claim to these usurped powers, having confessed his errors, and having repaired every breach in the constitution, and even erected new ramparts, in order to secure it; he could no longer, at the commencement of the war, be represented as the aggressor. However

it might be pretended, that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the parliament prudent and reasonable, it could never, in any propriety of speech, make it be termed a defensive one. But the parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security: and the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted; that no concession made by him should be valid, unless the whole treaty of pacification were concluded.

He agreed that the parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority, whenever they should declare such a resumption necessary for public safety. In effect, the important power of the sword was for ever ravished from him and his successors.

He agreed, that all the great offices, during twenty years, should be filled by both houses of parliament. He relinquished to them the entire government of Ireland, and the conduct of the war there. He renounced the power of the wards, and accepted of 100,000 pounds a year, in lieu of it. He acknowledged the validity of their great seal, and gave up his own. He abandoned the power of creating peers without consent of parliament. And he agreed, that all the debts contracted in order to support the war against him, should be paid by the people.

So great were the alterations made on the English constitution by this treaty, that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life.

Of all the demands of the parliament, Charles refused only two. Though he relinquished almost every power of the crown, he would neither give up his friends to punishment, nor desert what he esteemed his religious duty. The severe repentance, which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had contributed to rivet him the more in those religious principles, which had ever a considerable influence over him. His desire, however, of finishing an accommodation induced him to go as far in both these particulars, as he thought anywise consistent with his duty.

The estates of the royalists being, at that time, almost entirely under sequestration, Charles, who could give them no protection, consented that they should pay such compositions as they and the parliament could agree on; and only begged that they might be made as moderate as possible. He had not the disposal of offices; and it seemed but a small sacrifice to consent, that a certain number of his friends should be rendered incapable of public employments. But when the parliament demanded a bill of attainder and banishment against seven persons, the marquis of Newcastle, lord Digby, lord Biron, sir Marmaduke Langdale, sir Richard Granville, sir Francis Doddington, and judge Jenkins, the king absolutely refused compliance: their banishment for a limited time he was willing to agree to.

Religion was the fatal point about which the differences had arisen; and of all others, it was the least susceptible of composition or moderation between the contending parties. The parliament insisted on the establishment of presbytery, the sale of the chapter-lands, the abolition of all forms of prayer, and strict laws against catholics. The king offered to retrench everything which he did not esteem of apostolical institution: he was willing to abolish archbishops, deans, prebends, canons: he offered that the chapter-lands should be let at low leases during ninety-nine years: he consented, that the present church-government should continue during three years. After that time, he required not that anything should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters. If the parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of church-government must, by common consent, be established. The book of common prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel: a demand which, though seemingly reasonable, was positively refused by the parliament.

In the dispute on these articles, one is not surprised, that two of the parliamentary theologians should tell the king, "That if he did not consent to the utter abolition of episcopacy, he would be damned." But it is not without some indignation that we read the following vote of the lords and commons: "The houses, out of their detestation to that abominable idolatry used in the mass, do declare, that they cannot admit of, or consent unto, any such indulgence in any law as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass." The treaty of marriage, the regard to the queen's sex and high station, even common humanity; all considerations were undervalued, in comparison of their bigoted prejudices. [*See note* 6 N, *at the end of this Vol.*]

It was evidently the interest both of king and parliament, to finish their treaty with all expedition; and endeavour, by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the parliament, to leave in the king's hand a considerable share of authority, by which he might be enabled to protect them and himself from so dangerous an enemy. But the terms on which they insisted were so rigorous, that the king fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides, that they were willing to sacrifice the greatest civil interests, rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the independents, the treaty was spun out to such a length, that the invasions and insurrections were everywhere subdued: and the army had leisure to execute their violent and sanguinary purposes.

CIVIL WAR AND INVASION REPRESSED.

Hamilton, having entered England with a numerous, although undisciplined army, durst not unite his forces with those of Langdale; because the English royalists had refused to take the covenant; and the Scottish presbyterians, though engaged for the king, refused to join them on any other terms. The two armies marched together, though at some distance; nor could even the approach of the parliamentary army, under Cromwell, oblige the covenanters to consult their own safety, by a close union with the royalists. When principles are so absurd and so destructive of human society, it may safely be averred, that the more sincere and the more disinterested they are, they only become the more ridiculous and more odious.

Cromwell feared not to oppose 8,000 men to the numerous armies of 20,000 commanded by Hamilton and Langdale. He attacked the latter by surprise, near Preston in Lancashire;* and, though the royalists made a brave resistance, yet not being succoured in time by their confederates, they were almost entirely cut in pieces. Hamilton was next attacked, put to rout, and pursued to Utoxeter, where he surrendered himself prisoner. Cromwell followed his advantage; and marching into Scotland with a considerable body,

* 17th of August.



joined Argyle, who was also in arms; and having suppressed Laneric, Monro, and other moderate presbyterians, he placed the power entirely in the hands of the violent party. The ecclesiastical authority, exalted above the civil, exercised the severest vengeance on all who had a share in Hamilton's engagement, as it was called; nor could any of that party recover trust, or even live in safety, but by doing solemn and public penance for taking arms, by authority of parliament, in defence of their lawful sovereign.

The chancellor Loudon, who had, at first, countenanced Hamilton's enterprise, being terrified with the menaces of the clergy, had, some time before, gone over to the other party; and he now openly in the church, though invested with the highest civil character in the kingdom, did penance for his obedience to the parliament, which he termed a *carnal self-seeking*. He accompanied his penance with so many tears, and such pathetical addresses to the people for their prayers in this his uttermost sorrow and distress, that an universal weeping and lamentation took place among the deluded audience.

The loan of great sums of money, often to the ruin of families, was exacted from all such as lay under any suspicion of favouring the king's party, though their conduct had been ever so inoffensive. This was a device, fallen upon by the ruling party, in order, as they said, to reach *heart-malignants*. Never, in this island, was known a more severe and arbitrary government, than was generally exercised by the patrons of liberty in both kingdoms.

The siege of Colchester terminated in a manner no less unfortunate than Hamilton's engagement for the royal cause. After suffering the utmost extremities of famine, after feeding on the vilest aliments; the garrison desired, at last, to capitulate. Fairfax required them to surrender at discretion; and he gave such an explanation to these terms, as to reserve to himself power, if he pleased, to put them all instantly to the sword. The officers endeavoured, though in vain, to persuade the soldiers, by making a vigorous sally, to break through, at least to sell their lives as dear as possible. They were obliged* to accept of the conditions offered; and Fairfax, instigated by Ireton, to whom Cromwell, in his absence, had consigned over the government of the passive general, seized sir Charles Lucas and sir George Lisle, and resolved to make them instant sacrifices to military justice. This unusual severity was loudly exclaimed against by all the prisoners. Lord Capel, fearless of danger, reproached Ireton with it; and challenged him, as they were all engaged in the same honourable cause, to exercise the same impartial vengeance on all of them. Lucas was first shot, and he himself gave orders to fire, with the same alacrity as if he had commanded a platoon of his own soldiers, Lisle instantly ran and kissed the dead body, then cheerfully presented himself to a like fate. Thinking that the soldiers, destined for his execution, stood at too great a distance, he called to them to come nearer: one of them replied, "I'll warrant you, sir, we'll hit you:" he answered, smiling, "Friends, I have been nearer you when you have missed me." Thus perished this generous spirit, not less beloved for his modesty and humanity, than esteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's presence, clothed in mourning for sir Charles Lucas, that humane prince, suddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him: he dissolved into a flood of tears.

THE KING SEIZED AGAIN BY THE ARMY.

By these multiplied successes of the army, they had subdued all their enemies; and none remained but the helpless king and parliament, to oppose their violent measures. From Cromwell's suggestion, a remonstrance was drawn by the council of general officers, and sent to the parliament. They there complain of the treaty with the king; demand his punishment for the blood spilt during the war; require a dissolution of the present parliament, and a more equal representation for the future; and assert, that, though servants, they are entitled to represent these important points to their masters, who are themselves no better than servants and trustees of the people. At the same time, they advanced with the army to Windsor, and sent colonel Eure to seize the king's person at Newport, and convey him to Hurst castle in the neighbourhood, where he was detained in strict confinement.

This measure being foreseen some time before, the king was exhorted to make his escape, which was conceived to be very easy: but having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks after, he would not, by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise given to the parliament could no longer be binding; since they could no longer afford him protection from violence, threatened him by other persons, to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved, that what depredations soever Fortune should commit upon him, she never should bereave him of his honour.

The parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost; and rather to bring on a violent and visible subversion of government, than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it; they voted the seizing of the king's person to be without their consent, and sent a message to the general, to know by what authority that enterprise had been executed; and they issued orders, that the army should advance no nearer to London.

Hollis, the present leader of the presbyterians, was a man of unconquerable intrepidity; and many others of that party seconded his magnanimous spirit. It was proposed by them, that the generals and principal officers should, for their disobedience and usurpations, be proclaimed traitors by the parliament.

But the parliament was dealing with men who would not be frightened by words, nor retarded by any scrupulous delicacy. The generals, under the name of Fairfax, (for he still allowed them to employ his name,) marched the army to London, and placing guards in Whitehall, the Meuse, St. James's, Durham-house, Covent-garden, and Palace-yard, surrounded the parliament with their hostile armaments.

THE HOUSE PURGED. *December* 6.

The parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They attempted, in the face of the army, to close their treaty with the king; and, though they had formerly voted his concessions with regard to the church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 against 83, in the house of commons, that the king's concessions were a foundation for the houses to proceed upon in the settlement of the kingdom.

Next day, when the commons were to meet, colonel Pride, formerly a drayman, had environed the house with two regiments; and, directed by lord Grey of Groby, he seized in the passage forty-one members of the presbyterian party, and sent them to a low room,

* 28th of August.

which passed by the appellation of *hell*; whence they were afterwards carried to several inns. Above 160 members more were excluded; and none were allowed to enter but the most furious and the most determined of the independents; and these exceeded not the number of fifty or sixty. This invasion of the parliament commonly passed under the name of *colonel Pride's purge*: so much disposed was the nation to make merry with the dethroning of those members who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives.

The subsequent proceedings of the parliament, if this diminutive assembly deserve that honourable name, retain not the least appearance of law, equity, or freedom. They instantly reversed the former vote, and declared the king's concessions unsatisfactory. They determined, that no member, absent at this last vote, should be received, till he subscribed it as agreeable to his judgment. They renewed their former vote of non-addresses. And they committed to prison sir William Waller, sir John Clotworthy, the generals Massey, Brown, Copley, and other leaders of the presbyterians. These men, by their credit and authority, which was then very high, had at the commencement of the war supported the parliament; and thereby prepared the way for the greatness of the present leaders, who, at that time, were of small account in the nation.

The secluded members having published a paper, containing a narrative of the violence which had been exercised upon them, and a protestation, that all acts were void, which from that time had been transacted in the house of commons; the remaining members encountered it with a declaration in which they pronounced it false, scandalous, seditious, and tending to the destruction of the visible and fundamental government of the kingdom.

These sudden and violent revolutions held the whole nation in terror and astonishment. Every man dreaded to be trampled under foot, in the contention between those mighty powers which disputed for the sovereignty of the state. Many began to withdraw their effects beyond sea; foreigners scrupled to give any credit to a people so torn by domestic faction, and oppressed by military usurpation: even the internal commerce of the kingdom began to stagnate. And in order to remedy these growing evils, the generals, in the name of the army, published a declaration, in which they expressed their resolution of supporting law and justice.

The more to quiet the minds of men, the council of officers took into consideration a scheme called *The agreement of the people;* being the plan of a republic, to be substituted in the place of that government which they had so violently pulled in pieces. Many parts of this scheme, for correcting the inequalities of the representative, are plausible; had the nation been disposed to receive it, or had the army intended to impose it. Other parts are too perfect for human nature, and savour strongly of that fanatical spirit so prevalent throughout the kingdom.

The height of all iniquity and fanatical extravagance yet remained; the public trial and execution of their sovereign. To this period was every measure precipitated by the zealous independents. The parliamentary leaders of that party had intended, that the army, themselves, should execute that daring enterprise; and they deemed so irregular and lawless a deed best fitted to such irregular and lawless instruments. But the generals were too wise to load themselves singly with the infamy which, they knew, must attend an action so shocking to the general sentiments of mankind. The parliament, they were resolved, should share with them the reproach of a measure which was thought requisite for the advancement of their common ends of safety and ambition. In the house of commons, therefore, a committee was appointed to bring in a charge against the king. On their report a vote passed, declaring it treason in a king to levy war against his parliament, and appointing a HIGH COURT OF JUSTICE to try Charles for this new-invented treason. This vote was sent up to the house of peers.

The house of peers, during the civil wars, had, all along, been of small account; but it had lately, since the king's fall, become totally contemptible; and very few members would submit to the mortification of attending it. It happened, that day, to be fuller than usual, and they were assembled, to the number of sixteen. Without one dissenting voice, and almost without deliberation, they instantly rejected the vote of the lower house, and adjourned themselves for ten days; hoping that this delay would be able to retard the furious career of the commons.

The commons were not to be stopped by so small an obstacle. Having first established a principle, which is noble in itself, and seems specious, but is belied by all history and experience, *That the people are the origin of all just power;* they next declared, that the commons of England, assembled in parliament, being chosen by the people, and representing them, are the supreme authority of the nation, and that whatever is enacted and declared to be law by the commons, hath the force of law, without the consent of king or house of peers. The ordinance for the trial of Charles Stuart, king of England, so they called him, was again read, and unanimously assented to. (14th January.)

In proportion to the enormity of the violences and usurpations, were augmented the pretences of sanctity, among those regicides. "Should any one have voluntarily proposed," said Cromwell in the house, "to bring the king to punishment, I should have regarded him as the greatest traitor; but, since providence and necessity have cast us upon it, I will pray to God for a blessing on your counsels; though I am not prepared to give you any advice on this important occasion. Even I myself," subjoined he, "when I was lately offering up petitions for his majesty's restoration, felt my tongue cleave to the roof of my mouth, and considered this preternatural movement as the answer which Heaven, having rejected the king, sent to my supplications."

A woman of Hertfordshire, illuminated by prophetical visions, desired admittance into the military council, and communicated to the officers a revelation, which assured them that their measures were consecrated from above, and ratified by a heavenly sanction. This intelligence gave them great comfort, and much confirmed them in their present resolutions.

Colonel Harrison, the son of a butcher, and the most furious enthusiast in the army, was sent with a strong party, to conduct the king to London. At Windsor, Hamilton, who was there detained a prisoner, was admitted into the king's presence; and falling on his knees, passionately exclaimed, "My dear master!" "I have indeed been so to you," replied Charles, embracing him. No further intercourse was allowed between them. The king was instantly hurried away. Hamilton long followed him with his eyes, all suffused in tears, and prognosticated, that in this short salutation, he had given the last adieu to his sovereign and his friend.

Charles himself was assured, that the period of his life was now approaching; but notwithstanding all the preparations which were making, and the intelligence which he received, he could not, even yet, believe that his enemies really meant to conclude their violences by a public trial and execution. A private assassination he every moment looked for; and though Harrison assured him that his apprehensions were entirely groundless, it was by that catastrophe, so frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as in reality, the king was now dethroned. All the exterior symbols of sovereignty were withdrawn, and his attendants had orders to serve him without ceremony. At first he was shocked with instances of rudeness and familiarity, to which he had been so little accustomed. "Nothing so

contemptible as a despised prince!" was the reflection which they suggested to him. But he soon reconciled his mind to this, as he had done to his other calamities.

All the circumstances of the trial were now adjusted; and the high court of justice fully constituted. It consisted of 133 persons, as named by the commons; but there scarcely ever sat above 70: so difficult was it, notwithstanding the blindness of prejudice and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwell, Ireton, Harrison, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower house and some citizens of London. The twelve judges were at first appointed in the number; but as they had affirmed, that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted; their names, as well as those of some peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president. Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske, were named assistants. The court sat in Westminster-hall.

It is remarkable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inserted in the number, a voice came from one of the spectators, and cried, "He has more wit than to be here." When the charge was read against the king, "In the name of the people of England;" the same voice exclaimed, "Not a tenth part of them." Axtel, the officer who guarded the court, giving orders to fire into the box whence these insolent speeches came, it was discovered, that lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace lord Vere, of Tilbury; but being seduced by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.

THE KING'S TRIAL.

The pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind; the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the commons, represented, that Charles Stuart, being admitted king of England, and *intrusted* with a limited power; yet nevertheless, from a wicked design to erect an unlimited and tyrannical government, had traitorously and maliciously levied war against the present parliament, and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finished, the president directed his discourse to the king, and told him, that the court expected his answer.

The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented, that having been engaged in treaty with his two houses of parliament, and having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time, to have been restored to his power, dignity, revenue, as well as to his personal liberty: that he could not now perceive any appearance of the upper house, so essential a member of the constitution; and had learned, that even the commons, whose authority was pretended, were subdued by lawless force, and were bereaved of their liberty: that he himself was their NATIVE HEREDITARY KING; nor was the whole authority of the state, though free and united, entitled to try him, who derived his dignity from the Supreme Majesty of heaven: that, admitting those extravagant principles which levelled all orders of men, the court could plead no power delegated by the people; unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained: that he acknowledged, without scruple, that he had a *trust* committed to him, and one most sacred and inviolable; he was intrusted with the liberties of his people, and would not now betray them, by recognising a power founded on the most atrocious violence and usurpation: that having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was willing, in this last and most solemn scene, to seal with his blood those precious rights, for which, though in vain, he had so long contended: that those who arrogated a title to sit as his judges, were born his subjects, and born subjects to those laws, which determined, *that the king can do no wrong:* that he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English monarch, even the least deserving; but was able, by the most satisfactory reasons, to justify those measures, in which he had been engaged: that to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms, to which, unwillingly and unfortunately, he had had recourse: but that, in order to preserve a uniformity of conduct, he must at present forego the apology of his innocence; lest, by ratifying an authority, no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution.

The president, in order to support the majesty of the people, and maintain the superiority of his court above the prisoner, still inculcated, that he must not decline the authority of his judges; that they overruled his objections; that they were delegated by the people, the only source of every lawful power; and that kings themselves acted but in trust from that community, which had invested this high court of justice with its jurisdiction. Even according to those principles, which in his present situation he was perhaps obliged to adopt, his behaviour in general will appear not a little harsh and barbarous; but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent.

Three times was Charles produced before the court, and as often declined their jurisdiction. On the fourth, the judges having examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by the parliament; they pronounced sentence against him. (27th January.) He seemed very anxious, at this time, to be admitted to a conference with the two houses; and it was supposed, that he intended to resign the crown to his son: but the court refused compliance, and considered that request as nothing but a delay of justice.

It is confessed, that the king's behaviour, during this last scene of his life, does honour to his memory; and that, in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmost perspicuity and justness both of thought and expression: mild and equable, he rose into no passion at that unusual authority which was assumed over him. His soul, without effort or affectation, seemed only to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice: "Poor souls!" said the king to one of his attendants; "for a little money they would do as much

against their commanders." Some of them were permitted to go the utmost length of brutal insolence, and to spit in his face, as he was conducted along the passage to the court. To excite a sentiment of piety was the only effect which this inhuman insult was able to produce upon him.

The people, though under the rod of lawless unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation; and, in his present distress, they avowed *him*, by their generous tears for their monarch, whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scene, and expressed his gratitude for their dutiful affection. One soldier too, seized by contagious sympathy, demanded from Heaven a blessing on oppressed and fallen majesty: his officer, overhearing the prayer, beat him to the ground in the king's presence. *The punishment, methinks, exceeds the offence:* this was the reflection which Charles formed on that occasion.

As soon as the intention of trying the king was known in foreign countries, so enormous an action was exclaimed against by the general voice of reason and humanity; and all men, under whatever form of government they were born, rejected this example, as the utmost effort of undisguised usurpation, and the most heinous insult on law and justice. The French ambassador, by orders from his court, interposed in the king's behalf: the Dutch employed their good offices: the Scots exclaimed and protested against the violence: the queen, the prince, wrote pathetic letters to the parliament. All solicitations were found fruitless with men whose resolutions were fixed and irrevocable.

Four of Charles's friends, persons of virtue and dignity, Richmond, Hertford, Southampton, Lindesey, applied to the commons. They represented that they were the king's counsellors, and had concurred, by their advice, in all those measures which were now imputed as crimes to their royal master: that in the eye of the law, and according to the dictates of common reason, they alone were guilty, and were alone exposed to censure for every blameable action of the prince: and that they now presented themselves, in order to save, by their own punishment, that precious life which it became the commons themselves, and every subject, with the utmost hazard, to protect and defend. Such a generous effort tended to their honour; but contributed nothing towards the king's safety.

The people remained in that silence and astonishment which all great passions, when they have not an opportunity of exerting themselves, naturally produce in the human mind. The soldiers being incessantly plyed with prayers, sermons, and exhortations, were wrought up to a degree of fury, and imagined, that in the acts of the most extreme disloyalty towards their prince, consisted their greatest merit in the eye of Heaven.

Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the princess Elizabeth and the duke of Gloucester; for the duke of York had made his escape. Gloucester was little more than an infant: the princess, notwithstanding her tender years, showed an advanced judgment; and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen, that, during the whole course of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderness and his life should have an equal duration.

To the young duke too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee he said, "Now they will cut off thy father's head." At these words the child looked very steadfastly upon him. "Mark, child! what I say: they will cut off my head, and perhaps make thee a king: but mark what I say, thou must not be a king, as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads when they can catch them! and thy head too they will cut off at last! therefore, I charge thee, do not be made a king by them!" The duke, sighing, replied, "I will be torn in pieces first!" So determined an answer from one of such tender years, filled the king's eyes with tears of joy and admiration.

Every night, during this interval, the king slept sound as usual; though the noise of workmen, employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears. The morning of the fatal day (30th January) he rose early; and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed with the same mild and steady virtues by which the king himself was so much distinguished, assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign.

EXECUTION OF THE KING.

The street before Whitehall was the place destined for the execution: for it was intended, by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers, that he could not expect to be heard by any of the people: he addressed, therefore, his discourse to the few persons who were about him; particularly colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed that he had not taken arms till after the parliament had enlisted forces; nor had he any other object in his warlike operations, than to preserve that authority entire, which his predecessors had transmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think that ill instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed, that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the ways of peace, by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, bishop Juxon called to him: "There is, sir, but one stage more, which, though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find, to your great joy, the prize to which you hasten, a crown of glory." "I go," replied the king, "from a corruptible to an incorruptible crown; where no disturbance can have place." At one blow was his head severed from his body. A man in a vizor performed the office of executioner another, in a like disguise, held up to the spectators the head streaming with blood, and cried aloud, "This is the head of a traitor!"

It is impossible to describe the grief, indignation, and astonishment, which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, as soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people, than his misfortunes and magnanimity, his patience and piety, had

rendered this unhappy prince. In proportion to their former delusions, which had animated them against him, was the violence of their return to duty and affection; while each reproached himself, either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effect of these complicated passions was prodigious. Women are said to have cast forth the untimely fruit of their womb: others fell into convulsions, or sunk into such a melancholy as attended them to their grave: nay, some, unmindful of themselves, as though they could not, or would not, survive their beloved prince, it is reported suddenly fell down dead. The very pulpits were bedewed with unsuborned tears; those pulpits, which had formerly thundered out the most violent imprecations and anathemas against him. And all men united in their detestation of those hypocritical parricides, who, by sanctified pretences, had so long disguised their treasons, and in this last act of iniquity, had thrown an indelible stain upon the nation.

A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained, to prevent the execution of the fatal sentence; and had even employed persuasion with his own regiment, though none else would follow him, to rescue the king from his disloyal murderers. Cromwell and Ireton, informed of this intention, endeavoured to convince him that the Lord had rejected the king; and they exhorted him to seek by prayer some direction from heaven on this important occasion: but they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived, that the fatal blow was struck. He then rose from his knees; and insisted with Fairfax, that this event was a miraculous and providential answer, which Heaven had sent to their devout supplications.

It being remarked, that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word REMEMBER, great mysteries were supposed to be concealed under that expression; and the generals vehemently insisted with the prelate, that he should inform them of the king's meaning. Juxon told them, that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity, in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire; and that his mild spirit thus terminated its present course by an act of benevolence towards his greatest enemies.

The character of this prince, as that of most men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or more properly speaking, his imperfections: for scarce any of his faults rose to that pitch as to merit the appellation of vices. To consider him in the most favourable light, it may be affirmed that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austerity, his frugality from avarice: all these virtues in him maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him, we may affirm that many of his good qualities were attended with some latent frailty, which, though seemingly inconsiderable, was able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence: his beneficent disposition was clouded by a manner not very gracious; his virtue was tinctured with superstition; his good sense was disfigured by a deference to persons of a capacity inferior to his own; and his moderate temper exempted him not from hasty and precipitate resolutions. He deserves the epithet of a good, rather than a great man; and was more fitted to rule in a regular established government, than either to give way to the encroachments of a popular assembly, or finally to subdue their pretensions. He wanted suppleness and dexterity sufficient for the first measure; he was not endowed with the vigour requisite for the second. Had he been born an absolute prince, his humanity and good sense had rendered his reign happy and his memory precious: had the limitations and prerogative been in his time quite fixed and certain, his integrity had made him regard, as sacred, the boundaries of the constitution. Unhappily, his fate threw him into a period when the precedents of many former reigns savoured strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation, he may be excused; since, even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct, in his circumstances, could have maintained the authority of the crown, and preserved the peace of the nation. Exposed, without revenue, without arms, to the assault of furious, implacable, and bigoted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake; a condition too rigorous to be imposed on the greatest human capacity.

Some historians have rashly questioned the good faith of this prince: but, for this reproach, the most malignant scrutiny of his conduct, which, in every circumstance, is now thoroughly known, affords not any reasonable foundation. On the contrary, if we consider the extreme difficulties to which he was so frequently reduced, and compare the sincerity of his professions and declarations, we shall avow, that probity and honour ought justly to be numbered among his most shining qualities. In every treaty, those concessions which he thought he could not in conscience maintain, he never could, by any motive or persuasion, be induced to make. And though some violations of the Petition of Right may perhaps be imputed to him, these are more to be ascribed to the necessity of his situation, and the lofty ideas of royal prerogative, which, from former established precedents, he had imbibed, than to any failure in the integrity of his principles. [*See note* 6 O, *at the end of this Vol.*]

This prince was of a comely presence; of a sweet, but melancholy aspect. His face was regular, handsome, and well complexioned; his body strong, healthy, and justly proportioned; and being of a middle stature, he was capable of enduring the greatest fatigues. He excelled in horsemanship and other exercises; and he possessed all the exterior, as well as many of the essential qualities which form an accomplished prince.

The tragical death of Charles begat a question, whether the people, in any case, were entitled to judge and to punish their sovereign; and most men, regarding chiefly the atrocious usurpation of the pretended judges, and the merit of the virtuous prince who suffered, were inclined to condemn the republican principle as highly seditious and extravagant: but there still were a few who, abstracting from the particular circumstances of this case, were able to consider the question in general, and were inclined to moderate, not contradict, the prevailing sentiment. Such might have been their reasoning. If ever, on any occasion, it were laudable to conceal truth from the populace, it must be confessed, that the doctrine of resistance affords such an example; and that all speculative reasoners ought to observe, with regard to this principle, the same cautious silence, which the laws in every species of government have ever prescribed to themselves. Government is instituted in order to restrain the fury and injustice of the people; and being always founded on opinion, not on force, it is danger-

cus to weaken, by these speculations, the reverence which the multitude owe to authority, and to instruct them beforehand, that the case can ever happen, when they may be freed from their duty of allegiance. Or should it be found impossible to restrain the licence of human disquisitions, it must be acknowledged, that the doctrine of obedience ought alone to be *inculcated*, and that the exceptions, which are rare, ought seldom or never to be mentioned in popular reasonings and discourses. Nor is there any danger that mankind, by this prudent reserve, should universally degenerate into a state of abject servitude. When the exception really occurs, even though it be not previously expected and descanted on, it must, from its very nature, be so obvious and undisputed, as to remove all doubt, and overpower the restraint, however great, imposed by teaching the general doctrine of obedience. But between resisting a prince and dethroning him, there is a wide interval; and the abuses of power, which can warrant the latter violence, are greater and more enormous than those which will justify the former. History, however, supplies us with examples even of this kind; and the reality of the supposition, though, for the future, it ought ever to be little looked for, must, by all candid inquirers, be acknowledged in the past. But between dethroning a prince and punishing him, there is another very wide interval; and it were not strange, if even men of the most enlarged thought should question, whether human nature could ever in any monarch reach that height of depravity, as to warrant, in revolted subjects, this last act of extraordinary jurisdiction. That illusion, if it be an illusion, which teaches us to pay a sacred regard to the persons of princes, is so salutary, that to dissipate it by the formal trial and punishment of a sovereign, will have more pernicious effects upon the people, than the example of justice can be supposed to have a beneficial influence upon princes, by checking their career of tyranny. It is dangerous also, by these examples, to reduce princes to despair, or bring matters to such extremities against persons endowed with great power, as to leave them no resource, but in the most violent and most sanguinary counsels. This general position being established, it must, however, be observed, that no reader, almost of any party or principle, was ever shocked when he read, in ancient history, that the Roman senate voted Nero, their absolute sovereign, to be a public enemy, and, even without trial, condemned him to the severest and most ignominious punishment; a punishment from which the meanest Roman citizen was, by the laws, exempted. The crimes of that bloody tyrant are so enormous, that they break through all rules; and extort a confession, that such a dethroned prince is no longer superior to his people, and can no longer plead, in his own defence, laws, which were established for conducting the ordinary course of administration. But when we pass from the case of Nero to that of Charles, the great disproportion, or rather total contrariety, of character immediately strikes us; and we stand astonished, that, among a civilized people, so much virtue could ever meet with so fatal a catastrophe. History, the great mistress of wisdom, furnishes examples of all kinds; and every prudential, as well as moral precept, may be authorized by those events, which her enlarged mirror is able to present to us. From the memorable revolutions which passed in England during this period, we may naturally deduce the same useful lesson, which Charles himself, in his later years, inferred—that it is dangerous for princes, even from the appearance of necessity to assume more authority than the laws have allowed them. But it must be confessed, that these events furnish us with another instruction, no less natural, and no less useful, concerning the madness of the people, the furies of fanaticism, and the danger of mercenary armies.

In order to close this part of the British history, it is also necessary to relate the dissolution of the monarchy in England: that event soon followed upon the death of the monarch. When the peers met, on the day appointed in their adjournment, (6th February,) they entered upon business, and sent down some votes to the commons, of which the latter deigned not to take the least notice. In a few days, the lower house passed a vote, that they would make no more addresses to the house of peers, nor receive any from them: and that that house was useless and dangerous and was therefore to be abolished. A like vote passed with regard to the monarchy; and it is remarkable, that Martin, a zealous republican, in the debate on this question, confessed that, if they desired a king, the last was as proper as any gentleman in England. The commons ordered a new great seal to be engraved, on which that assembly was represented, with this legend, ON THE FIRST YEAR OF FREEDOM, BY GOD'S BLESSING, RESTORED, 1648. The forms of all public business were changed, from the king's name, to that of the keepers of the liberties of England.* And it was declared high-treason to proclaim, or any otherwise to acknowledge, Charles Stuart, commonly called prince of Wales.

The commons intended, it is said, to bind the princess Elizabeth apprentice to a button-maker: the duke of Gloucester was to be taught some other mechanical employment. But the former soon died, of grief, as is supposed, for her father's tragical end: the latter was, by Cromwell, sent beyond sea.

The king's statue, in the Exchange, was thrown down; and on the pedestal these words were inscribed: EXIT TYRANNUS, REGUM ULTIMUS; *The Tyrant is gone, the last of the Kings.*

Duke Hamilton was tried by a new high court of justice, as earl of Cambridge in England; and condemned for treason. This sentence, which was certainly hard, but which ought to save his memory from all imputations of treachery to his master, was executed on a scaffold, erected before Westminster-hall. Lord Capel underwent the same fate. Both these noblemen had escaped from prison, but were afterwards discovered and taken. To all the solicitations of their friends for pardon, the generals and parliamentary leaders still replied, that it was certainly the intention of Providence they should suffer; since it had permitted them to fall into the hands of their enemies, after they had once recovered their liberty.

The earl of Holland lost his life by a like sentence. Though of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the king, and his frequent changing of sides, were regarded as great stains on his memory. The earl of Norwich, and sir John Owen, being condemned by the same court, were pardoned by the commons.

The king left six children; three males, Charles, born in 1630; James, duke of York, born in 1633; Henry, duke of Gloucester, born in 1641: and three females, Mary, princess of Orange, born 1631; Elizabeth, born 1635; and Henrietta, afterwards duchess of Orleans, born at Exeter, 1644.

The archbishops of Canterbury in this reign were Abbot and Laud: the lord-keepers, Williams, bishop of Lincoln, lord Coventry, lord Finch, lord Littleton, and sir Richard Lane; the high-admirals, the duke of Buckingham and the earl of Northumberland; the treasurers, the earl of Marlborough, the earl of Portland, Juxon, bishop of London, and lord Cottington; the secretaries of state, lord Conway, sir Albertus Moreton, Coke, sir Henry Vane, lord Falkland, lord Digby, and sir Edward Nicholas.

It may be expected that we should here mention the *Icon Basiliké*, a work published in the king's name a few days after his execution. It seems almost impossible, in the controverted parts of history, to say anything which will satisfy the zealots of both parties:

* The court of King's Bench was called the court of Public Bench. So cautious on this head were some of the republicans, that, it is pretended, in reciting the Lord's prayer, they would not say, "Thy kingdom come," but always, "Thy commonwealth come."

but with regard to the genuineness of that production, it is not easy for an historian to fix any opinion, which will be entirely to his own satisfaction. The proofs brought to evince that this work is or is not the king's, are so convincing, that if any impartial reader peruse any one side apart,* he will think it impossible that arguments could be produced, sufficient to counterbalance so strong an evidence: and when he compares both sides, he will be some time at a loss to fix any determination. Should an absolute suspense of judgment be found difficult or disagreeable in so interesting a question, I must confess, that I much incline to give the preference to the arguments of the royalists. The testimonies which prove that performance to be the king's, are more numerous, certain, and direct, than those on the other side. This is the case, even if we consider the external evidence: but when we weigh the internal, derived from the style and composition, there is no manner of comparison. These meditations resemble in elegance, purity, neatness, and simplicity, the genius of those performances which we know with certainty to have flowed from the royal pen: but are so unlike the bombast, perplexed, rhetorical, and corrupt style of Dr. Gauden, to whom they are ascribed, that no human testimony seems sufficient to convince us that he was the author. Yet all the evidences which would rob the king of that honour, tend to prove that Dr. Gauden had the merit of writing so fine a performance, and the infamy of imposing it on the world for the king's.

It is not easy to conceive the general compassion excited towards the king, by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the subsequent restoration of the royal family. Milton compares its effects to those which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæsar. The *Icon* passed through fifty editions in a twelvemonth; and independent of the great interest taken in it by the nation, as the supposed production of their murdered sovereign, it must be acknowledged the best prose composition, which, at the time of its publication, was to be found in the English language.

CHAPTER LX.

THE COMMONWEALTH.

State of England——Of Scotland——Of Ireland——Levellers suppressed——Siege of Dublin raised——Tredah stormed——Covenanters——Montrose taken Prisoner——Executed——Covenanters——Battle of Dunbar——Of Worcester——King's Escape——The Commonwealth——Dutch War——Dissolution of the Parliament.

STATE OF ENGLAND. 1649.

THE confusions which overspread England after the murder of Charles I. proceeded as well from the spirit of refinement and innovation, which agitated the ruling party, as from the dissolution of all that authority, both civil and ecclesiastical, by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic, and however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which being derived from no traditional authority, was peculiar to himself; and being founded on supposed inspiration, not on any principles of human reason, had no means, besides cant and low rhetoric, by which it could recommend itself to others. The levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The Millenarians or Fifth-Monarchy-men required, that government itself should be abolished, and all human powers be laid in the dust, in order to pave the way for the dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted, that the obligations of morality and natural law were suspended and that the elect, guided by an internal principle more perfect and divine, were superior to the *beggarly elements* of justice and humanity. A considerable party declaimed against tithes and hireling priesthood, and were resolved that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party inveighed against the law and its professors; and on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence, which seemed interwoven with monarchical government. Even those among the republicans who adopted not such extravagancies, were so intoxicated with their saintly character, that they supposed themselves possessed of peculiar privileges; and all professions, oaths, laws, and engagements had, in a great measure, lost their influence over them. The bands of society were everywhere loosened; and the irregular passions of men were encouraged by speculative principles, still more unsocial and irregular.

The royalists, consisting of the nobles and more considerable gentry, being degraded from their authority, and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries, who had reduced them to subjection. The presbyterians, whose credit had first supported the arms of the parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labours were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object; but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family, which they had so grievously offended, and whose principles they regarded with such violent abhorrence.

The only solid support of the republican independent faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near fifty thousand men. But this army, formidable from its discipline and courage, as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly which had assumed the command over it. Accustomed to indulge every chimera in politics, every frenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience. And while they still maintained, that all those enormous violations of law and equity, of which they had been guilty, were justified by the success with which Providence had blessed them; they were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority.

What alone gave some stability to all these unsettled humours was the great influence both civil and military acquired by Oliver Cromwell. This man, suited to the age in which he lived, and that alone, was equally qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character; as to command their obedience by what was great, daring, and enterprising. Familiar

* See, on the one hand, Toland's Amyntor, and on the other, Wagstaff's Vindication of the royal Martyr, with Young's addition. We may remark, that lord Clarendon's total silence with regard to this subject, in so full a history, composed in vindication of the king's measures and character, forms a presumption on Toland's side, and a presumption of which that author was ignorant; the works of the noble historian not being then published. Bishop Burnett's testimony too must be allowed of some weight against the *Icon*.

even to buffoonery with the meanest sentinel, he never lost his authority: transported to a degree of madness with religious ecstasies, he never forgot the political purposes to which they might serve. Hating monarchy, while a subject; despising liberty, while a citizen; though he retained for a time all orders of men under a seeming obedience to the parliament; he was secretly paving the way, by artifice and courage, to his own unlimited authority.

The parliament, for so we must henceforth call a small and inconsiderable part of the house of commons, having murdered their sovereign with so many appearing circumstances of solemnity and justice, and so much real violence and even fury, began to assume more the air of a civil legal power, and to enlarge a little the narrow bottom upon which they stood. They admitted a few of the excluded and absent members, such as were liable to least exception; but on condition that these members should sign an approbation of whatever had been done in their absence with regard to the king's trial: and some of them were willing to acquire a share of power on such terms: the greater part disdained to lend their authority to such apparent usurpations. They issued some writs for new elections, in places where they hoped to have interest enough to bring in their own friends and dependants. They named a council of state, thirty-eight in number, to whom all addresses were made, who gave orders to all generals and admirals, who executed the laws, and who digested all business before it was introduced into parliament.* They pretended to employ themselves entirely in adjusting the laws, forms, and plan of a new representative; and as soon as they should have settled the nation, they professed their intention of restoring the power of the people, from whom they acknowledged they had entirely derived it.

The commonwealth found everything in England composed into a seeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themselves, had no leisure or inclination to interpose in the domestic dissensions of this island. The young king, poor and neglected, living sometimes in Holland, sometimes in France, sometimes in Jersey, comforted himself amidst his present distresses with the hopes of better fortune. The situation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

OF SCOTLAND.

After the successive defeats of Montrose and Hamilton, and the ruin of their parties, the whole authority in Scotland fell into the hands of Argyle and the rigid churchmen, that party which was most averse to the interests of the royal family. Their enmity, however, against the independents, who had prevented the settlement of presbyterian discipline in England, carried them to embrace opposite maxims in their political conduct. Though invited by the English parliament to model their government into a republican form, they resolved still to adhere to monarchy, which had ever prevailed in their country, and which, by the express terms of their covenant, they had engaged to defend. They considered besides, that as the property of the kingdom lay mostly in the hands of great families, it would be difficult to establish a commonwealth, or without some chief magistrate, invested with royal authority, to preserve peace or justice in the community. The execution, therefore, of the king, against which they had always protested, having occasioned a vacancy of the throne, they immediately proclaimed his son and successor, Charles II.; but upon condition "of his good behaviour and strict observance of the covenant, and his entertaining no other persons about him but such as were godly men and faithful to that obligation." These unusual clauses, inserted in the very first acknowledgment of their prince, sufficiently showed their intention of limiting extremely his authority. And the English commonwealth, having no pretence to interpose in the affairs of that kingdom, allowed the Scots for the present to take their own measures in settling their government.

* Their names were, the earls of Denbigh, Mulgrave, Pembroke, Salisbury, Lord Grey, and Tarras, Lisle, Reds, St. John, Wilde, Bradshaw, Cromwell, Skinner, Pickering, Masham, Hasilrig, Harrington, Vane, Jun., Danvers, Armine, Mildmay, Constable, Pennington, Wilson, Whitelocke, Martin, Ludlow, Stapleton, Brereton, Wray, Hutchinson, Boid, Popham, Valentine, Watson, Scot, Purslow, Jones.

OF IRELAND.

The dominion which England claimed over Ireland, demanded more immediately their efforts for subduing that country. In order to convey a just notion of Irish affairs, it will be necessary to look backwards some years, and to relate briefly those transactions which had passed during the memorable revolutions in England. When the late king agreed to that cessation of arms with the popish rebels,* which was become so requisite, as well for the security of the Irish protestants as for promoting his interests in England, the parliament, in order to blacken his conduct, reproached him with favouring that odious rebellion, and exclaimed loudly against the terms of the cessation. They even went so far as to declare it entirely null and invalid, because finished without their consent; and to this declaration the Scots in Ulster, and the earl of Inchiquin, a nobleman of great authority, in Munster, professed to adhere. By their means the war was still kept alive; but as the dangerous distractions in England hindered the parliament from sending any considerable assistance to their allies in Ireland, the marquis of Ormond, lord-lieutenant, being a native of Ireland, and a person endowed with great prudence and virtue, formed a scheme for composing the disorders of his country, and for engaging the rebel Irish to support the cause of his royal master. There were many circumstances which strongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reasonable indulgence to the catholics throughout all his dominions; and one principal ground of that enmity, which the puritans professed against him, was this tacit toleration. The parliament, on the contrary, even when unprovoked, had ever menaced the papists with the most rigid restraint, if not a total extirpation; and immediately after the commencement of the Irish rebellion, they put to sale all the estates of the rebels, and had engaged the public faith for transferring them to the adventurers, who had already advanced money upon that security. The success, therefore, which the arms of the parliament met with at Naseby, struck a just terror into the Irish; and engaged the council of Kilkenny, composed of deputies from all the catholic counties and cities, to conclude a peace with the marquis of Ormond.† They professed to return to their duty and allegiance, engaged to furnish ten thousand men for the support of the king's authority in England, and were content with stipulating, in return, indemnity for their rebellion and toleration of their religion.

Ormond, not doubting but a peace, so advantageous and even necessary to the Irish, would be strictly observed, advanced with a small body of troops to Kilkenny, in order to concert measures for common defence with his new allies. The pope had sent over to Ireland a nuncio, Rinuccini, an Italian; and this man, whose commission empowered him to direct the spiritual concerns of the Irish, was emboldened, by their ignorance and bigotry, to assume the chief authority in the civil government. Foreseeing that a general submission to the lord-lieutenant would put an end to his own influence, he conspired with Owen O'Neal, who commanded the native Irish in Ulster, and who bore a great jealousy to Preston, the general chiefly

* In 1643. † In 1646.

trusted by the council of Kilkenny. By concert, these two malcontents secretly drew forces together, and were ready to fall on Ormond, who remained in security, trusting to the pacification so lately concluded with the rebels. He received intelligence of their treachery, made his retreat with celerity and conduct, and sheltered his small army in Dublin and the other fortified towns, which still remained in the hands of the protestants.

The nuncio, full of arrogance, levity, and ambition, was not contented with this violation of treaty. He summoned an assembly of the clergy at Waterford, and engaged them to declare against that pacification, which the civil council had concluded with their sovereign. He even thundered out a sentence of excommunication against all who should adhere to a peace, so prejudicial, as he pretended, to the catholic religion; and the deluded Irish, terrified with his spiritual menaces, ranged themselves everywhere on his side, and submitted to his authority. Without scruple, he carried on war against the lord-lieutenant, and threatened with a siege the protestant garrisons, which were, all of them, very ill provided for defence.

Meanwhile the unfortunate king was necessitated to take shelter in the Scottish army; and being there reduced to close confinement, and secluded from all commerce with his friends, despaired, that his authority, or even his liberty, would ever be restored to him. He sent orders to Ormond, if he could not defend himself, rather to submit to the English than to the Irish rebels; and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredah, Dundalk, and other garrisons, to colonel Michael Jones, who took possession of them in the name of the English parliament. Ormond himself went over to England, was admitted into the king's presence, received a grateful acknowledgment for his past services, and during some time lived in tranquillity near London. But being banished, with the other royalists, to a distance from that city, and seeing every event turn out unfortunately for his royal master, and threaten him with a catastrophe still more direful, he thought proper to retire into France, where he joined the queen and the prince of Wales.

In Ireland, during these transactions, the authority of the nuncio prevailed without control among all the catholics; and that prelate, by his indiscretion and insolence, soon made them repent of the power with which they had entrusted him. Prudent men likewise were sensible of the total destruction which was hanging over the nation from the English parliament, and saw no resource or safety but in giving support to the declining authority of the king. The earl of Clanricarde, a nobleman of an ancient family, a person too of merit, who had ever preserved his loyalty, was sensible of the ruin which threatened his countrymen, and was resolved, if possible, to prevent it. He secretly formed a combination among the catholics; he entered into a correspondence with Inchiquin, who preserved great authority over the protestants in Munster; he attacked the nuncio, whom he chased out of the island; and he sent to Paris a deputation, inviting the lord-lieutenant to return and take possession of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which, either open war or secret enmity prevailed. The authority of the English parliament was established in Dublin, and the other towns, which he himself had delivered into their hands. O'Neal maintained his credit in Ulster; and having entered into a secret correspondence with the parliamentary generals, was more intent on schemes for his own personal safety, than anxious for the preservation of his country or religion. The other Irish, divided between their clergy, who were averse to Ormond, and their nobility, who were attached to him, were very uncertain in their motions, and feeble in their measures. The Scots in the north, enraged, as well as their other countrymen, against the usurpations of the sectarian army, professed their adherence to the king; but were still hindered by many prejudices from entering into a cordial union with his lieutenant. All these distracted counsels and contrary humours checked the progress of Ormond, and enabled the parliamentary forces in Ireland to maintain their ground against him. The republican faction, meanwhile, in England, employed in subduing the revolted royalists, in reducing the parliament to subjection, in the trial, condemnation, and execution of their sovereign, totally neglected the supplying of Ireland, and allowed Jones and the forces in Dublin to remain in the utmost weakness and necessity. The lord-lieutenant, though surrounded with difficulties, neglected not the favourable opportunity of promoting the royal cause. Having at last assembled an army of 16,000 men, he advanced upon the parliamentary garrisons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied against their governor. Tredah, Neury, and other forts, were taken. Dublin was threatened with a siege; and the affairs of the lieutenant appeared in so prosperous a condition, that the young king entertained thoughts of coming in person into Ireland.

When the English commonwealth was brought to some tolerable settlement, men began to cast their eyes towards the neighbouring island. During the contest of the two parties, the government of Ireland had remained a great object of intrigue; and the presbyterians endeavoured to obtain the lieutenancy for Waller, the independents for Lambert. After the execution of the king, Cromwell himself began to aspire to a command, where so much glory, he saw, might be won, and so much authority acquired. In his absence, he took care to have his name proposed to the council of state; (15th March;) and both friends and enemies concurred immediately to vote him into that important office: the former suspected, that the matter had not been proposed merely by chance, without his own concurrence; the latter desired to remove him to a distance, and hoped, during his absence, to gain the ascendant over Fairfax, whom he had so long blinded by his hypocritical professions. Cromwell himself, when informed of his election, feigned surprise, and pretended at first to hesitate with regard to the acceptance of the command. And Lambert, either deceived by his dissimulation, or in his turn feigning to be deceived, still continued, notwithstanding this disappointment, his friendship and connexions with Cromwell.

The new lieutenant immediately applied himself, with his wonted vigilance to make preparations for his expedition. Many disorders in England it behoved him previously to compose. All places were full of danger and inquietude. Though men, astonished with the successes of the army, remained in seeming tranquillity, symptoms of the greatest discontent everywhere appeared. The English, long accustomed to a mild administration, and unacquainted with dissimulation, could not conform their speech and countenance to the present necessity, or pretend attachment to a form of government, which they generally regarded with such violent abhorrence. It was requisite to change the magistracy of London, and to degrade, as well as punish, the mayor and some of the aldermen, before the proclamation for the abolition of monarchy could be published in the city. An engagement being framed to support the commonwealth without king or house of peers, the army was with some difficulty brought to subscribe it; but though it was imposed upon the rest of the nation under severe penalties, no less than putting all who refused out of the protection of law; such obstinate reluctance was observed in the people, that even the imperious parliament was obliged to desist from it. The spirit of fanaticism, by which that assembly had at first been strongly supported, was now turned, in a great measure, against them.

The pulpits being chiefly filled with presbyterians, or disguised royalists, and having long been the scene of news and politics, could by no penalties be restrained from declarations unfavourable to the established government. Numberless were the extravagancies which broke out among the people. Everard, a disbanded soldier, having preached that the time was now come when the community of goods would be renewed among Christians, led out his followers to take possession of the land; and being carried before the general, he refused to salute him; because he was but his fellow-creature. What seemed more dangerous, the army itself was infected with like humours. [*See note 6 P, at the end of this Vol.*] Though the levellers had for a time been suppressed by the audacious spirit of Cromwell, they still continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be consulted, as before, in the administration of the commonwealth. They now practised against their officers the same lesson which they had been taught against the parliament. They framed a remonstrance, and sent five agitators to present it to the general and council of war: these were cashiered with ignominy by sentence of a court-martial. One Lockier, having carried his sedition further, was sentenced to death; but this punishment was so far from quelling the mutinous spirit, that above a thousand of his companions showed their adherence to him, by attending his funeral, and wearing in their hats black and sea-green ribbons, by way of favours. About four thousand assembled at Burford, under the command of Thompson, a man formerly condemned for sedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards Fairfax and Cromwell, fell upon them, while unprepared for defence, and seduced by the appearance of a treaty. Four hundred were taken prisoners: some of them capitally punished: the rest pardoned: and this tumultuous spirit, though it still lurked in the army, and broke out from time to time, seemed for the present to be suppressed.

Petitions, framed in the same spirit of opposition, were presented to the parliament by lieutenant-colonel Lilburn, the person who, for dispersing seditious libels, had formerly been treated with such severity by the star-chamber. His liberty was at this time as ill-relished by the parliament, and he was thrown into prison, as a promoter of sedition and disorder in the commonwealth. The women applied by petition for his release; but were now desired to mind their household affairs, and leave the government of the state to the men. From all quarters the parliament was harassed with petitions of a very free nature, which strongly spoke the sense of the nation, and proved how ardently all men longed for the restoration of their laws and liberties. Even in a feast, which the city gave to the parliament and council of state, it was deemed a requisite precaution, if we may credit Walker and Dugdale, to swear all the cooks, that they would serve nothing but wholesome food to them.

The parliament judged it necessary to enlarge the laws of high-treason beyond those narrow bounds, within which they had been confined during the monarchy. They even comprehended verbal offences, nay, intentions, though they had never appeared in any overt act against the state. To affirm the present government to be an usurpation, to assert that the parliament or council of state were tyrannical or illegal, to endeavour subverting their authority, or stirring up sedition against them; these offences were declared to be high-treason. The power of imprisonment, of which the Petition of Right had bereaved the king, it was now found necessary to restore to the council of state; and all the jails in England were filled with men whom the jealousies and fears of the ruling party had represented as dangerous. The taxes, continued by the new government, and which, being unusual, were esteemed heavy, increased the general ill-will under which it laboured. Besides the customs and excise, ninety thousand pounds a month were levied on land for the subsistence of the army. The sequestrations and compositions of the royalists, the sale of the crown-lands, and of the dean and chapter lands, though they yielded great sums, were not sufficient to support the vast expenses, and, as was suspected, the great depredations of the parliament and their creatures.

Amidst all these difficulties and disturbances, the steady mind of Cromwell, without confusion or embarrassment, still pursued its purpose. While he was collecting an army of twelve thousand men in the west of England, he sent to Ireland, under Reynolds and Venables, a re-enforcement of four thousand horse and foot, in order to strengthen Jones, and enable him to defend himself against the marquis of Ormond, who lay at Finglass, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having, with a separate body, taken Tredah and Dundalk, gave a defeat to Offarrell, who served under O'Neal, and to young Coot, who commanded some parliamentary forces. After he had joined his troops to the main army, with whom, for some time, he remained united, Ormond passed the river Liffy, and took post at Rathmines, two miles from Dublin, with a view of commencing the siege of that city. In order to cut off all further supply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin; and being exhausted with continual fatigue for some days, he had retired to rest, after leaving orders to keep his forces under arms. He was suddenly awakened with the noise of firing; (2nd August;) and starting from his bed, saw everything already in tumult and confusion. Jones, an excellent officer, formerly a lawyer, had sallied out with the re-enforcement newly arrived; and, attaking the party employed in repairing the fort, he totally routed them, pursued the advantage, and fell in with the army, which had neglected Ormond's orders. These he soon threw into disorder; put them to flight, in spite of all the efforts of the lord-lieutenant; chased them off the field; seized all their tents, baggage, ammunition; and returned victorious to Dublin, after killing a thousand men, and taking above two thousand prisoners.

This loss, which threw some blemish on the military character of Ormond, was irreparable to the royal cause. That numerous army which, with so much pains and difficulty, the lord-lieutenant had been collecting for more than a year, was dispersed in a moment. Cromwell soon after arrived in Dublin, where he was welcomed with shouts and rejoicings. He hastened to Tredah. That town was well fortified: Ormond had thrown into it a good garrison of three thousand men, under sir Arthur Aston, an officer of reputation. He expected that Tredah, lying in the neighbourhood of Dublin, would first be attempted by Cromwell, and he was desirous to employ the enemy some time in that siege, while he himself should repair his broken forces. But Cromwell knew the importance of dispatch. Having made a breach, he ordered a general assault. Though twice repulsed with loss, he renewed the attack, and himself, along with Ireton, led on his men. All opposition was overborne by the furious valour of the troops. The town was taken sword in hand; and orders being issued to give no quarter, a cruel slaughter was made of the garrison. Even a few, who were saved by the soldiers, satiated with blood, were next day miserably butchered by orders from the general. One person alone of the garrison escaped to be a messenger of this universal havoc and destruction.

Cromwell pretended to retaliate by this severe execution the cruelty of the Irish massacre: but he well knew, that almost the whole garrison was English; and his justice was only a barbarous policy, in order

to terrify all other garrisons from resistance. His policy, however, had the desired effect. Having led the army without delay to Wexford, he began to batter the town. The garrison, after a slight defence, offered to capitulate; but before they obtained a cessation, they imprudently neglected their guards; and the English army rushed in upon them. The same severity was exercised as at Tredah.

Every town before which Cromwell presented himself, now opened its gates without resistance. Ross, though strongly garrisoned, was surrendered by lord Taffe. Having taken Estionage, Cromwell threw a bridge over the Barrow, and made himself master of Passage and Carric. The English had no further difficulties to encounter than what arose from fatigue and the advanced season. Fluxes and contagious distempers crept in among the soldiers, who perished in great numbers. Jones himself, the brave governor of Dublin, died at Wexford. And Cromwell had so far advanced with his decayed army, that he began to find it difficult either to subsist in the enemy's country, or retreat to his own garrisons. But while he was in these straits, Cork, Kinsale, and all the English garrisons in Munster, deserted to him, and opening their gates, resolved to share the fortunes of their victorious countrymen.

This desertion of the English put an end to Ormond's authority, which was already much diminished by the misfortunes at Dublin, Tredah, and Wexford. The Irish, actuated by national and religious prejudices, could no longer be kept in obedience by a protestant governor, who was so unsuccessful in all his enterprises. The clergy renewed their excommunications against him and his adherents, and added the terrors of superstition to those which arose from a victorious enemy. Cromwell, having received a re-enforcement from England, again took the field early in the spring. He made himself master of Kilkenny and Clonmel, the only places where he met with any vigorous resistance. The whole frame of the Irish union being in a manner dissolved, Ormond soon after left the island, and delegated his authority to Clanricarde, who found affairs so desperate as to admit of no remedy. The Irish were glad to embrace banishment as a refuge. Above 40,000 men passed into foreign service; and Cromwell, well pleased to free the island from enemies, who never could be cordially reconciled to the English, gave them full liberty and leisure for their embarkation.

While Cromwell proceeded with such uninterrupted success in Ireland, which in the space of nine months he had almost entirely subdued, fortune was preparing for him a new scene of victory and triumph in Scotland. Charles was at the Hague when sir Joseph Douglas brought him intelligence that he was proclaimed king by the Scottish parliament. At the same time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy which might arise from his being recognised sovereign in one of his kingdoms. Charles too considered, that those who pretended to acknowledge his title, were at that very time in actual rebellion against his family, and would be sure to entrust very little authority in his hands, and scarcely would afford him personal liberty and security. As the prospect of affairs in Ireland was at that time not unpromising, he intended rather to try his fortune in that kingdom, from which he expected more dutiful submission and obedience.

Meanwhile he found it expedient to depart from Holland. The people in the United Provinces were much attached to his interests. Besides his connexion with the family of Orange, which was extremely beloved by the populace, all men regarded with compassion his helpless condition, and expressed the greatest abhorrence against the murder of his father; a deed to which nothing, they thought, but the rage of fanaticism and faction could have impelled the parliament. But though the public in general bore great favour to the king, the States were uneasy at his presence. They dreaded the parliament, so formidable by their power, and so prosperous in all their enterprises. They apprehended the most precipitate resolutions from men of such violent and haughty dispositions. And, after the murder of Dorislaus, they found it still more necessary to satisfy the English commonwealth, by removing the king to a distance from them.

Dorislaus, though a native of Holland, had lived long in England; and being employed as assistant to the high court of justice which condemned the late king, he had risen to great credit and favour with the ruling party. They sent him envoy to Holland; but no sooner had he arrived at the Hague, than he was set upon by some royalists, chiefly retainers to Montrose. They rushed into the room, where he was sitting with some company; dragged him from the table; put him to death as the first victim to their murdered sovereign; very leisurely and peaceably separated themselves; and though orders were issued by the magistrates to arrest them, these were executed with such slowness and reluctance, that the criminals had all of them the opportunity of making their escape.

1650. Charles, having passed some time at Paris, where no assistance was given him, and even few civilities were paid him, made his retreat into Jersey, where his authority was still acknowledged. Here Winram, laird of Liberton, came to him as deputy from the committee of estates in Scotland, and informed him of the conditions to which he must necessarily submit before he could be admitted to the exercise of his authority. Conditions more severe were never imposed by subjects upon their sovereign; but as the affairs of Ireland began to decline, and the king found it no longer safe to venture himself to that island, he gave a civil answer to Winram, and desired the commissioners to meet him at Breda, in order to enter into a treaty with regard to these conditions.

COVENANTERS.

The earls of Cassilis and Lothian, lord Burley, the laird of Liberton, and other commissioners, arrived at Breda; but without any power of treating: the king must submit, without reserve, to the terms imposed upon him. The terms were, that he should issue a proclamation, banishing from court all excommunicated persons, that is, all those who, either under Hamilton or Montrose, had ventured their lives for his family; that no English subject who had served against the parliament should be allowed to approach him; that he should bind himself by his royal promise to take the covenant; that he should ratify all acts of parliament by which presbyterian government, the directory of worship, the confession of faith, and the catechism were established; and that in civil affairs he should entirely conform himself to the direction of parliament, and in ecclesiastical, to that of the assembly. These proposals, the commissioners, after passing some time in sermons and prayers, in order to express the more determined resolution, very solemnly delivered to the king.

The king's friends were divided with regard to the part which he should act in this critical conjuncture. Most of his English counsellors dissuaded him from accepting conditions so disadvantageous and dishonourable. They said that the men who now governed Scotland were the most furious and bigoted of that party, which, notwithstanding his gentle government, had first excited a rebellion against the late king: after the most unlimited concessions, had renewed their rebellion, and stopped the progress of his victories in England; and after he had intrusted his person to them in his uttermost distress, had basely sold him, together with their own honour, to his barbarous enemies: that they had as yet shown no marks of repentance, and even in

the terms which they now proposed, displayed the same antimonarchical principles, and the same jealousy of their sovereign, by which they had ever been actuated: that nothing could be more dishonourable than that the king, in his first enterprise, should sacrifice, merely for the empty name of royalty, those principles for which his father had died a martyr, and in which he himself had been strictly educated: that by this hypocrisy he might lose the royalists, who alone were sincerely attached to him; but never would gain the presbyterians, who were averse to his family and his cause, and would ascribe his compliance merely to policy and necessity: that the Scots had refused to give him any assurances of their intending to restore him to the throne of England; and could they even be brought to make such an attempt, it had sufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to so great an enterprise: that on the first check which they should receive, Argyle and his partisans would lay hold of the quickest expedient for reconciling themselves to the English parliament, and would betray the king, as they had done his father, into the hands of his enemies: and that, however desperate the royal cause, it must still be regarded as highly imprudent in the king to make a sacrifice of his honour; where the sole purchase was to endanger his life or liberty.

The earl of Laneric, now duke of Hamilton, the earl of Lauderdale, and others of that party, who had been banished their country for the late engagement, were then with the king; and being desirous of returning home in his retinue, they joined the opinion of the young duke of Buckingham, and earnestly pressed him to submit to the conditions required of him. It was urged, that nothing would more gratify the king's enemies than to see him fall into the snare laid for him, and by so scrupulous a nicety, leave the possession of his dominions to those who desired but a pretence for excluding him: that Argyle, not daring so far to oppose the bent of the nation as to throw off all allegiance to his sovereign, had embraced this expedient, by which he hoped to make Charles dethrone himself, and refuse a kingdom which was offered him: that it was not to be doubted but the same national spirit, assisted by Hamilton and his party, would rise still higher in favour of their prince after he had intrusted himself to their fidelity, and would much abate the rigour of the conditions now imposed upon him: that whatever might be the present intentions of the ruling party, they must unavoidably be engaged in a war with England, and must accept the assistance of the king's friends of all parties, in order to support themselves against a power so much superior: that how much soever a steady, uniform conduct might have been suitable to the advanced age and strict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which necessity had extorted from him: that even the rigour of those principles professed by his father, though with some it had exalted his character, had been extremely prejudicial to his interests; nor could anything be more serviceable to the royal cause, than to give all parties room to hope for more equal and more indulgent maxims of government: and that where affairs were reduced to so desperate a situation, dangers ought little to be regarded; and the king's honour lay rather in showing some early symptoms of courage and activity, than in choosing strictly a party among theological controversies, with which it might be supposed he was as yet very little acquainted.

These arguments, seconded by the advice of the queen-mother and of the prince of Orange, the king's brother-in-law, who both of them thought it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance the king saw more evidently the furious spirit by which the Scots were actuated, he had now no further resource, and was obliged to grant whatever was demanded of him.

MONTROSE TAKEN PRISONER.

Montrose, having laid down his arms at the command of the late king, had retired into France, and, contrary to his natural disposition, had lived for some time inactive at Paris. He there became acquainted with the famous cardinal de Retz; and that penetrating judge celebrates him in his memoirs as one of those heroes, of whom there are no longer any remains in the world, and who are only to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was caressed by the emperor, received the rank of mareschal, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king; and at the same time received from his young master a renewal of his commission of captain-general in Scotland. His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputation allured to him. The king of Denmark and duke of Holstein sent him some small supply of money: the queen of Sweden furnished him with arms: the prince of Orange with ships: and Montrose, hastening his enterprise, lest the king's agreement with the Scots should make him revoke his commission, he set out for the Orkneys with about 500 men, most of them Germans. These were all the preparations which he could make against a kingdom, settled in domestic peace, supported by a disciplined army, fully apprized of his enterprise, and prepared against him. Some of his retainers having told him of a prophecy, that, "to him and him alone it was reserved to restore the king's authority in all his dominions;" he lent a willing ear to suggestions which, however ill-grounded or improbable, were so conformable to his own daring character.

He armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness; hoping that the general affection to the king's service, and the fame of his former exploits, would make the Highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders: many of those who formerly adhered to him, had been severely punished by the covenanters: and no prospect of success was entertained in opposition to so great a force as was drawn together against him. But, however weak Montrose's army, the memory of past events struck a great terror into the committee of estates. They immediately ordered Lesley and Holborne to march against him with an army of 4000 men. Strahan was sent before, with a body of cavalry, to check his progress. He fell unexpectedly on Montrose, who had no horse to bring him intelligence. The royalists were put to flight; all of them either killed or taken prisoners; and Montrose himself, having put on the disguise of a peasant, was perfidiously delivered into the hands of his enemies by a friend to whom he had intrusted his person.

All the insolence which success can produce in ungenerous minds, was exercised by the covenanters against Montrose, whom they so much hated and so much dreaded. Theological antipathy further increased their indignities towards a person whom they regarded as impious on account of the excommunication which had been pronounced against him. Lesley led him about for several days in the same low habit under which he had disguised himself. The vulgar, wherever he passed, were instigated to reproach and vilify him. When he came to Edinburgh, every circumstance of elaborate rage and insult was put in practice by order of the parliament. At the gate of the city he was met by the magistrates, and put into a new cart, purposely

made with a high chair or bench, where he was placed, that the people might have a full view of him. He was bound with a cord, drawn over his breast and shoulders, and fastened through holes made in the cart. The hangman then took off the hat of the noble prisoner, and rode himself before the cart in his livery, and with his bonnet on; the other officers, who were taken prisoners with the marquis, walking two and two before them.

The populace, more generous and humane, when they saw so mighty a change of fortune in this great man, so lately their dread and terror, into whose hands the magistrates, a few years before, had delivered on their knees the keys of the city, were struck with compassion, and viewed him with silent tears and admiration. The preachers, next Sunday, exclaimed against this movement of rebel nature, as they termed it; and reproached the people with their profane tenderness towards the capital enemy of piety and religion.

When he was carried before the parliament, which was then sitting, Loudon, the chancellor, in a violent declamation, reproached him with the breach of the national covenant, which he had subscribed; his rebellion against God, the king, and the kingdom; and the many horrible murders, treasons, and impieties for which he was now to be brought to condign punishment. Montrose in his answer maintained the same superiority above his enemies, to which by his fame and great actions, as well as by the consciousness of a good cause, he was justly entitled. He told the parliament, that since the king, as he was informed, had so far avowed their authority, as to enter into treaty with them, he now appeared uncovered before their tribunal; a respect which, while they stood in open defiance to their sovereign, they would in vain have required of him. That he acknowledged, with infinite shame and remorse, the errors of his early conduct, when their plausible pretences had seduced him to tread with them the paths of rebellion, and bear arms against his prince and country. That his following services, he hoped, had sufficiently testified his repentance; and his death would now atone for that guilt, the only one with which he could justly reproach himself. That in all his warlike enterprises he was warranted by that commission, which he had received from his and their master, against whose lawful authority they had erected their standard. That to venture his life for his sovereign was the least part of his merit: he had even thrown down his arms in obedience to the sacred commands of the king; and had resigned to them the victory, which, in defiance of all their efforts, he was still enabled to dispute with them. That no blood had ever been shed by him but in the field of battle; and many persons were now in his eye, many now dared to pronounce sentence of death upon him, whose life, forfeited by the laws of war, he had formerly saved from the fury of the soldiers. That he was sorry to find no better testimony of their return to allegiance than the murder of so faithful a subject, in whose death the king's commission must be at once so highly injured and affronted. That as to himself, they had in vain endeavoured to vilify and degrade him by all their studied indignities: the justice of his cause, he knew, would ennoble any fortune; nor had he other affliction than to see the authority of his prince, with which he was invested, treated with so much ignominy. And that he now joyfully followed, by a like unjust sentence, his late sovereign; and should be happy if, in his future destiny, he could follow him to the same blissful mansions, where his piety and humane virtues had already, without doubt, secured him an eternal recompense.

Montrose's sentence was next pronounced against him. "That he, James Graham," (for this was the only name they vouchsafed to give him,) "should next day be carried to Edinburgh-cross, and there be hanged on a gibbet, thirty feet high, for the space of three hours, then be taken down, his head be cut off upon a scaffold, and affixed to the prison: his legs and arms be stuck up on the four chief towns of the kingdom: his body be buried in the place appropriated for common malefactors; except the church, upon his repentance, should take off his excommunication."

The clergy, hoping that the terrors of immediate death had now given them an advantage over their enemy, flocked about him, and insulted over his fallen fortunes. They pronounced his damnation, and assured him, that the judgment, which he was so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him: but he was too well acquainted with those forms of imprecation which they called prayers—"Lord, vouchsafe yet to touch the obdurate heart of this proud incorrigible sinner; this wicked, perjured, traitorous, and profane person, who refuses to hearken to the voice of thy church." Such were the petitions, which, he expected, they would, according to custom, offer up for him. He told them, that they were a miserably deluded and deluding people; and would shortly bring their country under the most insupportable servitude, to which any nation had ever been reduced. "For my part," added he, "I am much prouder to have my head affixed to the place where it is sentenced to stand, than to have my picture hung in the king's bedchamber. So far from being sorry that my quarters are to be sent to four cities of the kingdom; I wish I had limbs enough to be dispersed into all the cities of Christendom, there to remain as testimonies in favour of the cause for which I suffer." This sentiment, that very evening, while in prison, he threw into verse. The poem remains; a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now (21st May) was led forth, amidst the insults of his enemies and the tears of the people, this man of illustrious birth, and of the greatest renown in the nation, to suffer, for his adhering to the laws of his country, and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt, which the insolence of the governing party had made to subdue his spirit, had hitherto proved fruitless: they made yet one effort more, in this last and melancholy scene, when all enmity, arising from motives merely human, is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin, of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however, for their officious zeal; and said, that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the garter. Having asked, whether they had any more indignities to put upon him, and renewing some devout ejaculations, he patiently endured the last act of the executioner.

Thus perished, in the thirty-eighth year of his age, the gallant marquis of Montrose; the man whose military genius, both by valour and conduct, had shone forth beyond any which, during these civil disorders, had appeared in the three kingdoms. The finer arts too, he had, in his youth, successfully cultivated; and whatever was sublime, elegant, or noble touched his great soul. Nor was he insensible to the pleasures either of society or of love. Something, however, of the *vast* and *unbounded* characterized his actions and deportment; and it was merely by an heroic effort of duty, that he brought his mind, impatient of superiority, and even of equality, to pay such unlimited submission to the will of his sovereign.

The vengeance of the covenanters was not satisfied with Montrose's execution. Urrey, whose inconstancy now led him to take part with the king, suffered about the same time: Spottiswood of Daersie, a youth of eighteen, sir Francis Hay of Dalgetie, and colonel Sibbald, all of them of birth and character, underwent a like fate. These were taken prisoners with Montrose. The marquis of Huntley, about a year

before, had also fallen a victim to the severity of the covenanters.

The last scene displays in a full light the barbarity of this theological faction: the sequel will sufficiently display their absurdity.

The king, in consequence of his agreement with the commissioners of Scotland, set sail for that country; (23rd June;) and being escorted by seven Dutch ships of war, who were sent to guard the herring-fishery, he arrived in the frith of Cromarty. Before he was permitted to land, he was required to sign the covenant; and many sermons and lectures were made him, exhorting him to persevere in that holy confederacy. Hamilton, Lauderdale, Dumfermling, and other noblemen of that party whom they called Engagers, were immediately separated from him, and obliged to retire to their houses, where they lived in a private manner, without trust or authority. None of his English friends, who had served his father, were allowed to remain in the kingdom. The king himself found that he was considered as a mere pageant of state, and that the few remains of royalty which he possessed, served only to draw on him the greater indignities. One of the quarters of Montrose, his faithful servant, who had borne his commission, had been sent to Aberdeen, and was still allowed to hang over the gates when he passed by that place. The general assembly, and afterwards the committee of estates and the army, who were entirely governed by the assembly, set forth a public declaration, in which they protested, "that they did not espouse any malignant quarrel or party, but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king, and of his house; nor would they own him or his interest, otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God, and acknowledged the sins of his house, and of his former ways."

The king, lying entirely at mercy, and having no assurance of life or liberty, further than was agreeable to the fancy of these austere zealots, was constrained to embrace a measure, which nothing but the necessity of his affairs, and his great youth and inexperience could excuse. He issued a declaration, such as they required of him. (16th August.) He there gave thanks for the merciful dispensations of providence, by which he was recovered from the snare of evil counsel, had attained a full persuasion of the righteousness of the covenant, and was induced to cast himself and his interests wholly upon God. He desired to be deeply humbled and afflicted in spirit, because of his father's following wicked measures, opposing the covenant and the work of reformation, and shedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother, and the toleration of it in his father's house; a matter of great offence, he said, to all the protestant churches, and a great provocation to him who is a jealous God, visiting the sins of the father upon the children. He professed, that he would have no enemies but the enemies of the covenant; and that he detested all popery, superstition, prelacy, heresy, schism, and profaneness: and was resolved not to tolerate, much less to countenance, any of them in any of his dominions. He declared, that he should never love or favour those who had so little conscience as to follow his interests, in preference to the gospel and the kingdom of Jesus Christ. And he expressed his hope, that, whatever ill success his former guilt might have drawn upon his cause, yet now, having obtained mercy to be on God's side, and to acknowledge his own cause subordinate to that of God, divine providence would crown his arms with victory.

Still the covenanters and the clergy were diffident of the king's sincerity. The facility which he discovered in yielding whatever was required of him, made them suspect, that he regarded all his concessions merely as ridiculous farces, to which he must of necessity submit. They had another trial prepared for him Instead of the solemnity of his coronation, which was delayed, they were resolved that he should pass through a public humiliation, and do penance before the whole people. They sent him twelve articles of repentance, which he was to acknowledge; and the king had agreed, that he would submit to this indignity. The various transgressions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in these articles; and further declarations were insisted on, that he sought the restoration of his rights for the sole advancement of religion, and in subordination to the kingdom of Christ. In short, having exalted the altar above the throne, and brought royalty under their feet, the clergy were resolved to trample on it, and vilify it, by every instance of contumely, which their present influence enabled them to impose upon their unhappy prince.

Charles in the meantime found his authority entirely annihilated, as well as his character degraded. He was consulted in no public measure. He was not called to assist at any councils. His favour was sufficient to discredit any pretender to office or advancement. All efforts which he made to unite the opposite parties, increased the suspicion which the covenanters had entertained of him, as if he were not entirely their own. Argyle, who by subtleties and compliances, was partly led and partly governed by this wild faction, still turned a deaf ear to all advances which the king made to enter into confidence with him. *Malignants* and *Engagers* continued to be the objects of general hatred and persecution; and whoever was obnoxious to the clergy, failed not to have one or other of these epithets affixed to him. The fanaticism which prevailed, being so full of sour and angry principles, and so overcharged with various antipathies, had acquired a new object of abhorrence: these were the *Sorcerers*. So prevalent was the opinion of witchcraft, that great numbers, accused of that crime, were burnt by sentence of the magistrates throughout all parts of Scotland. In a village near Berwick, which contained only fourteen houses, fourteen persons were punished by fire; and it became a science, everywhere much studied and cultivated, to distinguish a true witch by proper trials and symptoms.

The advance of the English army under Cromwell was not able to appease or soften the animosities among the parties in Scotland. The clergy were still resolute to exclude all but their more zealous adherents. As soon as the English parliament found that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war which, they saw, would in the end prove inevitable. Cromwell, having broken the force and courage of the Irish, was sent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and industry persevered in the work of subduing and expelling the natives.

It was expected that Fairfax, who still retained the name of general, would continue to act against Scotland, and appear at the head of the forces; a station for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make use of his name in murdering their sovereign, and offering violence to the parliament, had entertained insurmountable scruples against invading the Scots, whom he considering as zealous presbyterians, and united to England by the sacred bands of the covenant. He was further disgusted at the extremities into which he had already been hurried; and was confirmed in his repugnance by the exhortations of his wife, who had great influence over him, and was herself much governed by the presbyterian clergy. A committee of parliament was sent to reason with him; and Cromwell was of the number. In vain did they urge that the Scots had first broken the covenant by

their invasion of England under Hamilton; and that they would surely renew their hostile attempts, if not prevented by the vigorous measures of the commonwealth. Cromwell, who knew the rigid inflexibility of Fairfax in everything which he regarded as matter of principle, ventured to solicit him with the utmost earnestness; and he went so far as to shed tears of grief and vexation on the occasion. No one could suspect any ambition in the man who laboured so zealously to retain his general in that high office which, he knew, he himself was entitled to fill. The same warmth of temper which made Cromwell a frantic enthusiast, rendered him the most dangerous of hypocrites; and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful successes. By the contagious ferment of his zeal, he engaged every one to co-operate with him in his measures; and entering easily and affectionately into every part which he was disposed to act, he was enabled, even after multiplied deceits, to cover, under a tempest of passion, all his crooked schemes and profound artifices.

Fairfax having resigned his commission, it was bestowed on Cromwell, who was declared captain-general of all the forces in England. This command in a commonwealth, which stood entirely by arms, was of the utmost importance; and was the chief step which this ambitious politician had yet made towards sovereign power. He immediately marched his forces, and entered Scotland with an army of 16,000 men.

The command of the Scottish army was given to Lesley, an experienced officer, who formed a very proper plan of defence. He intrenched himself in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merse and the Lothians everything which could serve to the subsistence of the English army. Cromwell advanced to the Scotch camp, and endeavoured by every expedient to bring Lesley to a battle: the prudent Scotchman knew that, though superior in numbers, his army was much inferior in discipline to the English; and he carefully kept himself within his intrenchments. By skirmishes and small rencounters he tried to confirm the spirits of his soldiers; and he was successful in these enterprises. His army daily increased both in numbers and courage. The king came to the camp; and having exerted himself in an action, gained on the affections of the soldiery, who were more desirous of serving under a young prince of spirit and vivacity, than under a committee of talking gown-men. The clergy were alarmed. They ordered Charles immediately to leave the camp. They also purged it carefully of about 4000 *Malignants* and *Engagers*, whose zeal had led them to attend the king, and who were the soldiers of chief credit and experience in the nation. They then concluded, that they had an army composed entirely of saints, and could not be beaten. They murmured extremely, not only against their prudent general, but also against the Lord, on account of his delays in giving them deliverance; and they plainly told him, that if he would not save them from the English sectaries, he should no longer be their God. An advantage having offered itself on a Sunday, they hindered the general from making use of it, lest he should involve the nation in the guilt of sabbath-breaking.

Cromwell found himself in a very bad situation. He had no provisions but what he received by sea. He had not had the precaution to bring these in sufficient quantities; and his army was reduced to difficulties. He retired to Dunbar. Lesley followed him, and encamped on the heights of Lamermure, which overlook that town. There lay many difficult passes between Dunbar and Berwick, and of these Lesley had taken possession. The English general was reduced to extremities. He had even embraced a resolution of sending by sea all his foot and artillery to England, and of breaking through, at all hazards, with his cavalry. The madness of the Scottish ecclesiastics saved him from this loss and dishonour.

BATTLE OF DUNBAR. *September* 3.

Night and day the ministers had been wrestling with the Lord in prayer, as they termed it; and they fancied that they had at last obtained the victory. Revelations, they said, were made them, that the sectarian and heretical army, together with Agag, meaning Cromwell, was delivered into their hands. Upon the faith of these visions, they forced their general, in spite of his remonstrances, to descend into the plain, with a view of attacking the English in their retreat. Cromwell, looking through a glass, saw the enemy's camp in motion; and foretold, without the help of revelations, that the Lord had delivered them into *his* hands. He gave orders immediately for an attack. In this battle it was easily observed, that nothing, in military actions, can supply the place of discipline and experience; and that, in the presence of real danger, where men are not accustomed to it, the fumes of enthusiasm presently dissipate, and lose their influence. The Scots, though double in number to the English, were soon put to flight, and pursued with great slaughter. The chief, if not only, resistance was made by one regiment of Highlanders, that part of the army which was the least infected with fanaticism. No victory could be more complete than this which was obtained by Cromwell. About 3000 of the enemy were slain, and 9000 taken prisoners. Cromwell pursued his advantage, and took possession of Edinburgh and Leith. The remnant of the Scottish army fled to Stirling. The approach of the winter season, and an ague, which seized Cromwell, kept him from pushing the victory any further.

The clergy made great lamentations, and told the Lord, that to them it was little to sacrifice their lives and estates, but to him it was a great loss to suffer his elect to be destroyed. They published a declaration, containing the cause of their late misfortunes. These visitations they ascribed to the manifold provocations of the king's house, of which they feared he had not yet thoroughly repented; the secret intrusion of malignants into the king's family, and even into the camp; the leaving of a most malignant and profane guard of horse, who, being sent for to be purged, came two days before the defeat, and were allowed to fight with the army; the owning of the king's quarrel by many without subordination to religion and liberty; and the carnal self-keeping of some, together with the neglect of family prayers by others.

Cromwell, having been so successful in the war of the sword, took up the pen against the Scottish ecclesiastics. He wrote them some polemical letters, in which he maintained the chief points of the independent theology. He took care likewise to retort on them their favourite argument of providence; and asked them, Whether the Lord had not declared against them? But the ministers thought that the same events, which to their enemies were judgments, to them were trials; and they replied, that the Lord had only hid his face, for a time, from Jacob. But Cromwell insisted, that the appeal had been made to God in the most express and solemn manner, and that, in the fields of Dunbar, an irrevocable decision had been awarded in favour of the English army.*

* This is the best of Cromwell's wretched compositions that remains, and we shall here extract a passage out of it. "Was not your expectation from God, that he would hang the equity of our cause upon events? We could wish that blindness had not been upon your eyes to all those marvellous dispensations which God had wrought anew in England. Did not you solemnly appeal and pray? Did not we do so too? And ought not we and you to think, with fear and trembling, of the hand of the great God, in this mighty and strange appearance of his, but can slightly call it an event? Were not both your and our expectations renewed from time to time, while we waited on God, to see which way he would manifest himself upon our appeals? And shall we, after all these our prayers, fastings, tears, expectations, and solemn appeals, call these mere events? The Lord pity you. Surely we fear, because it has been a merciful and a gracious deliverance to us.

"I beseech you in the bowels of Christ, search after the mind of the Lord in it towards you, and we shall help you by our prayers that you may find it. For yet, if we know our heart at all, our bowels do in Christ yearn after the godly in Scotland."—Thurloe, vol. i. p. 158.

1651. The defeat of the Scots was regarded by the king as a fortunate event. The armies, which fought on both sides, were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support. The parliament was summoned to meet at St. Johnstone's. Hamilton, Lauderdale, and all the engagers were admitted into court and camp, on condition of doing public penance, and expressing repentance for their late transgressions. Some malignants also crept in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was performed at Scone, with great pomp and solemnity. (1st January.) But amidst all this appearance of respect, Charles remained in the hands of the most rigid covenanters: and though treated with civility and courtesy by Argyle, a man of parts and address, he was little better than a prisoner, and was still exposed to all the rudeness and pedantry of the ecclesiastics.

This young prince was in a situation which very ill suited his temper and disposition. All those good qualities which he possessed, his affability, his wit, his gaiety, his gentleman-like, disengaged behaviour, were here so many vices; and his love of ease, liberty, and pleasure, was regarded as the highest enormity. Though artful in the practice of courtly dissimulation, the sanctified style was utterly unknown to him; and he never could mould his deportment into that starched grimace, which the covenanters required as an infallible mark of conversion. The duke of Buckingham was the only English courtier allowed to attend him; and, by his ingenious talent for ridicule, he had rendered himself extremely agreeable to his master. While so many objects of derision surrounded them, it was difficult to be altogether insensible to the temptation, and wholly to suppress the laugh. Obliged to attend from morning to night at prayers and sermons, they betrayed evident symptoms of weariness or contempt. The clergy never could esteem the king sufficiently regenerated: and by continual exhortations, remonstrances, and reprimands, they still endeavoured to bring him to a juster sense of his spiritual duty.

The king's passion for the fair could not altogether be restrained. He had once been observed using some familiarities with a young woman; and a committee of ministers was appointed to reprove him for a behaviour so unbecoming a covenanted monarch. The spokesman of the committee, one Douglas, began with a severe aspect, informed the king that great scandal had been given to the godly, enlarged on the heinous nature of sin, and concluded with exhorting his majesty, whenever he was disposed to amuse himself, to be more careful, for the future, in shutting the windows. This delicacy, so unusual to the place and to the character of the man, was remarked by the king; and he never forgot the obligation.

The king, shocked at all the indignities, and, perhaps, still more tired with all the formalities, to which he was obliged to submit, made an attempt to regain his liberty. General Middleton, at the head of some royalists, being proscribed by the covenanters, kept in the mountains, expecting some opportunity of serving his master. The king resolved to join this body. He secretly made his escape from Argyle, and fled towards the Highlands. Colonel Montgomery, with a troop of horse, was sent in pursuit of him. He overtook the king, and persuaded him to return. The royalists being too weak to support him, Charles was the more easily induced to comply. This incident procured him afterwards better treatment and more authority; the covenanters being afraid of driving him, by their rigours, to some desperate resolution. Argyle renewed his courtship to the king, and the king, with equal dissimulation, pretended to repose great confidence in Argyle. He even went so far as to drop hints of his intention to marry that nobleman's daughter: but he had to do with a man too wise to be seduced by such gross artifices.

As soon as the season would permit, the Scottish army was assembled under Hamilton and Lesley; and the king was allowed to join the camp. The forces of the western counties, notwithstanding the imminent danger which threatened their country, were resolute not to unite their cause with that of an army which admitted any engagers or malignants among them; and they kept in a body apart under Ker. They called themselves the *Protestors;* and their frantic clergy declaimed equally against the king and against Cromwell. The other party were denominated *Resolutioners;* and these distinctions continued long after to divide and agitate the kingdom.

Charles encamped at the Torwood; and his generals resolved to conduct themselves by the same cautious maxims which, so long as they were embraced, had been successful during the former campaign. The town of Stirling lay at his back, and the whole north supplied him with provisions. Strong intrenchments defended his front; and it was in vain that Cromwell made every attempt to bring him to an engagement. After losing much time, the English general sent Lambert over the frith into Fife, with an intention of cutting off the provisions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of the Scots, and put them to rout with great slaughter. Cromwell also passed over with his whole army; and lying at the back of the king, made it impossible for him to keep his post any longer.

Charles, reduced to despair, embraced a resolution worthy of a young prince contending for empire. Having the way open, he resolved immediately to march into England; where he expected that all his friends, and all those who were discontented with the present government, would flock to his standard. He persuaded the generals to enter into the same views; and with one consent the army, to the number of 14,000 men, rose from their camp, and advanced by great journeys towards the south.

Cromwell was surprised at this movement of the royal army. Wholly intent on offending his enemy, he had exposed his friends to imminent danger, and saw the king with numerous forces marching into England; where his presence, from the general hatred which prevailed against the parliament, was capable of producing some great revolution. But if this conduct was an oversight in Cromwell, he quickly repaired it by his vigilance and activity. He dispatched letters to the parliament, exhorting them not to be dismayed at the approach of the Scots: he sent orders everywhere for assembling forces to oppose the king: he ordered Lambert with a body of cavalry to hang upon the rear of the royal army, and infest their march: and he himself, leaving Monk with 7000 men to complete the reduction of Scotland, followed the king with all the expedition possible.

Charles found himself disappointed in his expectations of increasing his army. The Scots, terrified at the prospect of so hazardous an enterprise, fell off in great numbers. The English presbyterians, having no warning given them of the king's approach, were not prepared to join him. To the royalists, this measure was equally unexpected; and they were further deterred from joining the Scottish army, by the orders which the committee of ministers had issued, not to admit any, even in this desperate extremity, who would not subscribe the covenant. The earl of Derby, leaving the Isle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheshire and Lancashire; but was soon suppressed by a party of the parliamentary army. And the king, when he arrived at Worcester, found that his forces, extremely harassed by a hasty and fatiguing march, were not more numerous than when he rose from his camp in the Torwood.

THE BATTLE OF WORCESTER. *September* 3.

Such is the influence of established government, that

the commonwealth, though founded in usurpation the most unjust and unpopular, had authority sufficient to raise everywhere the militia of the counties; and these, united with the regular forces, bent all their efforts against the king. With an army of about 30,000 men, Cromwell fell upon Worcester; and attacking it on all sides, and meeting with little resistance, except from duke Hamilton and general Middleton, broke in upon the disordered royalists. The streets of the city were strewed with dead. Hamilton, a nobleman of bravery and honour, was mortally wounded; Massey wounded and taken prisoner; the king himself, having given many proofs of personal valour, was obliged to fly. The whole Scottish army was either killed or taken prisoners. The country people, inflamed with national antipathy, put to death the few that escaped from the field of battle.

THE KING'S ESCAPE.

The king left Worcester at six o'clock in the afternoon, and, without halting, travelled about twenty-six miles, in company with fifty or sixty of his friends. To provide for his safety, he thought it best to separate himself from his companions; and he left them without communicating his intentions to any of them. By the earl of Derby's directions, he went to Boscobel, a lone house in the borders of Staffordshire, inhabited by one Penderell, a farmer. To this man Charles intrusted himself. The man had dignity of sentiments much above his condition; and though death was denounced against all who concealed the king, and a great reward promised to any one who should betray him, he professed and maintained unshaken fidelity. He took the assistance of his four brothers, equally honourable with himself; and having clothed the king in a garb like their own, they led him into the neighbouring wood, put a bill into his hand, and pretended to employ themselves in cutting faggots. Some nights he lay upon straw in the house, and fed on such homely fare as it afforded. For a better concealment, he mounted upon an oak, where he sheltered himself among the leaves and branches for twenty-four hours. He saw several soldiers pass by. All of them were intent in search of the king; and some expressed, in his hearing, their earnest wishes of seizing him. This tree was afterwards denominated the *Royal Oak*; and for many years was regarded by the neighbourhood with great veneration.

Charles was in the middle of the kingdom, and could neither stay in his retreat, nor stir a step from it, without the most imminent danger. Fear, hopes, and party zeal, interested multitudes to discover him; and even the smallest indiscretion of his friends might prove fatal. Having joined lord Wilmot, who was skulking in the neighbourhood, they agreed to put themselves into the hands of colonel Lane, a zealous royalist, who lived at Bentley, not many miles distant. The king's feet were so hurt by walking about in heavy boots or countrymen's shoes which did not fit him, that he was obliged to mount on horseback; and he travelled in this situation to Bentley, attended by the Penderells, who had been so faithful to him. Lane formed a scheme for his journey to Bristol, where, it was hoped, he would find a ship, in which he might transport himself. He had a near kinswoman, Mrs. Norton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a pass (for, during those times of confusion, this precaution was requisite) for his sister Jane Lane and a servant, to travel towards Bristol, under pretence of visiting and attending her relation. The king rode before the lady, and personated the servant.

When they arrived at Norton's, Mrs. Lane pretended that she had brought along as her servant a poor lad, a neighbouring farmer's son, who was ill of an ague; and she begged a private room for him, where he might be quiet. Though Charles kept himself retired in this chamber, the butler, one Pope, soon knew him: the king was alarmed, but made the butler promise that he would keep the secret from every mortal, even from his master; and he was faithful to his engagement.

No ship, it was found, would, for a month, set sail from Bristol, either for France or Spain; and the king was obliged to go elsewhere for a passage. He intrusted himself to colonel Windham of Dorsetshire, an affectionate partisan of the royal family: the natural effect of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known, and even the courage and fidelity of most men, by the variety of incidents, had been put to trial. The royalists too had, many of them, been obliged to make concealments in their houses for themselves, their friends, or more valuable effects; and the art of eluding the enemy had been frequently practised. All these circumstances proved favourable to the king in the present exigency. As he often passed through the hands of catholics, the *Priest's Hole*, as they called it, the place where they were obliged to conceal their persecuted priests, was sometimes employed for sheltering their distressed sovereign.

Windham, before he received the king, asked leave to intrust the important secret to his mother, his wife, and four servants, on whose fidelity he could rely. Of all these, no one proved wanting either in honour or discretion. The venerable old matron, on the reception of her royal guest, expressed the utmost joy, that having lost, without regret, three sons and one grandchild in defence of his father, she was now reserved, in her declining years, to be instrumental in the preservation of himself. Windham told the king, that sir Thomas, his father, in the year 1636, a few days before his death, called to him his five sons. "My children," said he, "we have hitherto seen serene and quiet times under our three last sovereigns: but I must now warn you to prepare for clouds and storms. Factions arise on every side, and threaten the tranquillity of your native country. But whatever happens, do you faithfully honour and obey your prince, and adhere to the crown. I charge you never to forsake the crown, though it should hang upon a bush." "These last words," added Windham, "made such impressions on all our breasts, that the many afflictions of these sad times could never efface their indelible characters." From innumerable instances, it appears how deep-rooted in the minds of the English gentry of that age was the principle of loyalty to their sovereign; that noble and generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal constitution. But during those times of military usurpation, these passions were the same.

The king continued several days in Windham's house; and all his friends in Britain, and in every part of Europe, remained in the most anxious suspense with regard to his fortunes: no one could conjecture whether he were dead or alive; and the report of his death being generally believed, happily relaxed the vigilant search of his enemies. Trials were made to procure a vessel for his escape; but he still met with disappointments. Having left Windham's house, he was obliged again to return to it. He passed through many other adventures; assumed different disguises; in every step was exposed to imminent perils; and received daily proofs of uncorrupted fidelity and attachment. The sagacity of a smith, who remarked that his horse's shoes had been made in the north, and not in the west, as he pretended, once detected him; and he narrowly escaped. At Shoreham in Sussex a vessel was at last found, in which he embarked. He had been known to so many, that if he had not set sail in that critical moment it had been impossible for him to escape. After one and forty days concealment, he arrived safely at Fescamp in Normandy. No less than forty men and women had at different times been privy to his concealment and escape.

The battle of Worcester afforded Cromwell what he called his *crowning mercy*. So elated was he, that he intended to have knighted in the field two of his generals, Lambert and Fleetwood; but was dissuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook submission to the empty name of a republic, which stood chiefly by his influence, and was supported by his victories. How early he entertained thoughts of taking into his hand the reins of government is uncertain. We are only assured, that he now discovered to his intimate friends these aspiring views; and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish.

THE COMMONWEALTH.

The little popularity and credit acquired by the republicans further stimulated the ambition of this enterprising politician. These men had not that large thought, nor those comprehensive views, which might qualify them for acting the part of legislators: selfish aims and bigotry chiefly engrossed their attention. They carried their rigid austerity so far as to enact a law, declaring fornication, after the first act, to be felony, without benefit of clergy.* They made small progress in that important work, which they professed to have so much at heart, the settling of a new model of representation, and fixing a plan of government. The nation began to apprehend, that they intended to establish themselves as a perpetual legislature, and to confine the whole power to 60 or 70 persons, who called themselves the parliament of the commonwealth of England. And while they pretended to bestow new liberties upon the nation, they found themselves obliged to infringe even the most valuable of those which through time immemorial, had been transmitted from their ancestors. Not daring to intrust the trials of treason to juries, who, being chosen indifferently from among the people, would have been little favourable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble institution, by which the government of this island has ever been so much distinguished. They had evidently seen in the trial of Lilburn what they could expect from juries. This man, the most turbulent, but the most upright and courageous, of human kind, was tried for a transgression of the new statute of treasons; but though he was plainly guilty, he was acquitted, to the great joy of the people. Westminster-hall, nay, the whole city, rang with shouts and acclamations. Never did any established power receive so strong a declaration of its usurpation and invalidity; and from no institution besides the admirable one of juries, could be expected this magnanimous effort.

That they might not for the future be exposed to affronts, which so much lessened their authority, the parliament erected a high court of justice, which was to receive indictments from the council of state. This court was composed of men devoted to the ruling party, without name or character, determined to sacrifice everything to their own safety or ambition. Colonel Eusebius Andrews and colonel Walter Slingsby were tried by this court for conspiracies, and condemned to death. They were royalists, and refused to plead before so illegal a jurisdiction. Love, Gibbons, and other presbyterians, having entered into a plot against the republic, were also tried, condemned, and executed. The earl of Derby, sir Timothy Featherstone, Bemboe, being taken prisoners after the battle of Worcester, were put to death by sentence of a court-martial; a method of proceeding declared illegal by that very Petition of Right for which a former parliament had so strenuously contended, and which, after great efforts, they had extorted from the king.

Excepting their principles of toleration, the maxims by which the republicans regulated ecclesiastical affairs no more prognosticated any durable settlement, than those by which they conducted their civil concerns. The presbyterian model of congregation, classes, and assemblies, was not allowed to be finished: it seemed even the intention of many leaders in the parliament to admit of no established church, and to leave every one, without any guidance of the magistrate, to embrace whatever sect, and to support whatever clergy, were most agreeable to him.

The parliament went so far as to make some approaches in one province, to their independent model. Almost all the clergy of Wales being ejected as malignants, itinerant preachers with small salaries were settled, not above four or five in each county; and these, being furnished with horses at the public expense, hurried from place to place, and carried, as they expressed themselves, the glad tidings of the gospel. They were all of them men of the lowest birth and education, who had deserted mechanical trades in order to follow this new profession. And in this particular, as well as in their wandering life, they pretended to be more truly apostolical.

The republicans, both by the turn of their disposition, and by the nature of the instruments which they employed, were better qualified for acts of force and vigour, than for the slow and deliberate work of legislation. Notwithstanding the late wars and bloodshed, and the present factions, the power of England had never, in any period, appeared so formidable to the neighbouring kingdoms as it did at this time in the hands of the commonwealth. A numerous army served equally to retain every one in implicit subjection to established authority, and to strike a terror into foreign nations. The power of peace and war was lodged in the same hands with that of imposing taxes; and no difference of views, among the several members of the legislature, could any longer be apprehended. The present impositions, though much superior to what had ever formerly been experienced, were in reality moderate, and what a nation so opulent could easily bear. The military genius of the people had, by the civil contests, been roused from its former lethargy; and excellent officers were formed in every branch of service. The confusion into which all things had been thrown, had given opportunity to men of low stations to break through their obscurity, and to raise themselves by their courage to commands which they were well qualified to exercise, but to which their birth could never have entitled them. And while so great a power was lodged in such active hands, no wonder the republic was successful in all its enterprises.

Blake, a man of great courage and a generous disposition, the same person who had defended Lyme and Taunton with such unshaken obstinacy against the late king, was made an admiral; and though he had hitherto been accustomed only to land service, into which too he had not entered till past fifty years of age, he soon raised the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to pursue prince Rupert, to whom the king had intrusted that squadron which had deserted to him. Rupert took shelter in Kinsale; and escaping thence, fled towards the coast of Portugal. Blake pursued and chased him into the Tagus, where he intended to make an attack upon him. But the king of Portugal, moved by the favour which throughout all Europe attended the royal cause, refused Blake admittance, and aided prince Rupert in making his escape. To be revenged of this partiality, the English admiral made prize of twenty Portuguese ships, richly laden; and he threatened still further vengeance. The king of Portugal, dreading so dangerous a foe to his newly-acquired dominion, and sensible of the unequal contest in which he was engaged, made all possi-

* A bill was introduced to the house against painting, patches, and other immodest dress of women; but it did not pass. Parl. Hist. vol. xix. p. 265.

ble submissions to the haughty republic, and was at last admitted to negociate the renewal of his alliance with England. Prince Rupert, having lost a great part of his squadron on the coast of Spain, made sail towards the West-Indies. His brother, prince Maurice, was there shipwrecked in a hurricane. Everywhere this squadron subsisted by privateering, sometimes on English, sometimes on Spanish vessels. And Rupert at last returned to France, where he disposed of the remnants of his fleet, together with his prizes.

All the settlements in America, except New England, which had been planted entirely by the puritans, adhered to the royal party, even after the settlement of the republic; and sir George Ayscue was sent with a squadron to reduce them. Bermudas, Antigua, Virginia, were soon subdued. Barbadoes, commanded by lord Willoughby of Parham, made some resistance, but was at last obliged to submit.

With equal ease were Jersey, Guernsey, Scilly, and the Isle of Man, brought under subjection to the republic; and the sea, which had been much infested by privateers from these islands, was rendered safe to the English commerce. The countess of Derby defended the Isle of Man; and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Trimoille in France, had, during the civil war, displayed a manly courage by her obstinate defence of Lathamhouse against the parliamentary forces; and she retained the glory of being the last person in the three kingdoms and in all their dependent dominions, who submitted to the victorious commonwealth. [*See note* 6 Q, *at the end of this Vol.*]

Ireland and Scotland were now entirely subjected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, 30,000 strong, prosecuted the work of subduing the revolted Irish; and he defeated them in many rencounters, which, though of themselves of no great moment, proved fatal to their declining cause. He punished without mercy all the prisoners who had any hand in the massacres. Sir Phelim O'Neale, among the rest, was, some time after, brought to the gibbet, and suffered an ignominious death, which he had so well merited by his inhuman cruelties. Limerick, a considerable town, still remained in the hands of the Irish; and Ireton, after a vigorous siege made himself master of it. He was here infected with the plague, and shortly after died: a memorable personage, much celebrated for his vigilance, industry, capacity, even for the strict execution of justice in that unlimited command which he possessed in Ireland. He was observed to be inflexible in all his purposes; and it was believed by many, that he was animated with a sincere and passionate love of liberty, and never could have been induced by any motive to submit to the smallest appearance of regal government. Cromwell appeared to be much affected by his death; and the republicans, who reposed great confidence in him, were inconsolable. To show their regard for his merit and services, they bestowed an estate of two thousand pounds a year on his family, and honoured him with a magnificent funeral at the public charge. Though the established government was but the mere shadow of a commonwealth, yet was it beginning by proper arts to encourage that public spirit which no other species of civil polity is ever able fully to inspire.

The command of the army in Ireland devolved on lieutenant-general Ludlow. The civil government of the island was intrusted to commissioners. Ludlow continued to push the advantages against the Irish, and everywhere obtained an easy victory. That unhappy people, disgusted with the king on account of those violent declarations against them and their religion, which had been extorted by the Scots, applied to the king of Spain, to the duke of Lorraine, and found assistance nowhere. Clanricarde, unable to resist the prevailing power, made submissions to the parliament, and retired into England, where he soon after died. He was a steady catholic; but a man much respected by all parties.

The successes which attended Monk in Scotland were no less decisive. That able general laid siege to Stirling castle; and though it was well provided for defence, it was soon surrendered to him. He there became master of all the records of the kingdom; and he sent them to England. The earl of Leven, the earl of Crawford, lord Ogilvy, and other noblemen, having met near Perth, in order to concert measures for raising a new army, were suddenly set upon by colonel Alured, and most of them taken prisoners. Sir Philip Musgrave, with some Scots, being engaged at Dumfries in a like enterprise, met with a like fate. Dundee was a town well fortified, supplied with a good garrison, under Lumisden, and full of all the rich furniture, the plate, and money of the kingdom, which had been sent thither as to a place of safety. Monk appeared before it; and having made a breach, gave a general assault. He carried the town; and, following the example and instructions of Cromwell, put all the inhabitants to the sword, in order to strike a general terror into the kingdom. Warned by this example, Aberdeen, St. Andrews, Inverness, and other towns and forts, yielded, of their own accord, to the enemy. Argyle made his submissions to the English commonwealth; and, excepting a few royalists, who remained some time in the mountains, under the earl of Glencairn, lord Balcarras, and general Middleton, that kingdom, which had hitherto, through all ages, by means of its situation, poverty, and valour, maintained its independence, was reduced to total subjection.

The English parliament sent sir Harry Vane, St. John, and other commissioners, to settle Scotland. These men, who possessed little of the true spirit of liberty, knew how to maintain the appearance of it; and they required the voluntary consent of all the counties and towns of this conquered kingdom, before they would unite them into the same commonwealth with England. The clergy protested; because, they said, this incorporating union would draw along with it a subordination of the church to the state in the things of Christ. English judges, joined to some Scottish, were appointed to determine all causes; justice was strictly administered; order and peace maintained; and the Scots, freed from the tyranny of the ecclesiastics, were not much dissatisfied with the present government. [*See note* 6 R, *at the end of this Vol.*] The prudent conduct of Monk, a man who possessed a capacity for the arts both of peace and war, served much to reconcile the minds of men, and to allay their prejudices.

DUTCH WAR. 1652.

By the total reduction and pacification of the British dominions, the parliament had leisure to look abroad, and to exert their vigour in foreign enterprises. The Dutch were the first that felt the weight of their arms.

During the life of Frederic Henry, prince of Orange, the Dutch republic had maintained a neutrality in the civil wars of England, and had never interposed, except by her good offices, between the contending parties. When William, who had married an English princess, succeeded to his father's commands and authority,* the States, both before and after the execution of the late king, were accused of taking steps more favourable to the royal cause, and of betraying a great prejudice against that of the parliament. It was long before the envoy of the English commonwealth could obtain an audience of the states-general. The murderers of Dorislaus were not pursued with such rigour as the parliament expected. And much regard had been paid to the king, and many good offices performed to

him both by the public, and by men of all ranks in the United Provinces.

After the death of William, prince of Orange, which was attended with the depression of his party and the triumph of the Dutch republicans, the parliament thought that the time was now favourable for cementing a closer confederacy with the States. St. John, chief-justice, who was sent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their interests totally inseparable; but fearing that so extraordinary a project would not be relished, he contented himself with dropping some hints of it, and openly went no further than to propose a strict defensive alliance between England and the United Provinces, such as has now, for near seventy years, taken place between these friendly powers. But the States, who were unwilling to form a nearer confederacy with a government whose measures were so obnoxious, and whose situation seemed so precarious, offered only to renew the former alliances with England. And the haughty St. John, disgusted with this disappointment, as well as incensed at many affronts, which had been offered him with impunity, by the retainers of the Palatine and Orange families, and indeed by the populace in general, returned into England, and endeavoured to foment a quarrel between the republics.

The movements of great states are often directed by as slender springs as those of individuals. Though war with so considerable a naval power as the Dutch, who were in peace with all their other neighbours, might seem dangerous to the yet unsettled commonwealth, there were several motives which at this time induced the English parliament to embrace hostile measures. Many of the members thought that a foreign war would serve as a pretence for continuing the same parliament, and delaying the new model of a representative, with which the nation had so long been flattered. Others hoped that the war would furnish a reason for maintaining, some time longer, that numerous standing army, which was so much complained of.* On the other hand, some, who dreaded the increasing power of Cromwell, expected that the great expense of naval armaments would prove a motive for diminishing the military establishment. To divert the attention of the public from domestic quarrels towards foreign transactions, seemed, in the present disposition of men's minds, to be good policy. The superior power of the English commonwealth, together with its advantages of situation, promised success; and the parliamentary leaders hoped to gain many rich prizes from the Dutch, to distress and sink their flourishing commerce, and by victories to throw a lustre on their own establishment, which was so new and unpopular. All these views, enforced by the violent spirit of St. John, who had great influence over Cromwell, determined the parliament to change the purposed alliance into a furious war against the United Provinces.

To cover these hostile intentions, the parliament, under pretence of providing for the interests of commerce, embraced such measures as they knew would give disgust to the States. They framed the famous act of navigation; which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected; because their country produces few commodities, and they subsist chiefly by being the general carriers and factors of Europe. Letters of reprisal were granted to several merchants, who complained of injuries, which, they pretended, they had received from the States; and above eighty Dutch ships fell into their hands, and were made prizes. The cruelties committed on the English at Amboyna, which were certainly enormous, but which seemed to be buried in oblivion by a thirty years' silence, were again made the ground of complaint. And the allowing the murderers of Dorislaus to escape, and the conniving at the insults to which St. John had been exposed, were represented as symptoms of an unfriendly, if not a hostile, disposition in the States.

The States, alarmed at all these steps, sent orders to their ambassadors to endeavour the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of a hundred and fifty sail, and took care, by their ministers at London, to inform the council of state of that armament. This intelligence, instead of striking terror into the English republic, was considered as a menace, and further confirmed the parliament in their hostile resolutions. The minds of men in both states were every day more irritated against each other; and it was not long before these humours broke forth into action.

Tromp, an admiral of great renown, received from the States the command of a fleet of forty-two sail, in order to protect the Dutch navigation against the privateers of the English. He was forced, by stress of weather, as he alleged, to take shelter in the road of Dover, where he met with Blake, who commanded an English fleet much inferior in number. Who was the aggressor in the action, which ensued between these two admirals, both of them men of such prompt and fiery dispositions, it is not easy to determine; since each of them sent to his own state a relation totally opposite in all its circumstances to that of the other, and yet supported by the testimony of every captain in his fleet. Blake pretended that, having given a signal to the Dutch admiral to strike, Tromp, instead of complying, fired a broadside at him. Tromp asserted that he was preparing to strike, and that the English admiral, nevertheless, began hostilities. It is certain that the admiralty of Holland, who are distinct from the council of state, had given Tromp no orders to strike, but had left him to his own discretion with regard to that vain but much contested ceremonial. They seemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the formal respect paid the English flag as a deference due only to the monarchy. This circumstance forms a strong presumption against the narrative of the Dutch admiral. The whole Orange party, it must be remarked, to which Tromp was suspected to adhere, were desirous of a war with England.

Blake, though his squadron consisted only of fifteen vessels, re-enforced, after the battle began, by eight, under captain Bourne, maintained the fight with bravery for five hours, and sunk one ship of the enemy, and took another. Night parted the combatants, and the Dutch fleet retired towards the coast of Holland. The populace of London were enraged, and would have insulted the Dutch ambassadors, who lived at Chelsea, had not the council of state sent guards to protect them.

When the States heard of this action, of which the consequences were easily foreseen, they were in the utmost consternation. They immediately dispatched Paw, pensionary of Holland, as their ambassador extraordinary to London, and ordered him to lay before the parliament the narrative which Tromp had sent of the late rencounter. They entreated them by all the bands of their common religion and common liberties, not to precipitate themselves into hostile measures, but to appoint commissioners, who should examine every circumstance of the action, and clear up the truth, which lay in obscurity. And they pretended that they had given no orders to their admiral to offer any violence to the English; but would severely punish him, if they found, upon inquiry, that he had been guilty of an action which they so much disapproved. The imperious parliament would hearken to none of these reasons or remonstrances. Elated by the numerous

* On October 17, 1650.

† We are told by Heath, one of the Oliverian writers, that that famous republican Algernon Sidney opposed the Dutch war, and that it was the military gentlemen chiefly who supported that measure.

successes which they had obtained over their domestic enemies, they thought that everything must yield to their fortunate arms; and they gladly seized the opportunity, which they sought, of making war upon the States. They demanded that, without any further delay or inquiry, reparation should be made for all the damages which the English had sustained. And when this demand was not complied with, they dispatched orders for commencing war against the United Provinces.

Blake sailed northwards with a numerous fleet, and fell upon the herring-busses, which were escorted by twelve men of war. All these he either took or dispersed. Tromp followed him with a fleet of above a hundred sail. When these two admirals were within sight of each other, and preparing for battle, a furious storm attacked them. Blake took shelter in the English harbours. The Dutch fleet was dispersed, and received great damage.

Sir George Ayscue, though he commanded only forty ships, according to the English accounts, engaged, near Plymouth (16th August) the famous de Ruiter, who had under him fifty ships of war, with thirty merchantmen. The Dutch ships were indeed of inferior force to the English. De Ruiter, the only admiral in Europe who has attained a renown equal to that of the greatest general, defended himself so well, that Ayscue gained no advantage over him. Night parted them in the greatest heat of the action. De Ruiter next day sailed off with his convoy. The English fleet had been so shattered in the fight, that it was not able to pursue.

Near the coast of Kent, Blake, seconded by Bourne and Pen, met a Dutch squadron (28th October,) nearly equal in numbers, commanded by de Witte and de Ruiter. A battle was fought, much to the disadvantage of the Dutch. Their rear-admiral was boarded and taken. Two other vessels were sunk, and one blown up. The Dutch next day made sail towards Holland.

The English were not so successful in the Mediterranean. Van Galen, with much superior force, attacked captain Badily, and defeated him. He bought, however, his victory with the loss of his life.

Sea-fights are seldom so decisive as to disable the vanquished from making head in a little time against the victors. Tromp, seconded by de Ruiter, met, near the Goodwins, with Blake, (29th November,) whose fleet was inferior to the Dutch, but who resolved not to decline the combat. A furious battle commenced, where the admirals on both sides, as well as the inferior officers and seamen, exerted great bravery. In this action the Dutch had the advantage. Blake himself was wounded. The Garland and Bonaventure were taken. Two ships were burned, and one sunk; and night came opportunely to save the English fleet. After this victory, Tromp, in a bravado, fixed a broom to his mainmast; as if he were resolved to sweep the sea entirely of all English vessels.

1653. Great preparations were made in England, in order to wipe off this disgrace. A gallant fleet of eighty sail was fitted out. Blake commanded, and Dean under him, together with Monk, who had been sent for from Scotland. When the English lay off Portland, (18th February,) they descried, near break of day, a Dutch fleet of seventy-six vessels sailing up the Channel, along with a convoy of 300 merchantmen, who had received orders to wait at the isle of Rhé, till the fleet should arrive to escort them. Tromp, and, under him, de Ruiter, commanded the Dutch. This battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy; and Blake, who was victor, gained not more honour than Tromp, who was vanquished. The Dutch admiral made a skilful retreat, and saved all the merchant ships, except thirty. He lost, however, eleven ships of war, had 2,000 men slain, and near 1500 taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.

All these successes of the English were chiefly owing to the superior size of their vessels; an advantage which all the skill and bravery of the Dutch admirals could not compensate. By means of ship-money, an imposition which had been so much complained of, and in some respects with reason, the late king had put the navy into a situation which it had never attained in any former reign; and he ventured to build ships of a size which was then unusual. But the misfortunes which the Dutch met with in battle were small in comparison of those which their trade sustained from the English. Their whole commerce by the Channel was cut off; even that to the Baltic was much infested by English privateers. Their fisheries were totally suspended. A great number of their ships, above 1600, had fallen into the hands of the enemy. And all this distress they suffered, not for any national interest or necessity; but from vain points of honour and personal resentments, of which it was difficult to give a satisfactory account to the public. They resolved, therefore, to gratify the pride of the parliament, and to make some advances towards peace. They met not, however, with a favourable reception; and it was not without pleasure that they learned the dissolution of that haughty assembly, by the violence of Cromwell; an event from which they expected a more prosperous turn to their affairs.

DISSOLUTION OF THE PARLIAMENT.

The zealous republicans in the parliament had not been the chief or first promoters of the war; but when it was once entered upon, they endeavoured to draw from it every possible advantage. On all occasions they set up the fleet in opposition to the army, and celebrated the glory and successes of their naval armaments. They insisted on the intolerable expense to which the nation was subjected, and urged the necessity of diminishing it, by a reduction of the land-forces. They had ordered some regiments to serve on board the fleet, in the quality of marines. And Cromwell, by the whole train of their proceedings, evidently saw that they had entertained a jealousy of his power and ambition, and were resolved to bring him to a subordination under their authority. Without scruple or delay, he resolved to prevent them.

On such firm foundations was built the credit of this extraordinary man, that though a great master of fraud and dissimulation, he judged it superfluous to employ any disguise in conducting this bold enterprise. He summoned a general council of officers; and immediately found that they were disposed to receive whatever impressions he was pleased to give them. Most of them were his creatures, had owed their advancement to his favour, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when the late king was seized at Holdenby; the general officers regarded the parliament as at once their creature and their rival; and thought that they themselves were entitled to share among them those offices and riches, of which its members had so long kept possession. Harrison, Rich, Overton, and a few others, who retained some principle, were guided by notions so extravagant, that they were easily deluded into measures the most violent and most criminal. And the whole army had already been guilty of such illegal and atrocious actions, that they could entertain no further scruple with regard to any enterprise which might serve their selfish or fanatical purposes.

In the council of officers it was presently voted to frame a remonstrance to the parliament. After complaining of the arrears due to the army, they there desired the parliament to reflect how many years they

had sat, and what professions they had formerly made of their intentions to new-model the representative, and establish successive parliaments, who might bear the burden of national affairs, from which they themselves would gladly, after so much danger and fatigue, be at last relieved. They confessed that the parliament had achieved great enterprises, and had surmounted mighty difficulties; yet was it an injury, they said, to the rest of the nation to be excluded from bearing any part in the service of their country, it was now full time for them to give place to others; and they therefore desired them, after settling a council who might execute the laws during the interval, to summon a new parliament, and establish that free and equal government, which they had so long promised to the people.

The parliament took this remonstrance in ill part, and made a sharp reply to the council of officers. The officers insisted on their advice; and by mutual altercation and opposition the breach became still wider between the army and the commonwealth. Cromwell, finding matters ripe for his purpose, called a council of officers, (20th April,) in order to come to a determination with regard to the public settlement. As he had here many friends, so had he also some opponents. Harrison, having assured the council that the general sought only to pave the way for the government of Jesus and his saints, major Streator briskly replied, that Jesus ought then to come quickly: for if he delayed it till after Christmas, he would come too late; he would find his place occupied. While the officers were in debate, colonel Ingoldsby informed Cromwell, that the parliament was sitting, and had come to a resolution not to dissolve themselves, but to fill up the house by new elections; and was at that very time engaged in deliberations with regard to this expedient. Cromwell in a rage immediately hastened to the house, and carried a body of 300 soldiers along with him. Some of them he placed at the door, some in the lobby, some on the stairs. He first addressed himself to his friend St. John, and told him that he had come with a purpose of doing what grieved him to the very soul, and what he earnestly with tears besought the Lord not to impose upon him; but there was a necessity, in order to the glory of God and good of the nation. He sat down for some time, and heard the debate. He beckoned Harrison, and told him that he now judged the parliament ripe for a dissolution. "Sir," said Harrison, "the work is very great and dangerous; I desire you seriously to consider, before you engage in it."—"You say well," replied the general; and thereupon sat still about a quarter of an hour. When the question was ready to be put, he said again to Harrison, "This is the time: I must do it." And suddenly starting up, he loaded the parliament with the vilest reproaches, for their tyranny, ambition, oppression, and robbery of the public. Then stamping with his foot, which was a signal for the soldiers to enter; "For shame!" said he to the parliament; "get you gone; give place to honester men; to those who will more faithfully discharge their trust. You are no longer a parliament: I tell you, you are no longer a parliament. The Lord has done with you: he has chosen other instruments for carrying on his work." Sir Harry Vane exclaiming against this proceeding, he cried with a loud voice, "O! sir Harry Vane, sir Harry Vane! the Lord deliver me from sir Harry Vane!" Taking hold of Martin by the cloak. "Thou art a whoremaster," said he. To another, "Thou art an adulterer." To a third, "Thou art a drunkard and a glutton." "And thou an extortioner," to a fourth. He commanded a soldier to seize the mace. "What shall we do with this bauble? here, take it away. It is you," said he, addressing himself to the house, "that have forced me upon this. I have sought the Lord night and day, that he would rather slay me than put me upon this work." Having commanded the soldiers to clear the hall, he himself went out the last, and ordering the doors to be locked, departed to his lodgings in Whitehall.

In this furious manner, which so well denotes his genuine character, did Cromwell, without the least opposition, or even murmur, annihilate that famous assembly which had filled all Europe with the renown of its actions, and with astonishment at its crimes, and whose commencement was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries which they had suffered, revenged on their enemies; and that too by the same arts which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds; and, aided by the church, had well nigh put an end to all the liberties and privileges of the nation. The presbyterians checked the progress of the court and clergy, and excited, by cant and hypocrisy, the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur, than the independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The independents, amidst their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent, as well as all ancient, example, it was become evident that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.

CHAPTER LXI.

Cromwell's Birth and private Life—Barebone's Parliament—Cromwell made Protector—Peace with Holland—A new Parliament—Insurrection of the Royalists—Stated Force—War with Spain—Jamaica conquered—Success and Death of Admiral Blake—Domestic Administration of Cromwell—Humble Petition and Advice—Dunkirk taken—Sickness of the Protector—His Death and Character.

CROMWELL'S BIRTH AND PRIVATE LIFE.

OLIVER CROMWELL, in whose hands the dissolution of the parliament had left the whole power, civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a good family; though he himself, being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university; but his genius was found little fitted for the calm and elegant occupations of learning, and he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life; and he consumed in gaming, drinking, debauchery, and country riots, the more early years of his youth, and dissipated part of his patrimony. All of a sudden the spirit of reformation seized him; he married, affected a grave and composed behaviour, entered into all the zeal and rigour of the puritanical party, and offered to restore to every one whatever sums he had formerly gained by gaming. The same vehemence of temper, which had transported him into the extremes of pleasure, now distinguished his religious habits. His house was the resort of all the zealous clergy of the party; and his hospitality, as well as his liberalities to the silenced and deprived ministers, proved as chargeable as his former debaucheries. Though he had acquired a tolerable fortune by a maternal uncle, he found his affairs so injured by his expenses, that he was obliged to take a farm at St. Ives, and apply himself, for some years, to agriculture as a profession. But this expedient served rather to involve him in further debts and difficulties. The long prayers which he said to his

family in the morning, and again in the afternoon, consumed his own time and that of his ploughmen; and he reserved no leisure for the care of his temporal affairs. His active mind, superior to the low occupations to which he was condemned, preyed upon itself; and he indulged his imagination in visions, illuminations, revelations; the great nourishment of that hypochondriacal temper, to which he was ever subject. Urged by his wants and his piety, he had made a party with Hambden, his near kinsman, who was pressed only by the latter motive, to transport himself into New England, now become the retreat of the more zealous among the puritanical party; and it was an order of council which obliged them to disembark and remain in England. The earl of Bedford, who possessed a large estate in the Fen Country, near the Isle of Ely, having undertaken to drain these morasses, was obliged to apply to the king; and by the powers of the prerogative, he got commissioners appointed, who conducted that work, and divided the new-acquired land among the several proprietors. He met with opposition from many, among whom Cromwell distinguished himself; and this was the first public opportunity which he had met with of discovering the factious zeal and obstinacy of his character.

From accident and intrigue he was chosen by the town of Cambridge member of the long parliament. His domestic affairs were then in great disorder; and he seemed not to possess any talents which could qualify him to rise in that public sphere into which he was now at last entered. His person was ungraceful; his dress slovenly; his voice untunable; his elocution homely, tedious, obscure, and embarrassed. The fervour of his spirit frequently prompted him to rise in the house; but he was not heard with attention: his name, for above two years, is not to be found oftener than twice in any committee; and those committees, into which he was admitted, were chosen for affairs which would more interest the zealots than the men of business. In comparison of the eloquent speakers and fine gentlemen of the house, he was entirely overlooked; and his friend Hambden alone was acquainted with the depth of his genius, and foretold that, if a civil war should ensue, he would soon rise to eminence and distinction.

Cromwell himself seems to have been conscious where his strength lay; and partly from that motive, partly from the uncontrollable fury of his zeal, he always joined that party which pushed everything to extremities against the king. He was active in promoting the famous remonstrance, which was the signal for all the ensuing commotions; and when, after a long debate, it was carried by a small majority, he told lord Falkland, that if the question had been lost, he was resolved next day to have converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this resolution, he said, peculiar to himself: many others of his party he knew to be equally determined.

He was no less than forty-three years of age, when he first embraced the military profession; and by force of genius, without any master, he soon became an excellent officer; though perhaps he never reached the fame of a consummate commander. He raised a troop of horse; fixed his quarters in Cambridge; exerted great severity towards that university, which zealously adhered to the royal party; and showed himself a man who would go all lengths in favour of that cause which he had espoused. He would not allow his soldiers to perplex their heads with those subtleties of fighting by the king's authority against his person, and of obeying his majesty's commands signified by both houses of parliament; he plainly told them, that if he met the king in battle, he would fire a pistol in his face as readily as against any other man. His troop of horse he soon augmented to a regiment; and he first instituted that discipline and inspired that spirit which rendered the parliamentary armies in the end victorious. "Your troops," said he to Hambden, according to his own account,* "are most of them old, decayed serving-men and tapsters, and such kind of fellows; the king's forces are composed of gentlemen's younger sons, and persons of good quality. And do you think that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen that have honour and courage and resolution in them? You must get men of spirit, and take it not ill that I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter." He did as he proposed. He enlisted the sons of freeholders and farmers. He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthusiastic spirit still rose to a higher pitch. Their colonel, from his own natural character, as well as from policy, was sufficiently inclined to increase the flame. He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valour and discipline, still propagated itself; and all men cast their eyes on so pious and so successful a leader. From low commands he rose with great rapidity to be really the first, though in appearance only the second in the army. By fraud and violence, he soon rendered himself the first in the state. In proportion to the increase of his authority, his talents always seemed to expand themselves; and he displayed every day new abilities, which had lain dormant till the very emergence by which they were called forth into action. All Europe stood astonished to see a nation so turbulent and unruly, who, for some doubtful encroachments on their privileges, had dethroned and murdered an excellent prince, descended from a long line of monarchs, now at last subdued and reduced to slavery by one, who, a few years before, was no better than a private gentleman, whose name was not known in the nation, and who was little regarded even in that low sphere to which he had always been confined.

The indignation, entertained by the people, against an authority, founded on such manifest usurpation, was not so violent as might naturally be expected. Congratulatory addresses, the first of the kind, were made to Cromwell by the fleet, by the army, even by many of the chief corporations and counties of England; but especially by the several congregations of saints, dispersed throughout the kingdom. The royalists, though they could not love the man who had imbrued his hands in the blood of their sovereign, expected more lenity from him, than from the jealous and imperious republicans, who had hitherto governed. The presbyterians were pleased to see those men, by whom they had been outwitted and expelled, now in their turn expelled and outwitted by their own servant; and they applauded him for this last act of violence upon the parliament. These two parties composed the bulk of the nation, and kept the people in some tolerable temper. All men likewise, harassed with wars and factions, were glad to see any prospect of settlement. And they deemed it less ignominious to submit to a person of such admirable talents and capacity, than to a few ignoble enthusiastic hypocrites, who, under the name of a republic, had reduced them to a cruel subjection.

The republicans, being dethroned by Cromwell, were the party whose resentment he had the greatest reason to apprehend. That party, besides the independents, contained two sets of men, who are seemingly of the most opposite principles, but who were then united by a similitude of genius and of character. The first and most numerous were the millenarians, or fifth-monarchy men, who insisted, that, dominion being founded in grace, all distinction in magistracy must be abolished, except what arose from piety and holiness; who expected suddenly the second coming of Christ upon earth; and who pretended, that the

* Conference held at Whitehall.

saints in the meanwhile, that is, themselves, were alone entitled to govern. The second were the deists, who had no other object than political liberty, who denied entirely the truth of revelation, and insinuated, that all the various sects, so heated against each other, were alike founded in folly and in error. Men of such daring geniuses were not contented with the ancient and legal forms of civil government; but challenged a degree of freedom beyond what they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were esteemed the heads of this small division.

BAREBONE'S PARLIAMENT.

The deists were perfectly hated by Cromwell, because he had no hold of enthusiasm, by which he could govern or overreach them; he therefore treated them with great rigour and disdain, and usually denominated them the *heathens*. As the millenarians had a great interest in the army, it was much more important for him to gain their confidence; and their size of understanding afforded him great facility in deceiving them. Of late years it had been so usual a topic of conversation to discourse of parliaments and councils and senates, and the soldiers themselves had been so much accustomed to enter into that spirit, that Cromwell thought it requisite to establish something which might bear the face of a commonwealth. He supposed that God, in his providence, had thrown the whole right, as well as power, of government into his hands; and without any more ceremony, by the advice of his council of officers, he sent summons to a hundred and twenty-eight persons of different towns and counties of England, to five of Scotland, to six of Ireland. He pretended, by his sole act and deed, to devolve upon these the whole authority of the state. This legislative power they were to exercise during fifteen months, and they were afterwards to choose the same number of persons, who might succeed them in that high and important office.

There were great numbers at that time, who made it a principle always to adhere to any power which was uppermost, and to support the established government. This maxim is not peculiar to the people of that age; but what may be esteemed peculiar to them, is, that there prevailed a hypocritical phrase for expressing so prudential a conduct; it was called a waiting upon providence. When providence, therefore, was so kind as to bestow on these men, now assembled together, the supreme authority, they must have been very ungrateful, if, in their turn, they had been wanting in complaisance towards her. They immediately (4th July) voted themselves a parliament; and having their own consent, as well as that of Oliver Cromwell, for their legislative authority, they now proceeded very gravely to the exercise of it.

In this notable assembly were some persons of the rank of gentlemen; but the far greater part were low mechanics; fifth-monarchy men, anabaptists, antinomians, independents; the very dregs of the fanatics. They began with seeking God by prayer: this office was performed by eight or ten *gifted* men of the assembly; and with so much success, that, according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the Holy Spirit as was then communicated to them. Their hearts were, no doubt, dilated when they considered the high dignity, to which they supposed themselves exalted. They had been told by Cromwell, in his first discourse, that he never looked to see such a day, when Christ should be so owned.* They thought it, therefore, their duty to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work which, it was expected, the Lord was to bring forth among them. All fanatics, being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity, derived merely from their office and priestly character. This parliament took into consideration the abolition of the clerical function, as savouring of popery; and the taking away of tithes, which they called a relict of Judaism. Learning also and the universities were deemed heathenish and unnecessary: the common law was denominated a badge of the conquest and of Norman slavery; and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery, the highest court of judicature in the kingdom; and the Mosaical law was intended to be established as the sole system of English jurisprudence.*

Of all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemnization of marriage by the civil magistrate alone, without the interposition of the clergy. They found themselves exposed to the derision of the public. Among the fanatics of the house, there was an active member, much noted for his long prayers, sermons, and harangues. He was a leather-seller in London: his name, *Praise-God Barebone*. This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people; and they commonly affixed to this assembly the appellation of Barebone's parliament. †

The Dutch ambassadors endeavoured to enter into negociation with this parliament; but, though protestants and even presbyterians, they met with a bad reception from those who pretended to a sanctity so much superior. The Hollanders were regarded as worldly-minded men, intent only on commerce and industry; whom it was fitting the saints should first extirpate, ere they undertook that great work, to which they believed themselves destined by providence, of subduing Antichrist, the man of sin, and extending to the uttermost bounds of the earth the kingdom of the Redeemer. The ambassadors, finding themselves proscribed, not as enemies of England, but of Christ, remained in astonishment, and knew not which was most to be admired, the implacable spirit or egregious folly of these pretended saints.

Cromwell began to be ashamed of his legislature. If he ever had any design in summoning so preposterous an assembly beyond amusing the populace and the army, he had intended to alarm the clergy and lawyers; and he had so far succeeded as to make them

* These are his expressions: "Indeed I have but one word more to say to you, though in that perhaps I shall show my weakness: it is by way of encouragement to you in this work; give me leave to begin thus: I confess I never looked to have seen such a day as this, it may be nor you neither, when Jesus Christ should be so owned as he is at this day and in this work. Jesus Christ is owned this day by your call, and you own him by your willingness to appear for him, and you manifest this (as far as poor creatures can do) to be a day of the power of Christ. I know you will remember that scripture 'He makes his people willing in the day of his power.' God manifests it to be the day of the power of Christ, having through so much blood and so much trial as has been upon this nation, he makes this one of the greatest mercies, next to his own Son, to have his people called to the supreme authority. God hath owned his Son, and hath owned you, and hath made you to own him. I confess I never looked to have seen such a day: I did not." I suppose at this passage he cried; for he was very much given to weeping, and could at any time shed abundance of tears. The rest of the speech may be seen among Milton's State Papers, page 106. It is very curious, and full of the same obscurity, confusion, embarrassment, and absurdity, which appear in almost all Oliver's productions.

* Conference held at Whitehall.

† It was usual for the pretended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly; even the New Testament names, James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament, Hezekiah, Habakkuk, Joshua, Zerobabel. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time:—Accepted, Trevor of Norsham; Redeemed, Compton of Battle; Faint not, Hewit of Heathfield; Make Peace, Heaton of Hare; God Reward Smart of Fivehurst; Standfast on High, Stringer of Crowhurst; Earth, Adams of Warbleton; Called, Lower of the same; Kill Sin, Pimple of Witham; Return, Spelman of Watling; Be Faithful, Joiner of Britling; Fly Debate, Roberts of the same; Fight the good Fight of Faith, White of Emer; More Fruit, Fowler of East Hadley; Hope for, Bending of the same; Graceful, Harding of Lewes; Weep not, Billing of the same; Meek, Brewer of Okeham. See Broom's "Travels in England," p. 279. "Cromwell," says Cleveland, "hath beat up his drums clean through the Old Testament. You may learn the genealogy of our Saviour by the names of his regiment. The muster-master has no other list than the first chapter of St. Matthew." The brother of this Praise-God Barebone had for name, *If Christ had not died for you, you had been damned Barebone*. But the people, tired of this long name, retained only the last word, and commonly gave him the appellation of *Damn'd Barebone*.

desire any other government, which might secure their professions, now brought in danger by these desperate fanatics. Cromwell himself was dissatisfied, that the parliament, though they had derived all their authority from him, began to pretend power from the Lord, and to insist already on their divine commission. He had been careful to summon in his writs several persons entirely devoted to him. By concert, these met early; and it was mentioned by some among them, that the sitting of this parliament any longer would be of no service to the nation. They hastened, (12th December,) therefore, to Cromwell, along with Rouse, their speaker; and, by a formal deed of assignment, restored into his hands that supreme authority which they had so lately received from him. General Harrison and about twenty more remained in the house; and that they might prevent the reign of the saints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up protests. They were soon interrupted by colonel White, with a party of soldiers. He asked them what they did there? "We are seeking the Lord," said they. "Then you may go elsewhere," replied he: "for to my certain knowledge, he has not been here these many years."

CROMWELL MADE PROTECTOR.

The military being now in appearance, as well as in reality, the sole power which prevailed in the nation, Cromwell thought fit to indulge a new fancy: for he seems not to have had any deliberate plan in all these alterations. Lambert, his creature, who, under the appearance of obsequiousness to him, indulged an unbounded ambition, proposed in a council of officers to adopt another scheme of government, and to temper the liberty of a commonwealth by the authority of a single person, who should be known by the appellation of protector. Without delay, he prepared what was called *the instrument of government*, containing the plan of this new legislature; and, as it was supposed to be agreeable to the general, it was immediately voted by the council of officers. Cromwell was declared protector; and with great solemnity installed in that high office.

So little were these men endowed with the spirit of legislation, that they confessed, or rather boasted, that they had employed only four days in drawing this instrument, by which the whole government of three kingdoms was pretended to be regulated and adjusted to all succeeding generations. There appears no difficulty in believing them; when it is considered how crude and undigested a system of civil polity they endeavoured to establish. The chief articles of the instrument are these:—A council was appointed, which was not to exceed twenty-one nor be less than thirteen persons. These were to enjoy their office during life or good behaviour; and in case of a vacancy, the remaining members named three, of whom the protector chose one. The protector was appointed supreme magistrate of the commonwealth: in his name was all justice to be administered; from him were all magistracy and honours derived; he had the power of pardoning all crimes, excepting murder and treason; to him the benefit of all forfeitures devolved. The right of peace, war, and alliance, rested in him; but in these particulars he was to act by the advice and with the consent of his council. The power of the sword was vested in the protector jointly with the parliament, while it was sitting, or with the council of state in the intervals. He was obliged to summon a parliament every three years, and allow them to sit five months, without adjournment, prorogation, or dissolution. The bills, which they passed, were to be presented to the protector for his assent; but if within twenty days it were not obtained, they were to become laws by the authority alone of parliament. A standing army for Great Britain and Ireland was established, of 20,000 foot and 10,000 horse; and funds were assigned for their support. These were not to be diminished without consent of the protector; and in this article alone he assumed a negative. During the intervals of parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of parliament. The chancellor, treasurer, admiral, chief governors of Ireland and Scotland, and the chief-justices of both the benches, must be chosen with the approbation of parliament: and in the intervals, with the approbation of the council, to be afterwards ratified by parliament. The protector was to enjoy his office during life; and on his death, the place was immediately to be supplied by the council. This was the instrument of government enacted by the council of officers, and solemnly sworn to by Oliver Cromwell. The council of state, named by the instrument, were fifteen men entirely devoted to the protector, and by reason of the opposition among themselves in party and principles, not likely ever to combine against him.

Cromwell said that he accepted the dignity of protector, merely that he might exert the duty of a constable, and preserve peace in the nation. Affairs indeed were brought to that pass, by the furious animosities of the several factions, that the extensive authority and even arbitrary power of some first magistrate was become a necessary evil, in order to keep the people from relapsing into blood and confusion. The independents were too small a party ever to establish a popular government, or intrust the nation, where they had so little interest, with the free choice of its representatives. The presbyterians had adopted the violent maxims of persecution; incompatible at all times with the peace of society, much more with the wild zeal of those numerous sects which prevailed among the people. The royalists were so much enraged by the injuries which they had suffered, that the other prevailing parties would never submit to them, who, they knew, were enabled merely by the execution of the ancient laws, to take severe vengeance upon them. Had Cromwell been guilty of no crime but this temporary usurpation, the plea of necessity and public good, which he alleged, might be allowed, in every view, a reasonable excuse for his conduct.

During the variety of ridiculous and distracted scenes, which the civil government exhibited in England, the military force was exerted with vigour, conduct, and unanmity; and never did the kingdom appear more formidable to all foreign nations. The English fleet, consisting of a hundred sail, and commanded by Monk and Dean, and under them by Pen and Lawson, met, near the coast of Flanders, with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their interests very little interfered: yet few battles have been disputed with more fierce and obstinate courage than were those many naval combats, which were fought during this short, but violent war. The desire of remaining sole lords of the ocean animated these States to an honourable emulation against each other. After a battle of two days, in the first of which Dean was killed, the Dutch, inferior in the size of their ships, were obliged, with great loss, to retire into their harbours. Blake, towards the end of the fight, joined his countrymen with eighteen sail. The English fleet lay off the coast of Holland, and totally interrupted the commerce of that republic.

The ambassador, whom the Dutch had sent over to England, gave them hopes of peace. But as they could obtain no cessation of hostilities, the States, unwilling to suffer any longer the loss and dishonour of being blockaded by the enemy, made the utmost efforts to recover their injured honour. Never on any occasion did the power and vigour of that republic appear in a more conspicuous light. In a few weeks they had repaired and manned their fleet; and they equipped some ships of a larger size than any which they had

hitherto sent to sea. Tromp issued out, determined again to fight the victors, and to die rather than to yield the contest. He met with the enemy, (29th July,) commanded by Monk; and both sides immediately rushed into the combat. Tromp, gallantly animating his men, with his sword drawn, was shot through the heart with a musket-ball. This event alone decided the battle in favour of the English. Though near thirty ships of the Dutch were sunk and taken, they little regarded this loss compared with that of their brave admiral.

PEACE WITH HOLLAND.

Meanwhile the negociations of peace were continually advancing. The States, overwhelmed with the expense of the war, terrified by their losses, and mortified by their defeats, were extremely desirous of an accommodation with an enemy whom they found, by experience, too powerful for them. The king having shown an inclination to serve on board their fleet; though they expressed their sense of the honour intended them, they declined an offer which might inflame the quarrel with the English commonwealth. The great obstacle to the peace was found not to be any animosity on the part of the English; but on the contrary a desire too earnest of union and confederacy. Cromwell had revived the chimerical scheme of a coalition with the United Provinces; a total conjunction of government, privileges, interests, and councils.....1654. This project appeared so wild to the States, that they wondered any man of sense could ever entertain it; and they refused (15th April) to enter into conferences with regard to a proposal, which could serve only to delay any practicable scheme of accommodation. The peace was at last signed by Cromwell, now invested with the dignity of protector; and it proves sufficiently, that the war had been impolitic, since, after the most signal victories, no terms more advantageous could be obtained. A defensive league was made between the two republics. They agreed each of them to banish the enemies of the other; those who had been concerned in the massacre of Amboyna were to be punished, if any remained alive; the honour of the flag was yielded to the English; eighty-five thousand pounds were stipulated to be paid by the Dutch East India Company for losses which the English company had sustained; and the island of Polerone in the East Indies was promised to be ceded to the latter.

Cromwell, jealous of the connexions between the royal family and that of Orange, insisted on a separate article—that neither the young prince nor any of his family should ever be invested with the dignity of stadholder. The province of Holland, strongly prejudiced against that office, which they esteemed dangerous to liberty, secretly ratified this article. The protector, knowing that the other provinces would not be induced to make such a concession, was satisfied with this security.

The Dutch war being successful, and the peace reasonable, brought credit to Cromwell's administration. An act of justice, which he exercised at home, gave likewise satisfaction to the people; though the regularity of it may perhaps appear somewhat doubtful. Don Pantaleon Sa, brother to the Portuguese ambassador, and joined with him in the same commission, fancying himself to be insulted, came upon the exchange, armed and attended by several servants. By mistake, he fell on a gentleman, whom he took for the person that had given him the offence; and having butchered him with many wounds, he and all his attendants took shelter in the house of the Portuguese ambassador, who had connived at this base enterprise. The populace surrounded the house, and threatened to set fire to it. Cromwell sent a guard, who seized all the criminals. They were brought to trial: and notwithstanding the opposition of the ambassador, who pleaded the privileges of his office, don Pantaleon was executed on Tower-hill. The laws of nations were here plainly violated: but the crime committed by the Portuguese gentleman was to the last degree atrocious: and the vigorous chastisement of it, suiting so well the undaunted character of Cromwell, was universally approved of at home and admired among foreign nations. The situation of Portugal obliged that court to acquiesce; and the ambassador soon after signed with the protector a treaty of peace and alliance, which was very advantageous to the English commerce.

Another act of severity, but necessary in his situation, was, at the very same time, exercised by the protector, in the capital punishment of Gerrard and Vowel, two royalists, who were accused of conspiring against his life. He had erected a high court of justice for their trial; an infringement of the ancient laws, which at this time was become familiar, but one to which no custom or precedent could reconcile the nation. Juries were found altogether unmanageable. The restless Lilburn, for new offences, had been brought to a new trial; and had been acquitted with new triumph and exultation. If no other method of conviction had been devised during this illegal and unpopular government, all its enemies were assured of entire impunity.

A NEW PARLIAMENT.

The protector had occasion to observe the prejudices entertained against his government, by the disposition of the parliament, which he summoned on the third of September, that day of the year on which he gained his two great victories of Dunbar and Worcester, and which he always regarded as fortunate for him. It must be confessed, that, if we are left to gather Cromwell's intentions from his instrument of government, it is such a motley piece, that we cannot easily conjecture, whether he seriously meant to establish a tyranny or a republic. On one hand, a first magistrate, so extensive in a government, seemed necessary both for the dignity and tranquillity of the state; and the authority, which he assumed as protector, was, in some respects, inferior to the prerogatives which the laws intrusted and still intrust to the king. On the other hand, the legislative power, which he reserved to himself and council, together with so great an army, independent of the parliament, were bad prognostics of his intention to submit to a civil and legal constitution. But if this were not his intention, the method in which he distributed and conducted the elections, being so favourable to liberty, forms an inconsistency which is not easily accounted for. He deprived of their right of election all the small boroughs, places the most exposed to influence and corruption. Of 400 members, which represented England, 270 were chosen by the counties. The rest were elected by London, and the more considerable corporations. The lower populace too, so easily guided or deceived, were excluded from the elections: an estate of 200 pounds' value was necessary to entitle any one to a vote. The elections of this parliament were conducted with perfect freedom; and excepting that such of the royalists as had borne arms against the parliament and all their sons were excluded, a more fair representation of the people could not be desired or expected. Thirty members were returned from Scotland; as many from Ireland.

The protector seems to have been disappointed, when he found that all these precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwell's administration was less odious to every party than that of any other party, yet was it entirely acceptable to none. The royalists had been instructed by the king to remain quiet, and to cover themselves under the appearance of republicans; and they found in this latter faction such inveterate hatred against the protector, that they could not wish for more zealous adversaries to his authority. It was maintained by them, that the pretence of liberty and a popular elec-

tion was but a new artifice of this great deceiver, in order to lay asleep the deluded nation, and give himself leisure to rivet their chains more securely upon them: that in the instrument of government he openly declared his intention of still retaining the same mercenary army, by whose assistance he had subdued the ancient established government, and who would with less scruple obey him, in overturning, whenever he should please to order them, that new system, which he himself had been pleased to model: that being sensible of the danger and uncertainty of all military government, he endeavoured to intermix some appearance, and but an appearance, of civil administration, and to balance the army by a seeming consent of the people: that the absurd trial, which he had made, of a parliament, elected by himself, appointed perpetually to elect their successors, plainly proved, that he aimed at nothing but temporary expedients, was totally averse to a free republican government, and possessed not that mature and deliberate reflection, which could qualify him to act the part of a legislator: that his imperious character, which had betrayed itself in so many incidents, could never seriously submit to legal limitations; nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleasure: and that the best policy was to oblige him to take off the mask at once; and either submit entirely to that parliament, which he had summoned, or, by totally rejecting its authority, leave himself no resource but in his seditious and enthusiastic army.

In prosecution of these views, the parliament, having heard the protector's speech, three hours long, and having chosen Lenthal for their speaker, immediately entered into a discussion of the pretended instrument of government, and of that authority which Cromwell, by the title of protector, had assumed over the nation. The greatest liberty was used in arraigning this new dignity; and even the personal character and conduct of Cromwell escaped not without censure. The utmost that could be obtained by the officers and by the court party, for so they were called, was to protract the debate by arguments and long speeches, and prevent the decision of a question, which, they were sensible, would be carried against them by a great majority. The protector, surprised and enraged at this refractory spirit in the parliament, which however he had so much reason to expect, sent for them to the painted chamber, and with an air of great authority inveighed against their conduct. He told them that nothing could be more absurd than for them to dispute his title: since the same instrument of government which made them a parliament, had invested him with the protectorship; and some points in the new constitution were supposed to be fundamentals, and were not on any pretence to be altered or disputed; that among these were the government of the nation by a single person and a parliament, their joint authority over the army and militia, the succession of new parliaments and liberty of conscience; and that with regard to these particulars, there was reserved to him a negative voice, to which, in the other circumstances of government, he confessed himself nowise entitled.

1655. The protector now found the necessity of exacting a security which, had he foreseen the spirit of the house, he would with better grace have required at their first meeting. He obliged the members to sign a recognition of his authority, and an engagement not to propose or consent to any alteration in the government, as it was settled in a single person and a parliament; and he placed guards at the door of the house, who allowed none but subscribers to enter. Most of the members, after some hesitation, submitted to this condition; but retained the same refractory spirit which they had discovered in their first debates. The instrument of government was taken in pieces, and examined, article by article, with the most scrupulous accuracy: very free topics were advanced with the general approbation of the house: and during the whole course of their proceedings, they neither sent up one bill to the protector, nor took any notice of him. Being informed that conspiracies were entered into between the members and some malcontent officers, he hastened to the dissolution of so dangerous an assembly. (22nd January.) By the instrument of government, to which he had sworn, no parliament could be dissolved till it had sitten five months; but Cromwell pretended, that a month contained only twenty-eight days, according to the method of computation practised in paying the fleet and army. The full time, therefore, according to this reckoning, being elapsed, the parliament was ordered to attend the protector, who made them a tedious, confused, angry harangue, and dismissed them. Were we to judge of Cromwell's capacity by this, and indeed by all his other compositions, we should be apt to entertain no very favourable idea of it. But in the great variety of human geniuses, there are some which, though they see their object clearly and distinctly in general, yet, when they come to unfold its parts by discourse or writing, lose that luminous conception which they had before attained. All accounts agree in ascribing to Cromwell, a tiresome, dark, unintelligible elocution, even when he had no intention to disguise his meaning: yet no man's actions were ever, in such a variety of difficult incidents, more decisive and judicious.

The electing of a discontented parliament is a proof of a discontented nation: the angry and abrupt dissolution of that parliament is always sure to increase the general discontent. The members of this assembly, returning to their counties, propagated that spirit of mutiny which they had exerted in the house. Sir Harry Vane and the old republicans, who maintained the indissoluble authority of the long parliament, encouraged the murmurs against the present usurpation; though they acted so cautiously as to give the protector no handle against them. Wildman and some others of that party carried still further their conspiracies against their protector's authority. The royalists, observing this general ill-will towards the establishment, could no longer be retained in subjection; but fancied that every one who was dissatisfied like them, had also embraced the same views and inclinations. They did not consider that the old parliamentary party, though many of them were displeased with Cromwell, who had dispossessed them of their power, were still more apprehensive of any success to the royal cause; whence, besides a certain prospect of the same consequence, they had so much reason to dread the severest vengeance for their past transgressions.

INSURRECTION OF THE ROYALISTS. *March* 11.

In concert with the king a conspiracy was entered into by the royalists throughout England, and a day of general rising appointed. Information of this design was conveyed to Cromwell. The protector's administration was extremely vigilant. Thurloe, his secretary, had spies everywhere. Manning, who had access to the king's family, kept a regular correspondence with him. And it was not difficult to obtain intelligence of a confederacy, so generally diffused among a party who valued themselves more on zeal and courage, than on secrecy and sobriety. Many of the royalists were thrown into prison. Others, on the approach of the day, were terrified with the danger of the undertaking, and remained at home. In one place alone the conspiracy broke into action. Penruddoc, Groves, Jones, and other gentlemen of the west, entered Salisbury with about 200 horse; at the very time when the sheriff and judges were holding the assizes. These they made prisoners; and they proclaimed the king. Contrary to their expectations, they received no accession of force; so prevalent was the terror of the established government. Having in vain wandered about for some time, they were totally discouraged; and one troop of horse was able at last to suppress them. The leaders

of the conspiracy, being taken prisoners, were capitally punished. The rest were sold for slaves, and transported to Barbadoes.

The easy subduing of this insurrection, which, by the boldness of the undertaking, struck at first a great terror into the nation, was a singular felicity to the protector; who could not, without danger, have brought together any considerable body of his mutinous army, in order to suppress it. The very insurrection itself he regarded as a fortunate event; since it proved the reality of those conspiracies, which his enemies, on every occasion, represented as mere fictions, invented to colour his tyrannical severities. He resolved to keep no longer any terms with the royalists, who, though they were not perhaps the most implacable of his enemies, were those whom he could oppress under the most plausible pretences, and who met with least countenance and protection from his adherents. He issued an edict, with the consent of his council, for exacting the tenth penny from that whole party; in order, as he pretended, to make them pay the expenses to which their mutinous disposition continually exposed the public. Without regard to compositions, articles of capitulation, or acts of indemnity, all the royalists, however harassed with former oppressions, were obliged anew to redeem themselves by great sums of money; and many of them were reduced by these multiplied disasters to extreme poverty. Whoever was known to be disaffected, or even lay under any suspicion, though no guilt could be proved against him, was exposed to the new exaction.

In order to raise this imposition, which commonly passed by the name of decimation, the protector instituted twelve major-generals; and divided the whole kingdom of England into so many military jurisdictions. These men, assisted by commissioners, had power to subject whom they pleased to decimation, to levy all the taxes imposed by the protector and his council, and to imprison any person who should be exposed to their jealousy or suspicion; nor was there any appeal from them but to the protector himself and his council. Under colour of these powers, which were sufficiently exorbitant, the major-generals exercised an authority still more arbitrary, and acted as if absolute masters of the property and person of every subject. All reasonable men now concluded, that the very mask of liberty was thrown aside, and that the nation was for ever subject to military and despotic government, exercised not in the legal manner of European nations, but according to the maxims of Eastern tyranny. Not only the supreme magistrate owed his authority to illegal force and usurpation: he had parcelled out the people into so many subdivisions of slavery, and had delegated to his inferior ministers the same unlimited authority which he himself had so violently assumed.

STATE OF EUROPE.

A government totally military and despotic is almost sure, after some time, to fall into impotence and languor: but when it immediately succeeds a legal constitution, it may, at first, to foreign nations, appear very vigorous and active, and may exert with more unanimity that power, spirit, and riches, which had been acquired under a better form. It seems now proper, after so long an interval, to look abroad to the general state of Europe, and to consider the measures which England at this time embraced in its negociations with the neighbouring princes. The moderate temper and unwarlike genius of the two last princes, the extreme difficulties under which they laboured at home, and the great security which they enjoyed from foreign enemies, had rendered them negligent of the transactions on the continent; and England, during their reigns, had been in a manner overlooked in the general system of Europe. The bold and restless genius of the protector led him to extend his alliances and enterprises to every part of Christendom; and partly from the ascendant of his magnanimous spirit, partly from the situation of foreign kingdoms, the weight of England, even under its most legal and bravest princes, was never more sensibly felt than during this unjust and violent usurpation.

A war of thirty years, the most signal and most destructive that had appeared in modern annals, was at last finished in Germany;* and by the treaty of Westphalia, were composed those fatal quarrels which had been excited by the palatine's precipitate acceptance of the crown of Bohemia. The young palatine was restored to part of his dignities and of his dominions.† The rights, privileges, and authority, of the several members of the Germanic body were fixed and ascertained: sovereign princes and free states were in some degree reduced to obedience under laws: and by the valour of the heroic Gustavus, the enterprises of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expense of blood and treasure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, seconded by the scanty supplies of his jealous parliaments.

Sweden, which had acquired by conquest large dominions in the north of Germany, was engaged in enterprises which promised her, from her success and valour, still more extensive acquisitions on the side both of Poland and of Denmark. Charles X. who had mounted the throne of that kingdom after the voluntary resignation of Christina, being stimulated by the fame of Gustavus as well as by his own martial disposition, carried his conquering arms to the south of the Baltic, and gained the celebrated battle of Warsaw, which had been obstinately disputed during the space of three days. The protector, at the time his alliance was courted by every power in Europe, anxiously courted the alliance of Sweden; and he was fond of forming a confederacy with a protestant power of such renown, even though it threatened the whole north with conquest and subjection.

The transactions of the parliament and protector with France had been various and complicated. The emissaries of Richelieu had furnished fuel to the flame of rebellion, when it first broke out in Scotland; but after the conflagration had diffused itself, the French court, observing the materials to be of themselves sufficiently combustible, found it unnecessary any longer to animate the British malcontents to an opposition of their sovereign. On the contrary, they offered their mediation for composing these intestine disorders; and their ambassadors, from decency, pretended to act in concert with the court of England, and to receive directions from a prince with whom their master was connected with so near an affinity. Meanwhile Richelieu died, and soon after him the French king, Louis XIII., leaving his son an infant four years old, and his widow, Anne of Austria, regent of the kingdom. Cardinal Mazarine succeeded Richelieu in the ministry; and the same general plan of policy, though by men of such opposite characters, was still continued in the French councils. The establishment of royal authority, the reduction of the Austrian family, were pursued with ardour and success; and every year brought an accession of force and grandeur to the French monarchy. Not only battles were won, towns and fortresses taken; the genius too of the nation seemed gradually to improve, and to compose itself to the spirit of dutiful obedience and of steady enterprise. A Condé, a Turenne, were formed; and the troops, animated by their valour, and guided by their discipline, acquired every day a greater ascendant over the Spaniards. All of a sudden, from some intrigues of the court, and some discontents in the courts of judicature, intestine com-

* In 1648.

† This prince, during the civil wars, had much neglected his uncle, and paid court to the parliament: he accepted of a pension of £10000 a year from them, and took a place in their assembly of divines.

motions were excited, and everything relapsed into confusion. But these rebellions of the French, neither ennobled by the spirit of liberty, nor disgraced by the fanatical extravagance which distinguished the British civil wars, were conducted with little bloodshed, and made but a small impression on the minds of the people. Though seconded by the force of Spain, and conducted by the prince of Condé, the malcontents, in a little time, were either expelled or subdued; and the French monarchy, having lost a few of its conquests, returned with fresh vigour to the acquisition of new dominion.

The queen of England and her son Charles, during these commotions, passed most of their time at Paris; and notwithstanding their near connexion of blood, received but few civilities, and still less support, from the French court. Had the queen-regent been ever so much inclined to assist the English prince, the disorders of her own affairs would, for a long time, have rendered such intentions impracticable. The banished queen had a moderate pension assigned her; but it was so ill paid, and her credit ran so low, that one morning, when the cardinal de Retz waited on her, she informed him that her daughter, the princess Henrietta, was obliged to lie abed, for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a queen of England, and daughter of Henry IV. of France!

The English parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French court gave to the unfortunate monarch. On pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the French; and Blake went so far as to attack and seize a whole squadron of ships, which were carrying supplies to Dunkirk, then closely besieged by the Spaniards. That town, disappointed of these supplies, fell into the hands of the enemy. The French ministers soon found it necessary to change their measures. They treated Charles with such affected indifference, that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spaw, thence he retired to Cologne; where he lived two years on a small pension, about 6000 pounds a year, paid him by the court of France, and on some contributions sent him by his friends in England. In the management of his family, he discovered a disposition to order and economy; and his temper, cheerful, careless, and sociable, was more than a sufficient compensation for that empire, of which his enemies had bereaved him. Sir Edward Hyde, created lord-chancellor, and the marquis of Ormond, were his chief friends and confidants.

If the French ministry had thought it prudent to bend under the English parliament, they deemed it still more necessary to pay deference to the protector, when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, supple, and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honour more in the final success of his measures than in the splendour and magnanimity of the means which he employed. Cromwell, by his imperious character, rather than by the advantage of his situation, acquired an ascendant over this man; and every proposal made by the protector, however unreasonable in itself, and urged with whatever insolence, met with a ready compliance from the politic and timid cardinal. Bourdeaux was sent over to England as minister; and all circumstances of respect were paid to the daring usurper, who had imbrued his hands in the blood of his sovereign, a prince so nearly related to the royal family of France. With indefatigable patience did Bourdeaux conduct this negociation, which Cromwell seemed entirely to neglect; and though privateers, with English commissions, committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate issue, still to submit to these indignities.*

The court of Spain, less connected with the unfortunate royal family, and reduced to greater distress than the French monarchy, had been still more forward in her advances to the prosperous parliament and protector. Don Alonzo de Cardenas, the Spanish envoy, was the first public minister who recognised the authority of the new republic; and in return for this civility, Ascham was sent envoy into Spain by the parliament. No sooner had this minister arrived at Madrid, than some of the banished royalists, inflamed by that inveterate hatred which animated the English factions, broke into his chamber, and murdered him together with his secretary. Immediately they took sanctuary in the churches; and, assisted by the general favour, which everywhere attended the royal cause, were enabled, most of them, to make their escape. Only one of the criminals suffered death; and the parliament seemed to rest satisfied with this atonement.

Spain, at this time, assailed everywhere by vigorous enemies from without, and labouring under many internal disorders, retained nothing of her former grandeur, except the haughty pride of her counsels, and the hatred and jealousy of her neighbours. Portugal had rebelled, and established her monarchy in the house of Braganza: Catalonia, complaining of violated privileges, had revolted to France: Naples was shaken with popular convulsions: the Low Countries were invaded with superior forces, and seemed ready to change their master: the Spanish infantry, anciently so formidable, had been annihilated by Condé in the fields of Rocroy: and though the same prince, banished France, sustained, by his activity and valour, the falling fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was visibly threatened.

Had Cromwell understood and regarded the interests of his country, he would have supported the declining condition of Spain against the dangerous ambition of France, and preserved that balance of power, on which the greatness and security of England so much depend. Had he studied only his own interests, he would have maintained an exact neutrality between those great monarchies; nor would he have hazarded his ill-acquired and unsettled power, by provoking foreign enemies, who might lend assistance to domestic faction, and overturn his tottering throne. But his magnanimity undervalued danger, his active disposition, and avidity of extensive glory, made him incapable of repose: and as the policy of men is continually warped by their temper, no sooner was peace made with Holland, than he began to deliberate what new enemy he should invade with his victorious arms.

WAR WITH SPAIN.

The extensive empire and yet extreme weakness of Spain in the West Indies, the vigorous courage and great naval power of England, were circumstances, which, when compared, excited the ambition of the enterprising protector, and made him hope that he might, by some gainful conquest, render for ever illustrious that dominion which he had assumed over his country. Should he fail of these durable acquisitions, the Indian treasures, which must every year cross the ocean to reach Spain, were, he thought, a sure prey to the English navy, and would support his military force, without his laying new burdens on the discontented people. From France a vigorous resistance must be expected: no plunder, no conquests could be hoped for: the progress of his arms, even

* In the treaty, which was signed after long negociation, the protector's name was left out before the French king's in that copy which remained in England. Thurloe, vol. vi. p. 116. See further, vol. . . . p. 176.

if attended with success, must there be slow and gradual: and the advantages acquired, however real, would be still less striking to the multitude, whom it was his interest to allure. The royal family, so closely connected with the French monarch, might receive great assistance from that neighbouring kingdom; and an army of French protestants, landed in England, would be able, he dreaded, to unite the most opposite factions against the present usurpation.*

These motives of policy were probably seconded by his bigoted prejudices; as no human mind ever contained so strange a mixture of sagacity and absurdity as that of this extraordinary personage. The Swedish alliance, though much contrary to the interests of England, he had contracted merely from his zeal for protestantism;† and Sweden being closely connected with France, he could not hope to maintain that confederacy, in which he so much prided himself, should a rupture ensue between England and this latter kingdom. The hugonots, he expected, would meet with better treatment, while he engaged in a close union with their sovereign. And as the Spaniards were much more papists than the French, were much more exposed to the old puritanical hatred, and had even erected the bloody tribunal of the inquisition, whose rigours they had refused to mitigate on Cromwell's solicitation;‡ he hoped that a holy and meritorious war with such idolaters could not fail of protection from Heaven. A preacher likewise, inspired, as was supposed, by a prophetic spirit, bid him, "Go and prosper;" calling him "a stone cut out of the mountains without hands, that would break the pride of the Spaniard, crush Antichrist, and make way for the purity of the Gospel over the whole world."

Actuated equally by these bigoted, these ambitious, and these interested motives, the protector equipped two considerable squadrons: and while he was making those preparations, the neighbouring states, ignorant of his intentions, remained in suspense, and looked with anxious expectation on what side the storm should discharge itself. One of these squadrons, consisting of thirty capital ships, was sent into the Mediterranean, under Blake, whose fame was now spread over Europe. No English fleet, except during the crusades had ever before sailed in those seas; and from one extremity to the other, there was no naval force, Christian or Mahometan, able to resist them. The Roman pontiff, whose weakness and whose pride equally provoke attacks, dreaded invasion from a power which professed the most inveterate enmity against him, and which so little regulated its movements by the usual motives of interest and prudence. Blake, casting anchor before Leghorn, demanded and obtained from the duke of Tuscany reparation for some losses which the English commerce had formerly sustained from him. He next sailed to Algiers, and compelled the dey to make peace, and to restrain his piratical subjects from further violences on the English. He presented himself before Tunis, and having there made the same demands, the dey of that republic bade him look to the castles of Porto-Farino and Goletta, and do his utmost. Blake needed not to be roused by such a bravado: he drew his ships close up to the castles, and tore them in pieces with his artillery. He sent a numerous detachment of sailors in their long-boats into the harbour, and burned every ship which lay there. This bold action, which its very temerity, perhaps, rendered safe, was executed with little loss, and filled all that part of the world with the renown of English valour.

* See the articles of the treaty made with France and Spain, by Thurloe, vol. i. p. 750.

† He proposed to Sweden a general league and confederacy of all the protestants.—Whitelocke, p. 640. Thurloe, vol. vii. p. 1. In order to judge of the measures which he conducted in foreign politics, see further Thurloe, vol. iv. p. 166, 333, 465, vol. vii. p. 174.

‡ Don Alonzo said, that the Dutch trade and the inquisition were his master's two eyes, and the protector insisted upon the putting out both of them at once.

JAMAICA CONQUERED.

The other squadron was not equally successful. It was commanded by Pen, and carried on board 4000 men, under the command of Venables. About 5000 more joined them from Barbadoes and St. Christopher's. Both these officers were inclined to the king's service; and it is pretended that Cromwell was obliged to hurry the soldiers on board in order to prevent the execution of a conspiracy, which had been formed among them in favour of the exiled family. The ill success of this enterprise may justly be ascribed, as much to the injudicious schemes of the protector, who planned it, as to the bad execution of the officers, by whom it was conducted. The soldiers were the refuse of the whole army: the forces, enlisted in the West Indies were the most profligate of mankind: Pen and Venables were of incompatible tempers: the troops were not furnished with arms fit for such an expedition: their provisions were defective both in quantity and quality: all hopes of pillage, the best incentive to valour among such men, were refused the soldiers and seamen: no directions or intelligence were given to conduct the officers in their enterprise: and at the same time they were tied down to follow the advice of commissioners who disconcerted them in all their projects.

It was agreed by the admiral and general (13th April) to attempt St Domingo, the only place of strength in the island of Hispaniola. On the approach of the English, the Spaniards in a fright deserted their houses, and fled into the woods. Contrary to the opinion of Venables, the soldiers were disembarked without guides ten leagues distant from the town. They wandered four days through the woods without provisions, and, what was still more intolerable in that sultry climate, without water. The Spaniards recovered spirit and attacked them. The English, discouraged with the bad conduct of their officers, and scarcely alive from hunger, thirst, and fatigue, were unable to resist. An inconsiderable number of the enemy put the whole army to rout, killed 600 of them, and chased the rest on board their vessels.

The English commanders in order to atone as much as possible for this unprosperous attempt, bent their course to Jamaica, which was surrendered to them without a blow. Pen and Venables returned to England, and were both of them sent to the Tower by the protector, who, though commonly master of his fiery temper, was thrown into a violent passion at this disappointment. He had made a conquest of greater importance than he was himself at that time aware of; yet was it much inferior to the vast projects which he had formed. He gave orders, however, to support it by men and money; and that island has ever since remained in the hands of the English; the chief acquisition which they owe to the enterprising spirit of Cromwell.

1656. As soon as the news of this expedition, which was an unwarrantable violation of treaty, arrived in Europe, the Spaniards declared war against England, and seized all the ships and goods of English merchants, of which they could make themselves masters. The commerce with Spain, so profitable to the English was cut off; and near 1500 vessels, it is computed, fell in a few years into the hands of the enemy. Blake, to whom Montague was now joined in command, after receiving new orders, prepared himself for hostilities against the Spaniards.

Several sea-officers, having entertained scruples of conscience with regard to the justice of the Spanish war, threw up their commissions and retired: no commands, they thought, of their superiors could justify a war which was contrary to the principles of natural equity, and which the civil magistrate had no right to order. Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right

of performing lawful actions; and could invest it with no authority of commanding what is contrary to the decrees of Heaven. Such maxims, though they seem reasonable, are perhaps too perfect for human nature; and must be regarded as one effect, though of the most innocent and even honourable kind, of that spirit, partly fanatical, partly republican, which predominated in England.

Blake lay some time off Cadiz, in expectation of intercepting the plate fleet; but was at last obliged, for want of water, to make sail towards Portugal. Captain Stayner, whom he had left on the coast with a squadron of seven vessels, came in sight of the galleons, and immediately set sail to pursue them. The Spanish admiral ran his ship ashore: two others followed his example: the English took two ships valued at near two millions of pieces of eight. Two galleons were set on fire; and the marquis of Badajox, viceroy of Peru, with his wife and his daughter, betrothed to the young duke of Medina Celi, were destroyed in them. The marquis himself might have escaped; but seeing these unfortunate women, astonished with the danger, fall in a swoon, and perish in the flames, he rather chose to die with them, than drag out a life embittered with the remembrance of such dismal scenes. When the treasures gained by this enterprise arrived at Portsmouth, the protector, from a spirit of ostentation, ordered them to be transported by land to London.

The next action against the Spaniards was more honourable, though less profitable to the nation. Blake having heard that a Spanish fleet of sixteen ships, much richer than the former, had taken shelter in the Canaries, immediately made sail towards them. He found them in the Bay of Santa Cruz, disposed in a formidable posture. The bay was secured with a strong castle, well provided with cannon, besides seven forts in several parts of it, all united by a line of communication, manned with musketeers. Don Diego Diaques, the Spanish admiral, ordered all his smaller vessels to moor close to the shore, and posted the larger galleons further off, at anchor, with their broadsides to the sea.

Blake was rather animated than daunted with this appearance. The wind seconded his courage, and blowing full into the bay, in a moment brought him among the thickest of his enemies. After a resistance of four hours, the Spaniards yielded to English valour, and abandoned their ships which were set on fire, and consumed, with all their treasure. The greatest danger still remained to the English. They lay under the fire of the castles and all the forts, which must in a little time have torn them in pieces. But the wind suddenly shifting, carried them out of the bay, where they left the Spaniards in astonishment at the happy temerity of their audacious victors.

DEATH OF ADMIRAL BLAKE.

This was the last and greatest action of the gallant Blake. He was consumed with a dropsy and scurvy, and hastened home, that he might yield up his breath in his native country, which he had so much adorned by his valour. As he came within sight of land he expired.* Never man so zealous for a faction was so much respected and esteemed even by the opposite factions. He was by principle an inflexible republican; and the late usurpations amidst all the trust and caresses which he received from the ruling powers, were thought to be very little grateful to him. "It is still our duty," he said to the seamen, "to fight for our country, into what hands soever the government may fall." Disinterested, generous, liberal; ambitious only of true glory, dreadful only to his avowed enemies; he forms one of the most perfect characters of the age, and the least stained with those errors and violences which were then so predominant. The protector ordered him a pompous funeral at the public charge: but the tears of his countrymen were the most honourable panegyric on his memory.

The conduct of the protector in foreign affairs, though imprudent and impolitic, was full of vigour and enterprise, and drew a consideration to his country, which, since the reign of Elizabeth, it seemed to have totally lost. The great mind of this successful usurper was intent on spreading the renown of the English nation: and while he struck mankind with astonishment at his extraordinary fortune, he seemed to ennoble, instead of debasing, that people whom he had reduced to subjection. It was his boast, that he would render the name of an Englishman as much feared and revered as ever was that of a Roman; and as his countrymen found some reality in these pretensions, their national vanity being gratified, made them bear with more patience all the indignities and calamities under which they laboured.

DOMESTIC ADMINISTRATION OF CROMWELL.

It must also be acknowledged, that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority, derived from no law, and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity: amidst the virulence of faction, the decrees of the judges were upright and impartial: and to every man but himself, and to himself, except where necessity required the contrary, the law was the great rule of conduct and behaviour. Vane and Lilburn, whose credit with the republicans and levellers he dreaded, were indeed for some time confined to prison: Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy: high courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdict of juries. But these irregularities were deemed inevitable consequences of his illegal authority. And though often urged by his officers, as is pretended, to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

In the army was laid the sole basis of the protector's power; and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline; a policy which both accustomed them to obedience, and made them less hateful and burdensome to the people. He augmented their pay, though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector. And he entirely commanded their affectionate regard, by his abilities and success in almost every enterprise which he had hitherto undertaken. But all military government is precarious; much more where it stands in opposition to civil establishments; and still more where it encounters religious prejudices. By the wild fanaticism which he had nourished in the soldiers, he had seduced them into measures, for which, if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that hand which directed their movements. So often taught, that the office of king was an usurpation upon Christ, they were apt to suspect a protector not to be altogether compatible with that divine authority. Harrison, though raised to the highest dignity, and possessed of Cromwell's confidence, became his most inveterate enemy as soon as the authority of a single person was established, against which that usurper had always made such violent protestation. Overton,

* 29th of April, 1677.

Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwell was obliged to deprive them of their commissions. Their influence, which was before thought unbounded among the troops, seemed from that moment to be totally annihilated.

The more effectually to curb the enthusiastic and seditious spirit of the troops, Cromwell established a kind of militia in the several counties. Companies of infantry and cavalry were enlisted under proper officers, regular pay distributed among them, and a resource by that means provided both against the insurrections of the royalists, and mutiny of the army.

Religion can never be deemed a point of small consequence in civil government: but during this period, it may be regarded as the great spring of men's actions and determinations. Though transported, himself, with the most frantic whimsies, Cromwell had adopted a scheme for regulating this principle in others, which was sagacious and political. Being resolved to maintain a national church, yet determined neither to admit episcopacy nor presbytery, he established a number of commissioners under the name of *tryers*, partly laymen, partly ecclesiastics, some presbyterians, some independents. These presented to all livings, which were formerly in the gift of the crown; they examined and admitted such persons as received holy orders; and they inspected the lives, doctrine, and behaviour of the clergy. Instead of supporting that union between learning and theology, which has so long been attempted in Europe, these tryers embraced the latter principle in its full purity, and made it the sole object of their examination. The candidates were no more perplexed with questions concerning their progress in Greek and Roman erudition; concerning their talent for profane arts and sciences; the chief object of scrutiny, regarded their advances in grace, and fixing the critical moment of their conversion.

With the pretended saints of all denominations Cromwell was familiar and easy. Laying aside the state of protector, which, on other occasions, he well knew how to maintain, he insinuated to them, that nothing but necessity could ever oblige him to invest himself with it. He talked spiritually to them; he sighed, he wept, he canted, he prayed. He even entered with them into an emulation of ghostly gifts; and these men, instead of grieving to be outdone in their own way, were proud that his highness, by his princely example, had dignified those practices in which they themselves were daily occupied.*

If Cromwell might be said to adhere to any particular form of religion, they were the independents who could chiefly boast of his favour; and it may be affirmed, that such pastors of that sect, as were not passionately addicted to civil liberty, were all of them devoted to him.

The presbyterian clergy also, saved from the ravages of the anabaptists and millenarians, and enjoying their establishments and tithes, were not averse to his government; though he still entertained a great jealousy of that ambitious and restless spirit by which they were actuated. He granted an unbounded liberty of conscience to all but catholics and prelatists; and by that means, he both attached the wild sectaries to his person, and employed them in curbing the domineering spirit of the presbyterians. "I am the only man," he was often heard to say, "who has known how to subdue that insolent sect, which can suffer none but itself."

The protestant zeal which possessed the presbyterians and independents, was highly gratified by the haughty manner in which the protector so successfully supported the persecuted protestants throughout all Europe. Even the duke of Savoy, so remote a power, and so little exposed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the protestants of the valleys, against whom that prince had commenced a furious persecution. France itself was constrained to bear not only with the religion, but even, in some instances, with the seditious insolence of the hugonots; and when the French court applied for a reciprocal toleration of the catholic religion in England, the protector, who arrogated in everything the superiority, would hearken to no such proposal. He had entertained a project of instituting a college in imitation of that at Rome, for the propagation of the faith; and his apostles, in zeal, though not in unanimity had certainly been a full match for the catholics.

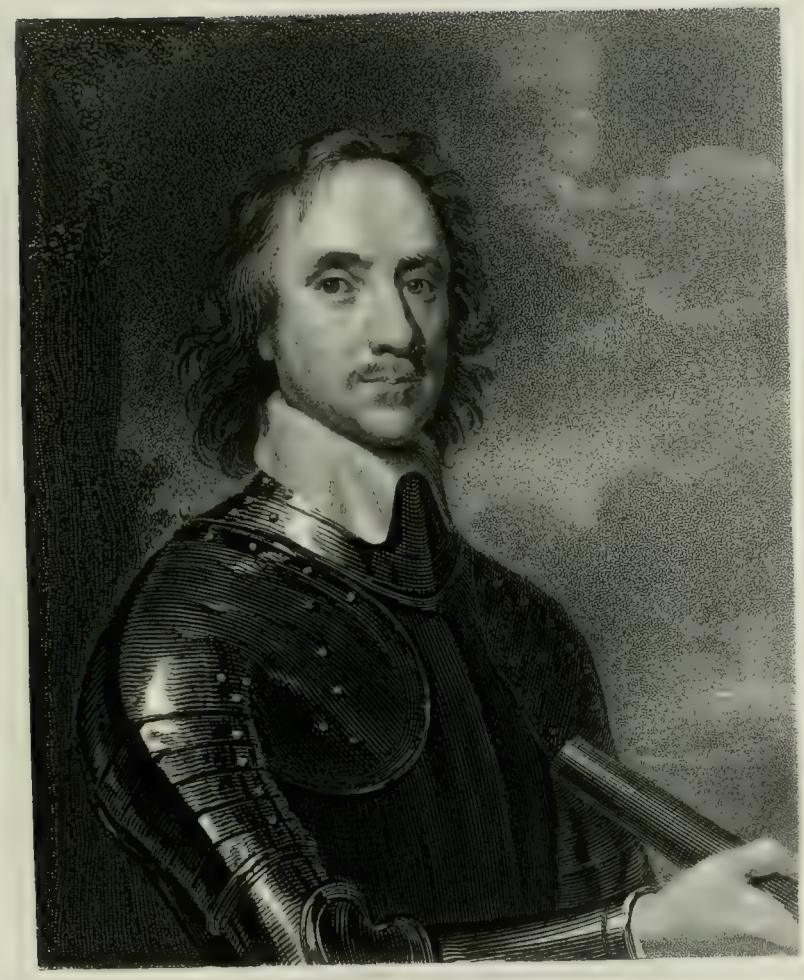
Cromwell retained the church of England in constraint; though he permitted its clergy a little more liberty than the republican parliament had formerly allowed. He was pleased that the superior lenity of his administration should in everything be remarked He bridled the royalists, both by the army which he retained, and by those secret spies which he found means to intermix in all their counsels. Manning being detected and punished with death, he corrupted sir Richard Willis, who was much trusted by chancellor Hyde and all the royalists: and by means of this man he was let into every design and conspiracy of the party. He could disconcert any project, by confining the persons who were to be the actors in it; and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and unsuspected.

Conspiracies for an assassination he was chiefly afraid of; these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one to embrace this method of vengeance; and Cromwell knew that the inflamed minds of the royal party was sufficiently disposed to put the doctrine in practice against him. He openly told them, that assassinations were base and odious, and he never would commence hostilites by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ; and he never would desist till he had totally exterminated the royal family. This menace, more than all his guards, contributed to the security of his person. [*See note* 6 S, *at the end of this Vol.*]

There was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him sixty thousand pounds a year. Post-masters, both at home and abroad, were in his pay: carriers were searched or bribed; secretaries and clerks were corrupted: the greatest zealots in all parties were often those who conveyed private information to him; and nothing could escape his vigilant inquiry. Such at least is the representation made by historians of Cromwell's administration: but it must be confessed, that if we may judge by those volumes of Thurloe's papers which have been lately published, this affair, like many others, has been greatly magnified. We scarcely find by that collection, that any secret counsels of foreign states, except those of Holland, which are not expected to be concealed, were known to the protector.

The general behaviour and deportment of this man, who had been raised from a very private station, who had passed most of his youth in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation; and supported with all strangers that high idea with which his great exploits and prodigious for-

* Cromwell followed, though but in part, the advice which he received from general Harrison, at the time when the intimacy and endearment most strongly subsisted between them. "Let the waiting upon Jehovah," said that military saint, "be the greatest and most considerable business you have every day: reckon it so, more than to eat, sleep, and counsel together. Run aside sometimes from your company and get a word with the Lord. Why should not you have three or four precious souls always standing at your elbow, with whom you might now and then turn in a corner? I have found refreshment and mercy in such a way."—Milton's State Papers, p. 12



tune had impressed them. Among his ancient friends he could relax himself; and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar reproaches. With others he sometimes pushed matters to the length of rustic buffoonery; and he would amuse himself by putting burning coals into the boots and hose of the officers who attended him. Before the king's trial, a meeting was agreed on between the chiefs of the republican party and the general officers, in order to concert the model of that free government which they were to substitute in the room of the monarchical constitution, now totally subverted. After debates on this subject, the most important that could fall under the discussion of human creatures, Ludlow tells us, that Cromwell, by way of frolic, threw a cushion at his head; and when Ludlow took up another cushion, in order to return the compliment, the general ran down stairs, and had almost fallen in the hurry. When the high court of justice was signing the warrant for the execution of the king, a matter, if possible, still more serious, Cromwell, taking the pen in his hand, before he subscribed his name, bedaubed with ink the face of Martin, who sat next him. And the pen being delivered to Martin, he practised the same frolic upon Cromwell. He frequently gave feasts to his inferior officers; and when the meat was set upon the table, a signal was given; the soldiers rushed in upon them; and with much noise, tumult, and confusion, ran away with all the dishes, and disappointed the guests of their meal.

That vein of frolic and pleasantry which made a part, however inconsistent, of Cromwell's character, was apt sometimes to betray him into other inconsistencies, and to discover itself even where religion might seem to be a little concerned. It is a tradition, that one day sitting at table, the protector had a bottle of wine brought him, of a kind which he valued so highly, that he must needs open the bottle himself: but in attempting it, the corkscrew dropped from his hand. Immediately his courtiers and generals flung themselves on the floor to recover it. Cromwell burst out a-laughing. "Should any fool," said he, "put in his head at the door, he would fancy, from your posture, that you were seeking the Lord; and you are only seeking a corkscrew."

Amidst all the unguarded play and buffoonery of this singular personage, he took the opportunity of remarking the characters, designs, and weaknesses of men; and he would sometimes push them by an indulgence in wine, to open to him the most secret recesses of their bosom. Great regularity, however, and even austerity of manners were always maintained in his court; and he was careful never by any liberties to give offence to the most rigid of the godly. Some state was upheld; but with little expense, and without any splendour. The nobility, though courted by him, kept at a distance, and disdained to intermix with those mean persons who were the instruments of his government. Without departing from economy, he was generous to those who served him; and he knew how to find out and engage in his interests every man possessed of those talents which any particular employment demanded. His generals, his admirals, his judges, his ambassadors, were persons who contributed, all of them in their several spheres, to the security of the protector, and to the honour and interest of the nation.

Under pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwell had reduced those kingdoms to a total subjection; and he treated them entirely as conquered provinces. The civil administration of Scotland was placed in a council, consisting mostly of English, of which lord Broghil was president. Justice was administered by seven judges, four of whom were English. In order to curb the tyrannical nobility, he both abolished all vassalage, and revived the office of justice of peace, which king James had introduced, but was not able to support. A long line of forts and garrisons was maintained throughout the kingdom. An army of 10,000 men kept everything in peace and obedience; and neither the banditti of the mountains, nor the bigots of the low countries, could indulge their inclination to turbulence and disorder. He courted the presbyterian clergy; though he nourished that intestine enmity which prevailed between the resolutioners and protesters; and he found that very little policy was requisite to foment quarrels among theologians. He permitted no church assemblies; being sensible that from thence had proceeded many of the past disorders. And in the main, the Scots were obliged to acknowledge, that never before, while they enjoyed their irregular factious liberty, had they attained so much happiness as at present, when reduced to subjection under a foreign nation.

The protector's administration of Ireland was more severe and violent. The government of that island was first intrusted to Fleetwood, a notorious fanatic, who had married Ireton's widow; then to Henry Cromwell, second son of the protector, a young man of an amiable, mild disposition, and not destitute of vigour and capacity. About five millions of acres, forfeited either by popish rebels or by the adherents of the king, were divided, partly among the adventurers, who had advanced money to the parliament, partly among the English soldiers, who had arrears due to them. Examples of a more sudden and violent change of property are scarcely to be found in any history. An order was even issued to confine all the native Irish to the province of Connaught, where they would be shut up by rivers, lakes, and mountains; and could not, it was hoped, be any longer dangerous to the English government: but this barbarous and absurd policy, which, from an impatience of attaining immediate security, must have depopulated all the other provinces, and rendered the English estates of no value, was soon abandoned as impracticable.

NEW PARLIAMENT.

Cromwell began to hope that, by his administration, attended with so much lustre and success abroad, so much order and tranquillity at home, he had now acquired such authority as would enable him to meet the representatives of the nation, and would assure him of their dutiful compliance with his government. He summoned a parliament; but not trusting altogether to the good-will of the people, he used every art which his new model of representation allowed him to employ, in order to influence the elections, and fill the house with his own creatures. Ireland, being entirely in the hands of the army, chose few but such officers as were most acceptable to him. Scotland showed a like compliance; and as the nobility and gentry of that kingdom regarded their attendance on English parliaments as an ignominious badge of slavery, it was, on that account, more easy for the officers to prevail in the elections. Notwithstanding all these precautions, the protector still found that the majority would not be favourable to him. He set guards, therefore, on the door, (17th September,) who permitted none to enter but such as produced a warrant from his council; and the council rejected about a hundred, who either refused a recognition of the protector's government, or were on other accounts obnoxious to him. These protested against so egregious a violence, subversive of all liberty; but every application for redress was neglected both by the council and the parliament.

The majority of the parliament, by means of these arts and violences, was now at last either friendly to the protector, or resolved, by their compliance, to adjust, if possible, this military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart, or any of his family; and this was the first act, dignified with the appearance of national consent, which had ever had that tendency. Colonel Jephson, in order to sound the inclinations of the house, ven-

cured to move, that the parliament should bestow the crown on Cromwell: and no surprise or reluctance was discovered on the occasion. When Cromwell afterwards asked Jephson what induced him to make such a motion: "As long," said Jephson, "as I have the honour to sit in parliament, I must follow the dictates of my own conscience, whatever offence I may be so unfortunate as to give you."—"Get thee gone," said Cromwell, giving him a gentle blow on the shoulder, "get thee gone, for a mad fellow, as thou art."

In order to pave the way to this advancement, for which he so ardently longed, Cromwell resolved to sacrifice his major-generals, whom he knew to be extremely odious to the nation. That measure was also become necessary for his own security. All government, purely military, fluctuates perpetually between a despotic monarchy and a despotic aristocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being possessed of so much distinct jurisdiction, began to establish a separate title to power, and had rendered themselves formidable to the protector himself; and for this inconvenience, though he had not foreseen it, he well knew before it was too late, to provide a proper remedy. Claypole, his son-in-law, who possessed his confidence, abandoned them to the pleasure of the house; and though the name was still retained, it was agreed to abridge, or rather entirely annihilate, the power of the major-generals.

At length, a motion in form was made by alderman Pack, one of the city members, for investing the protector with the dignity of king. This motion at first excited great disorder, and divided the whole house into parties. The chief opposition came from the usual adherents of the protector, the major-generals, and such officers as depended on them. Lambert, a man of deep intrigue, and of great interest in the army, had long entertained the ambition of succeeding Cromwell in the protectorship; and he foresaw, that, if the monarchy were restored, hereditary right would also be established, and the crown be transmitted to the posterity of the prince first elected. He pleaded, therefore, conscience; and rousing all those civil and religious jealousies against kingly government which had been so industriously encouraged among the soldiers, and which served them as a pretence for so many violences, he raised a numerous, and still more formidable party, against the motion.

CROWN OFFERED TO CROMWELL. 1657.

On the other hand, the motion was supported by every one who was more particularly devoted to the protector, and who hoped, by so acceptable a measure, to pay court to the prevailing authority. Many persons also, attached to their country, despaired of ever being able to subvert the present illegal establishment; and were desirous, by fixing it on ancient foundations, to induce the protector, from views of his own safety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royalists imprudently joined in the measure; and hoped that, when the question regarded only persons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble usurper, who, by blood, treason, and perfidy, had made his way to the throne. The bill was voted by a considerable majority; and a committee was appointed to reason with the protector, and to overcome those scruples which he pretended against accepting so liberal an offer.

The conference lasted for several days. The committee urged, that all the statutes and customs of England were founded on the supposition of regal authority, and could not, without extreme violence, be adjusted to any other form of government: that a protector, except during the minority of a king, was a name utterly unknown to the laws; and no man was acquainted with the extent or limits of his authority: that if it were attempted to define every part of his jurisdiction, many years, if not ages, would be required for the execution of so complicated a work; if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was indisputably due to the ancient title: that the English constitution was more anxious concerning the form of government than concerning the birthright of the first magistrate, and had provided, by an express law of Henry VII., for the security of those who act in defence of the king in being, by whatever means he might have acquired possession: that it was extremely the interest of all his highness's friends to seek the shelter of this statute; and even the people in general were desirous of such a settlement, and in all juries were with great difficulty induced to give their verdict in favour of a protector: that the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established, in order to provide further securities for the freedom of the constitution; but that by experience the remedy had been found insufficient, even dangerous and pernicious; since every undeterminate power, such as that of a protector, must be arbitrary; and the more arbitrary, as it was contrary to the genius and inclination of the people.

The difficulty consisted not in persuading Cromwell. He was sufficiently convinced of the solidity of these reasons; and his inclination, as well as judgment, was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking, was the question. The office of king had been painted to them in such horrible colours, that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions, would make them pass, in the eyes of the whole nation, for the most shameless hypocrites, enlisted, by no other than mercenary motives, in the cause of the most perfidious traitor. Principles, such as they were, had been encouraged in them by every consideration, human and divine; and though it was easy, where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the mask, and to show them in full light the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwell protracted the time, and seemed still to oppose the reasonings of the committee; in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

While the protector argued so much in contradiction both to his judgment and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenfold darkness, and discover no glimmering of common sense or reason. An exact account of this conference remains, and may be regarded as a great curiosity. The members of the committee, in their reasonings, discover judgment, knowledge, elocution: lord Broghil, in particular, exerts himself on this memorable occasion. But what a contrast, when we pass to the protector's replies! After so singular a manner does nature distribute her talents, that in a nation abounding with sense and learning, a man who, by superior personal merit alone, had made his way to supreme dignity, and had even obliged the parliament to make him a tender of the crown, was yet incapable of expressing himself on this occasion, but in a manner which a peasant of the most ordinary capacity would justly be ashamed of.*

* We shall produce any passage at random; for his discourse is all of a piece. "I confess, for my own private ends, I have no design with you. I must confess, I would say, I hope, I may be understood in this, for indeed I must be tender what I say to such an audience as this: I say, I would be understood, that in this argument I do not make parallel betwixt men of a different mind, and a parliament, which shall have their desires. I know there is no comparison; nor can it be urged upon me that my words have the least colour that way, because the parliament seems to give liberty to me to say anything to you: as that, that is a matter of my humble reasons and judgment and opinion to

CROMWELL REJECTS THE CROWN.

The opposition which Cromwell dreaded was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was resolved, on the first occasion, to deprive of all power and authority: it was that which he met with in his own family, and from men, who, by interest as well as inclination, were the most devoted to him. Fleetwood had married his daughter: Desborow his sister: yet these men, actuated by principle alone, could by no persuasion, artifice, or entreaty, be induced to consent that their friend and patron should be invested with regal dignity. They told him, that if he accepted of the crown, they would instantly throw up their commissions, and never afterwards should have it in their power to serve him. Colonel Pride procured a petition against the office of king, signed by a majority of the officers, who were in London and the neighbourhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the parliament. Some sudden mutiny in the army was justly dreaded. And upon the whole, Cromwell, after the agony and perplexity of long doubt, was at last obliged to refuse that crown, which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice; but he must be allowed the best judge of his own situation. And in such complicated subjects, the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination, which, in itself, may be uneligible, very prudent, or even absolutely necessary to the actor.

A dream or prophecy, lord Clarendon mentions, which he affirms (and he must have known the truth) was universally talked of almost from the beginning of the civil wars, and long before Cromwell was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold, that Cromwell should be the greatest man in England, and would nearly, but never would fully mount the throne. Such a prepossession probably arose from the heated imagination either of himself or of his followers; and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing at this time any further elevation.

The parliament, when the regal dignity was rejected by Cromwell, found themselves obliged to retain the name of a commonwealth and protector; and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the *instrument of government*, which was the work of the general officers alone, *humble petition and advice* was framed, and offered to the protector by the parliament. This was represented as the great basis of the republican establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed the authority of protector was in some particulars enlarged: in others, it was considerably diminished. He had the power of nominating his successor; he had a perpetual revenue assigned him, a million a year for the pay of the fleet and army, three hundred thousand pounds for the support of civil government; and he had authority to name another house, who should enjoy their seats during life, and exercise some functions of the former house of peers. But he abandoned the power assumed in the intervals of parliament, of framing laws with the consent of his council; and he agreed, that no members of either house should be excluded but by the consent of that house of which they were members. The other articles were in the main the same as in the instrument of government. The instrument of government Cromwell had formerly extolled as the most perfect work of human invention: he now represented it as a rotten plank, upon which no man could trust himself without sinking. Even the humble petition and advice which he extolled in its turn, appeared so lame and imperfect that it was found requisite, this very session, to mend it by a supplement: and after all, it may be regarded as a crude and undigested model of government. It was, however, accepted for the voluntary deed of the whole people in the three united nations; and Cromwell, as if his power had just commenced from this popular consent, was anew inaugurated in Westminster-Hall, after the most solemn and most pompous manner.

The parliament having adjourned itself, (26th June,) the protector deprived Lambert of all his commissions; but still allowed him a considerable pension of two thousand pounds a year, as a bribe for his future peaceable deportment. Lambert's authority in the army, to the surprise of everybody, was found immediately to expire with the loss of his commission. Packer and some other officers, whom Cromwell suspected, were also displaced.

Richard, eldest son of the protector, was brought to court, introduced into public business, and thenceforth regarded by many as his heir in the protectorship; though Cromwell sometimes employed the gross artifice of flattering others with hopes of the succession. Richard was a person possessed of the most peaceable, inoffensive, unambitious character, and had hitherto lived contentedly in the country on a small estate which his wife had brought him. All the activity which he discovered, and which never was great, was however exerted to beneficent purposes: at the time of the king's trial, he had fallen on his knees before his father, and had conjured him by every tie of duty and humanity, to spare the life of that monarch. Cromwell had two daughters unmarried: one of them he now gave in marriage to the grandson and heir of his great friend, the earl of Warwick, with whom he had, in every fortune, preserved an uninterrupted intimacy and good correspondence. The other he married to the viscount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connexions with the nobility; and it was one chief motive for his desiring the title of king, that he might replace everything in its natural order, and restore to the ancient families the trust and honour of which he now found himself obliged, for his own safety, to deprive them.

1658. On the 20th of January the parliament was again assembled; consisting, as in the times of monarchy, of two houses, the commons and the other house. Cromwell, during the interval, had sent writs to his house of peers, which consisted of sixty members. They were composed of five or six ancient peers, of several gentlemen of fortune and distinction, and of some officers who had risen from the meanest stations. None of the ancient peers, however, though summoned by writ, would deign to accept of a seat, which they must share with such companions as were assigned them. The protector endeavoured at first to maintain the appearance of a legal magistrate. He placed no guard at the door of either house: but soon

them; and if I think they are such and will be such to them, and are faithful servants, and will be so to the supreme authority, and the healance, wheresoever it is: if, I say, I should not tell you, knowing their minds to be so, I should not be faithful, if I should not tell you so, to the end you may resett it to the parliament: I shall say something for myself, for my own mind, I do profess it, I am not a man scrupulous about words or names of such things I have not; but as I have the word of God, and I hope I shall ever have it, for the rule of my conscience, for my informations: so truly men that have been led in dark paths through the providence and dispensation of God; why surely it is not to be objected to a man; for who can love to walk in the dark? But providence does so dispose. And though a man may impute his own folly and blindness to providence sinfully, yet it must be at my peril: the case may be that it is the providence of God that doth lead men in darkness; I must needs say, that I have had a great deal of experience of providence, and though it is to rule without or against the mind yet it is a very good expositor of the world in many cases." Conference at Whitehall. The great defect in Oliver's speeches consists not in his want of elocution, but in his want of ideas. The sagacity of his actions, and the absurdity of his discourse, form the most prodigious contrast that ever was known. The collection of all his speeches, letters, sermons, (for he also wrote sermons,) would make a great curiosity, and with a few exceptions, might justly pass for one of the most nonsensical books in the world.

found how incompatible liberty is with military usurpations. By bringing so great a number of his friends and adherents into the other house, he had lost the majority among the national representatives. In consequence of a clause in the humble petition and advice, the commons assumed the power of re-admitting those members whom the council had formerly excluded. Sir Arthur Hazelrig and some others, whom Cromwell had created lords, rather chose to take their seat with the commons. An incontestable majority now declared themselves against the protector; and they refused to acknowledge the jurisdiction of that other house which he had established. Even the validity of the humble petition and advice was questioned; as being voted by a parliament which lay under force, and which was deprived, by military violence, of a considerable number of its members. The protector dreading combinations between the parliament and the malcontents in the army, resolved to allow no leisure for forming any conspiracy against him; and, with expressions of great displeasure, he dissolved the parliament. (4th February.) When urged by Fleetwood and others of his friends not to precipitate himself into this rash measure, he swore, by the living God, that they should not sit a moment longer.

These distractions at home were not able to take off the protector's attention from foreign affairs; and in all his measures he proceeded with the same vigour and enterprise, as if secure of the duty and attachment of the three kingdoms. His alliance with Sweden he still supported; and he endeavoured to assist that crown in its successful enterprises, for reducing all its neighbours to subjection, and rendering itself absolute master of the Baltic. As soon as Spain declared war against him, he concluded a peace and an alliance with France, and united himself in all his councils with that potent and ambitious kingdom. Spain, having long courted in vain the friendship of the successful usurper, was reduced at last to apply to the unfortunate prince. Charles formed a league with Philip, removed his small court to Bruges in the Low Countries, and raised four regiments of his own subjects, whom he employed in the Spanish service. The duke of York, who had, with applause, served some campaigns in the French army, and who had merited the particular esteem of marshal Turenne, now joined his brother, and continued to seek military experience under don John of Austria, and the prince of Condé.

DUNKIRK TAKEN.

The scheme of foreign politics, adopted by the protector, was highly imprudent, but was suitable to that magnanimity and enterprise, with which he was so signally endowed. He was particularly desirous of conquest and dominion on the continent;* and he sent over into Flanders six thousand men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the English. Early this campaign, siege was laid to Dunkirk; and when the Spanish army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated.† The valour of the English was much remarked on this occasion. Dunkirk, being soon after surrendered, was by agreement delivered to Cromwell He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambassador at the court of France.

This acquisition was regarded by the protector as the means only of obtaining further advantages. He was resolved to concert measures with the French court for the final conquest and partition of the Low Countries. Had he lived much longer, and maintained his authority in England, so chimerical, or rather so dangerous a project would certainly have been carried into execution. And this first and principal step towards more extensive conquest, which France, during a whole century, has never yet been able, by an infinite expense of blood and treasure, fully to attain, had at once been accomplished by the enterprising, though unskilful, politics of Cromwell.

During these transactions, great demonstrations of mutual friendship and regard passed between the French king and the protector. Lord Fauconberg, Cromwell's son-in-law, was dispatched to Louis, then in camp before Dunkirk; and was received with the regard usually paid to foreign princes by the French court. Mazarine sent to London his nephew Mancini, along with the duke of Crequi; and expressed his regret, that his urgent affairs should deprive him of the honour which he had long wished for, of paying, in person, his respects to the greatest man in the world.*

The protector reaped little satisfaction from the success of his arms abroad: the situation on which he stood at home, kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprises and secret intelligence, had exhausted his revenue, and involved him in a considerable debt. The royalists, he heard, had renewed their conspiracies for a general insurrection; and Ormond was secretly come over with a view of concerting measures for the execution of this project. Lord Fairfax, sir William Waller, and many heads of the presbyterians, had secretly entered into the engagement. Even the army was infected with the general spirit of discontent; and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after this violent breach with the last parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted; and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by repeating the same professions, to meet with equal confidence and regard.

However zealous the royalists, their conspiracy took not effect: Willis discovered the whole to the protector. Ormond was obliged to fly, and he deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew erected for the trial of those criminals whose guilt was most apparent. Notwithstanding the recognition of his authority by the last parliament, the protector could not as yet trust to an unbiassed jury. Sir Henry Slingsby, and Dr. Huet were condemned and beheaded. Mordaunt, brother to the earl of Peterborow, narrowly escaped. The numbers for his condemnation and his acquittal were equal; and just as the sentence was pronounced in his favour, colonel Pride, who was resolved to condemn him, came into court. Ashton, Story, and Bestley, were hanged in different streets of the city.

The conspiracy of the millenarians in the army struck Cromwell with still greater apprehensions. Harrison

* He aspired to get possession of Elsinore and the passage of the Sound. See "World's Mistake in Oliver Cromwell." He also endeavoured to get possession of Fremen. Thurloe, vol. vi. p. 478.

† It was remarked by the saints of that time, that the battle was fought one day which was held for a fast in London, so that, as Fleetwood said, (Thurloe, vol. vii. p. 139,) "while we were praying, they were fighting, and the Lord hath given a signal answer. The Lord has not only owned us in our work there, but in our waiting upon him in a way of prayer, which is indeed our old experienced approved way in all straits and difficulties." Cromwell' Letter to Blake and Montague, his brave admirals, is remarkable for the same spirit.—Thurloe, vol. iv. p. 744. "You have," says he, "as I verily believe, a full persuasion, a plentiful stock of prayers going for you daily, sent up by the sobrest and most approved ministers and Christians in this nation: and, notwithstanding some discouragements, very much wrestling of faith for you, which are to us, and I trust will be to you, matter of great encouragement. But notwithstanding all this, it will be good for you and us to deliver up ourselves and all our affairs to the disposition of our all-wise Father, who not only out of prerogative, but because of his goodness, wisdom, and truth, ought to be resigned unto by his creatures, especially those who are children of his begetting through the Spirit," &c

* In reality the cardinal had not entertained so high an idea of Cromwell. He used to say, that he was a fortunate madman.—"Vie de Cromwell par Regnet." See also Charles's Collection, vol. ii. p. 81. Gumble's Life of Monk, p. 93. "World's Mistake in Oliver Cromwell."

and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by ambition, and by conscience, they still harboured in their breast some desperate project; and there wanted not officers in the army, who, from like motives, were disposed to second all their undertakings. The levellers and agitators had been encouraged by Cromwell to interpose with their advice in all political deliberations; and he had even pretended to honour many of them with his intimate friendship, while he conducted his daring enterprises against the king and the parliament. It was a usual practice with him, in order to familiarize himself the more with the agitators, who were commonly corporals or serjeants, to take them to bed with him, and there, after prayers and exhortations, to discuss together their projects and principles, political as well as religious. Having assumed the dignity of protector, he excluded them from all his councils, and had neither leisure nor inclination to indulge them any further in their wonted familiarities. Among those who were enraged at this treatment was Sexby, an active agitator, who now employed against him all that restless industry which had formerly been exerted in his favour. He even went so far as to enter into a correspondence with Spain; and Cromwell, who knew the distempers of the army, was justly afraid of some mutiny, to which a day, an hour, an instant, might provide leaders.

Of assassinations likewise he was apprehensive, from the zealous spirit which actuated the soldiers. Sindercome had undertaken to murder him; and, by the most unaccountable accidents, had often been prevented from executing his bloody purpose. His design was discovered; but the protector could never find the bottom of the enterprise, nor detect any of his accomplices. He was tried by a jury; and notwithstanding the general odium attending that crime, notwithstanding the clear and full proof of his guilt, so little conviction prevailed of the protector's right to the supreme government, it was with the utmost difficulty that this conspirator was condemned. When everything was prepared for his execution, he was found dead; from poison, as is supposed, which he had voluntarily taken.

The protector might better have supported those fears and apprehensions which the public distempers occasioned, had he enjoyed any domestic satisfaction, or possessed any cordial friend of his own family, in whose bosom he could safely have unloaded his anxious and corroding cares. But Fleetwood, his son-in-law, actuated by the wildest zeal, began to estrange himself from him; and was enraged to discover that Cromwell, in all his enterprises, had entertained views of promoting his own grandeur, more than of encouraging piety and religion, of which he made such fervent professions. His eldest daughter, married to Fleetwood, had adopted republican principles so vehement, that she could not with patience behold power lodged in a single person, even in her indulgent father. His other daughters were no less prejudiced in favour of the royal cause, and regretted the violences and iniquities into which, they thought, their family had so unhappily been transported. Above all, the sickness of Mrs. Claypole, his peculiar favourite, a lady endued with many humane virtues and amiable accomplishments, depressed his anxious mind, and poisoned all his enjoyments. She had entertained a high regard for Dr. Huet, lately executed; and being refused his pardon, the melancholy of her temper, increased by her distempered body, had prompted her to lament to her father all his sanguinary measures, and urge him to compunction for those heinous crimes into which his fatal ambition had betrayed him. Her death, which followed soon after, gave new edge to every word which she had uttered.

All composure of mind was now for ever fled from the protector: he felt that the grandeur which he had obtained with so much guilt and courage, could not ensure him that tranquillity which it belongs to virtue alone, and moderation, fully to ascertain. Overwhelmed with the load of public affairs, dreading perpetually some fatal accident in his distempered government, seeing nothing around him but treacherous friends or enraged enemies, possessing the confidence of no party, resting his title on no principle, civil or religious, he found his power to depend on so delicate a poise of factions and interests, as the smallest event was able, without any preparation, in a moment to overturn. Death too, which with such signal intrepidity he had braved in the field, being incessantly threatened by the poniards of fanatical or interested assassins, was ever present to his terrified apprehension, and haunted him in every scene of business or repose. Each action of his life betrayed the terrors under which he laboured. The aspect of strangers was uneasy to him: with a piercing and anxious eye he surveyed every face to which he was not daily accustomed. He never moved a step without strong guards attending him: he wore armour under his clothes, and further secured himself by offensive weapons, a sword, falchion, and pistols, which he always carried about him. He returned from no place by the direct road, or by the same way in which he went. Every journey he performed with hurry and precipitation. Seldom he slept above three nights together in the same chamber: and he never let it be known beforehand what chamber he intended to choose, nor intrusted himself in any which was not provided with back-doors, at which sentinels were carefully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies: solitude astonished him, by withdrawing that protection which he found so necessary for his security.

SICKNESS OF THE PROTECTOR.

His body also, from the contagion of his anxious mind, began to be affected; and his health seemed sensibly to decline. He was seized with a slow fever, which changed into a tertian ague. For the space of a week no dangerous symptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever increased, and he himself began to entertain some thoughts of death, and to cast his eye towards that future existence, whose idea had once been intimately present to him; though since, in the hurry of affairs, and in the shock of wars and factions, it had, no doubt, been considerably obliterated. He asked Goodwin, one of his preachers, if the doctrine were true, that the elect could never fall or suffer a final reprobation. "Nothing more certain," replied the preacher. "Then am I safe," said the protector: "for I am sure that once I was in a state of grace."

His physicians were sensible of the perilous condition to which his distemper had reduced him: but his chaplains, by their prayers, visions, and revelations, so buoyed up his hopes, that he began to believe his life out of all danger. A favourable answer, it was pretended, had been returned by Heaven to the petitions of all the godly: and he relied on their asseverations much more than on the opinion of the most experienced physicians. "I tell you," he cried with confidence to the latter, "I tell you, I shall not die of this distemper: I am well assured of my recovery. It is promised by the Lord, not only to my supplications, but to those of men who hold a stricter commerce and more intimate correspondence with him. Ye may have skill in your profession; but nature can do more than all the physicians in the world, and God is far above nature." Nay, to such a degree of madness did their enthusiastic assurances mount, that, upon a fast-day, which was observed on his account both at Hampton Court and at Whitehall, they did not so much pray for his health, as give thanks for the undoubted pledges which they had received of his recovery. He himself was

overheard officiating up his addresses to Heaven; and so far had the illusions of fanaticism prevailed over the plainest dictates of natural morality, that he assumed more the character of a mediator interceding for his people, than that of a criminal, whose atrocious violation of social duty had, from every tribunal, human and divine, merited the severest vengeance.

HIS DEATH AND CHARACTER.

Meanwhile all the symptoms began to wear a more fatal aspect; and the physicians were obliged to break silence, and to declare that the protector could not survive the next fit with which he was threatened. The council was alarmed. A deputation was sent to know his will with regard to his successor. His senses were gone, and he could not now express his intentions. They asked him, whether he did not mean that his eldest son, Richard, should succeed him in the protectorship. A simple affirmative was, or seemed to be, extorted from him. Soon after, on the 3rd of September, that very day which he had always considered as the most fortunate for him, he expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partisans, as well as his enemies, were fond of remarking this event; and each of them endeavoured, by forced inferences, to interpret it as a confirmation of their particular prejudices.

The writers, attached to the memory of this wonderful person, make his character with regard to abilities, bear the air of the most extravagant panegyric: his enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them, it must be confessed, are supported by such striking circumstances in his conduct and fortune as bestow on their representation a great air of probability. "What can be more extraordinary," it is said, "than that a person of private birth and education, no fortune, no eminent qualities of body, which have sometimes, nor shining talents of mind, which have often raised men to the highest dignities, should have the courage to attempt, and the abilities to execute, so great a design as the subverting one of the most ancient and best established monarchies in the world? That he should have the power and boldness to put his prince and master to an open and infamous death? Should banish that numerous and strongly allied family? Cover all these temerities under a seeming obedience to a parliament, in whose service he pretended to be retained? Trample too upon that parliament in their turn, and scornfully expel them as soon as they gave him ground of dissatisfaction? Erect in their place the dominion of the saints, and give reality to the most visionary idea, which the heated imagination of any fanatic was ever able to entertain? Suppress again that monster in its infancy, and openly set up himself above all things that ever were called sovereign in England? Overcome first all his enemies by arms, and all his friends afterwards by artifice? Serve all parties patiently for a while, and command them victoriously at last? Overrun each corner of the three nations, and subdue with equal facility both the riches of the south, and the poverty of the north? Be feared and courted by all foreign princes, and be adopted a brother to the gods of the earth? Call together parliaments with the word of his pen, and scatter them again with the breath of his mouth? Reduce to subjection a warlike and discontented nation, by means of a mutinous army? Command a mutinous army by means of seditious and factious officers? Be humbly and daily petitioned, that he would be pleased, at the rate of millions a year, to be hired as master of those who had hired him before to be their servant? Have the estates and lives of three nations as much at his disposal as was once the little inheritance of his father, and be as noble and liberal in the spending of them? And lastly (for there is no end of enumerating every particular of his glory,) with one word bequeath all this power and splendour to his posterity? Die possessed of peace at home, and triumph abroad? Be buried among kings, and with more than regal solemnity; and leave a name behind him not to be extinguished but with the whole world; which as it was too little for his praise, so might it have been for his conquests, if the short line of his mortal life could have stretched out to the extent of his immortal designs!"*

My intention is not to disfigure this picture, drawn by so masterly a hand: I shall only endeavour to remove from it somewhat of the marvellous; a circumstance, which, on all occasions, gives much ground for doubt and suspicion. It seems to me, that the circumstance of Cromwell's life, in which his abilities are principally discovered, in his rising from a private station, in opposition to so many rivals, so much advanced before him, to a high command and authority in the army. His great courage, his signal military talents, his eminent dexterity and address, were all requisite for this important acquisition. Yet will not this promotion appear the effect of supernatural abilities, when we consider, that Fairfax himself, a private gentleman, who had not the advantage of a seat in parliament, had, through the same steps, attained even a superior rank, and, if endued with common capacity and penetration, had been able to retain it. To incite such an army to rebellion against the parliament, required no uncommon art or industry: to have kept them in obedience had been the more difficult enterprise. When the breach is once formed between the military and civil powers, a supreme and absolute authority, from that moment, is devolved on the general; and if he be afterwards pleased to employ artifice or policy, it may be regarded, on most occasions, as great condescension, if not as superfluous caution. That Cromwell was ever able really to blind or overreach either the king or the republicans, does not appear: as they possessed no means of resisting the force under his command, they were glad to temporize with him, and, by seeming to be deceived, wait for opportunities of freeing themselves from his dominion. If he seduced the military fanatics, it is to be considered, that their interests and his evidently concurred, that their ignorance and low education exposed them to the grossest imposition, and that he himself was at bottom as frantic an enthusiast as the worst of them, and, in order to obtain their confidence, needed but to display those vulgar and ridiculous habits, which he had early acquired, and on which he set so high a value. An army is so forcible, and at the same time so coarse a weapon, that any hand which wields it may, without much dexterity, perform any operation, and attain any ascendant, in human society.

The domestic administration of Cromwell, though it discovers great abilities, was conducted without any plan either of liberty or arbitrary power: perhaps his difficult situation admitted of neither. His foreign enterprises, though full of intrepidity, were pernicious to national interest, and seem more the result of impetuous fury or narrow prejudices, than of cool foresight and deliberation. An eminent personage, however, he was in many respects, and even a superior genius; but unequal and irregular in his operations. And though not defective in any talent, except that of elocution, the abilities, which in him were most admirable, and which most contributed to his marvellous success, were the magnanimous resolution of his enterprises, and his peculiar dexterity in discovering the characters, and practising on the weaknesses of mankind.

If we survey the moral character of Cromwell with that indulgence which is due to the blindness and infirmities of the human species, we shall not be inclined to load his memory with such violent reproaches as those which his enemies usually throw upon it. Amidst

* Cowley's Discourses. This passage is altered in some particulars from the original.

the passions and prejudices of that period, that he should prefer the parliamentary to the royal cause, will not appear extraordinary; since even at present, some men of sense and knowledge are disposed to think that the question, with regard to the justice of the quarrel, may be regarded as doubtful and uncertain. The murder of the king, the most atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illusions; and it is not impossible, but he might believe it, as many others did, the most meritorious action that he could perform. His subsequent usurpation was the effect of necessity, as well as of ambition; nor is it easy to see how the various factions could at that time have been restrained, without a mixture of military and arbitrary authority. The private deportment of Cromwell, as a son, a husband, a father, a friend, is exposed to no considerable censure, if it does not rather merit praise. And, upon the whole, his character does not appear more extraordinary and unusual by the mixture of so much absurdity with so much penetration, than by his tempering such violent ambition and such enraged fanaticism with so much regard to justice and humanity.

Cromwell was in the fifty-ninth year of his age when he died. He was of a robust frame of body, and of a manly, though not of an agreeable aspect. He left only two sons, Richard and Henry; and three daughters, one married to general Fleetwood, another to lord Fauconberg, a third to lord Rich. His father died when he was young. His mother lived till after he was protector; and, contrary to her orders, he buried her with great pomp in Westminster Abbey. She could not be persuaded that his power or person was ever in safety. At every noise which she heard, she exclaimed, that her son was murdered; and was never satisfied that he was alive, if she did not receive frequent visits from him. She was a decent woman; and by her frugality and industry, had raised and educated a numerous family upon a small fortune. She had even been obliged to set up a brewery at Huntingdon, which she managed to good advantage. Hence Cromwell, in the invectives of that age, is often stigmatized with the name of "the Brewer." Ludlow, by way of insult, mentions the great accession which he would receive to his royal revenues upon his mother's death, who possessed a jointure of sixty pounds a year upon his estate. She was of a good family, of the name of Stuart; remotely allied, as is by some supposed, to the royal family.

CHAPTER LXII.

Richard acknowledged Protector — A Parliament — Calculated Warning-Piece. House — Richard deposed. — Long Parliament re-instated. — Conspiracy of the Royalists — Insurrection — Suppressed. — Parliament expelled — Committee of Safety — Foreign Affairs — General Monk — Monk declares for the Parliament — Parliament restored. — Monk enters London, declares for a free Parliament. — Secluded Members restored. — Long Parliament dissolved — New Parliament — The Restoration — Manners and Arts.

ALL the arts of Cromwell's policy had been so often practised, that they began to lose their effect; and his power, instead of being confirmed by time and success, seemed every day to become more uncertain and precarious. His friends the most closely connected with him, and his counsellors the most trusted, were entering into cabals against his authority; and, with all his penetration into the characters of men, he could not find any ministers on whom he could rely. Men of probity and honour, he knew, would not submit to be the instruments of an usurpation violent and illegal: those who were free from the restraint of principle might betray, from interest, that cause, in which, from no better motives, they had enlisted themselves. Even those on whom he conferred any favour, never deemed the recompense an equivalent for the sacrifices which they made to obtain it: whoever was refused any demand, justified his anger by the specious colours of conscience and of duty. Such difficulties surrounded the protector, that his dying at so critical a time is esteemed by many the most fortunate circumstance that ever attended him; and it was thought, that all his courage and dexterity could not much longer have extended his usurped administration.

RICHARD ACKNOWLEDGED PROTECTOR.

But when that potent hand was removed, which conducted the government, every one expected a sudden dissolution of the unweildy and ill-jointed fabric. Richard, a young man of no experience, educated in the country, accustomed to a retired life, unacquainted with the officers and unknown to them, recommended by no military exploits, endeared by no familiarities, could not long, it was thought, maintain that authority, which his father had acquired by so many valorous achievements and such signal successes. And when it was observed, that he possessed only the virtues of private life, which in his situation were so many vices; that indolence, incapacity, irresolution, attended his facility and good nature; the various hopes of men were excited by the expectation of some great event or revolution. For some time, however, the public was disappointed in this opinion. The council recognised the succession of Richard: Fleetwood, in whose favour, it was supposed, Cromwell had formerly made a will, renounced all claim or pretension to the protectorship: Henry, Richard's brother, who governed Ireland with popularity, ensured him the obedience of that kingdom: Monk, whose authority was well established in Scotland, being much attached to the family of Cromwell, immediately proclaimed the new protector: the army everywhere, the fleet, acknowledged his title: above ninety addresses, from the counties and most considerable corporations, congratulated him on his accession, in all the terms of dutiful allegiance: foreign ministers were forward in paying him the usual compliments: and Richard, whose moderate, unambitious character, never would have led him to contend for empire, was tempted to accept of so rich an inheritance, which seemed to be tendered to him by the consent of all mankind.

A PARLIAMENT. 1659.

It was found necessary to call a parliament, in order to furnish supplies, both for the ordinary administration, and for fulfilling those engagements with foreign princes, particularly Sweden, into which the late protector had entered. In hopes of obtaining greater influence in elections, the ancient right was restored to all the small boroughs; and the counties were allowed no more than their usual members. The house of peers, or the other house, consisted of the same persons that had been appointed by Oliver.

All the commons, at first, signed, without hesitation, an engagement not to alter the present government. (17th January.) They next proceeded to examine *the humble petition and advice;* and after great opposition and many vehement debates, it was at length, with much difficulty, carried by the court-party to confirm it. An acknowledgment too of the authority of the other house was extorted from them; though it was resolved not to treat this house of peers with any greater respect than they should return to the commons. A declaration was also made that the establishment of the other house should nowise prejudice the right of such of the ancient peers as had, from the beginning of the war, adhered to the parliament. But in all these proceedings, the opposition among the commons was so considerable, and the debates were so much prolonged, that all business was retarded, and great alarm given to the partisans of the young protector.

But there was another quarter from which greater dangers were justly apprehended. The most considerable officers of the army, and even Fleetwood, brother-in-law to the protector, were entering into cabals against him. No character in human society is more dangerous than that of the fanatic; because, if attended with weak judgment, he is exposed to the suggestions of others; if supported by more discernment, he is entirely governed by his own illusions, which sanctify his most selfish views and passions. Fleetwood was of the former species; and as he was extremely addicted to a republic, and even to the fifth monarchy or dominion of the saints, it was easy for those, who had insinuated themselves into his confidence, to instil disgusts against the dignity of protector. The whole republican party in the army, which was still considerable, Fitz, Mason, Moss, Farley, united themselves to that general. The officers too of the same party, whom Cromwell had discarded, Overton, Ludlow, Rich, Okey, Alured, began to appear, and to recover that authority, which had been only for a time suspended. A party likewise, who found themselves eclipsed in Richard's favour, Sydenham, Kelsey, Berry, Haines, joined the cabal of the others. Even Desborow, the protector's uncle, lent his authority to that faction. But above all, the intrigues of Lambert, who was now roused from his retreat, inflamed all those dangerous humours, and threatened the nation with some great convulsion. The discontented officers established their meetings in Fleetwood's apartments; and because he dwelt in Wallingford-house, the party received a denomination from that place.

CABAL OF WALLINGFORD-HOUSE.

Richard, who possessed neither resolution nor penetration, was prevailed on to give an unguarded consent for calling a general council of officers, who might make him proposals, as they pretended, for the good of the army. No sooner were they assembled than they voted a remonstrance. They there lamented, that *the good old cause*, as they termed it, that is, the cause for which they had engaged against the late king, was entirely neglected: and they proposed as a remedy, that the whole military power should be intrusted to some person, in whom they might all confide. The city militia, influenced by two aldermen, Tichburn and Ireton, expressed the same resolution of adhering to *the good old cause*.

The protector was justly alarmed at those movements among the officers. The persons in whom he chiefly confided were all of them, excepting Broghill, men of civil characters and professions; Fiennes, Thurloe, Whitlocke, Wolsey; who could only assist him with their advice and opinion. He possessed none of those arts which were proper to gain an enthusiastic army. Murmurs being thrown out against some promotions which he had made, "Would you have me," said he, "prefer none but the godly? Here is Dick Ingoldsby," continued he, "who can neither pray nor preach; yet will I trust him before ye all." This imprudence gave great offence to the pretended saints. The other qualities of the protector were correspondent to these sentiments: he was of a gentle, humane, and generous disposition. Some of his party offering to put an end to those intrigues by the death of Lambert, he declared, that he would not purchase power or dominion by such sanguinary measures.

RICHARD DEPOSED. *April* 22.

The parliament was no less alarmed at the military cabals. They voted that there should be no meeting or general council of officers, except with the protector's consent, or by his orders. This vote brought affairs immediately to a rupture. The officers hastened to Richard, and demanded of him the dissolution of the parliament. Desborow, a man of clownish and brutal nature, threatened him if he should refuse compliance. The protector wanted the resolution to deny, and possessed little ability to resist. The parliament was dissolved; and by the same act, the protector was, by every one, considered as effectually dethroned. Soon after, he signed his demission in form.

Henry, the deputy of Ireland, was endowed with the same moderate disposition as Richard; but as he possessed more vigour and capacity, it was apprehended that he might make resistance. His popularity in Ireland was great; and even his personal authority, notwithstanding his youth, was considerable. Had his ambition been very eager, he had, no doubt, been able to create disturbance: but being threatened by sir Hardress Waller, colonel John Jones, and other officers, he very quietly resigned his command, and retired to England. He had once entertained thoughts, which he had not resolution to execute, of proclaiming the king in Dublin.

Thus fell suddenly, and from an enormous height, but, by a rare fortune, without any hurt or injury, the family of the Cromwells. Richard continued to possess an estate which was moderate, and burdened too with a large debt, which he had contracted for the interment of his father. After the Restoration, though he remained unmolested, he thought proper to travel for some years; and at Pezenas, in Languedoc, he was introduced, under a borrowed name, to the prince of Conti. That prince, talking of English affairs, broke out into admiration of Cromwell's courage and capacity. "But as for that poor pitiful fellow, Richard," said he, "what has become of him? How could he be such a blockhead as to reap no greater benefit from all his father's crimes and successes?" Richard extended his peaceful and quiet life to an extreme old age, and died not till the latter end of queen Anne's reign. His social virtues, more valuable than the greatest capacity, met with a recompense, more precious than noisy fame, and more suitable—contentment and tranquillity.

The council of officers, now possessed of supreme authority, deliberated what form of government they should establish. Many of them seemed inclined to exercise the power of the sword in the most open manner: but as it was apprehended that the people would with great difficulty be induced to pay taxes, levied by arbitrary will and pleasure; it was agreed to preserve the shadow of civil administration, and to revive the long parliament which had been expelled by Cromwell. That assembly could not be dissolved, it was asserted, but by their own consent; and violence had interrupted, but was not able to destroy, their right to government. The officers also expected that, as these members had sufficiently felt their own weakness, they would be contented to act in subordination to the military commanders, and would thenceforth allow all the authority to remain where the power was so visibly vested.

The officers applied to Lenthal, the speaker, and proposed to him, that the parliament should resume their seats. Lenthal was of a low, timid spirit; and being uncertain what issue might attend these measures, was desirous of evading the proposal. He replied, that he could by no means comply with the desire of the officers; being engaged in a business of far greater importance to himself, which he could not omit on any account, because it concerned the salvation of his own soul. The officers pressed him to tell what it might be. He was preparing, he said, to participate of the Lord's supper, which he resolved to take next sabbath. They insisted that mercy was preferable to sacrifice, and that he could not better prepare himself for that great duty, than by contributing to the public service. All their remonstrances had no effect. However, on the appointed day, the speaker, being informed that a quorum of the house was likely to meet, thought proper, notwithstanding the salvation of his soul, as Ludlow observes, to join them; and the house imme-

diately proceeded upon business. The secluded members attempted, but in vain, to resume their seats among them.

LONG PARLIAMENT OR RUMP RESTORED.

The numbers of this parliament were small, little exceeding seventy members: their authority in the nation, ever since they had been purged by the army, was extremely diminished; and after their expulsion, had been totally annihilated: but being all of them men of violent ambition; some of them men of experience and capacity; they were resolved, since they enjoyed the title of the supreme authority, and observed that some appearance of a parliament was requisite for the purposes of the army, not to act a subordinate part to those who acknowledged themselves their servants. They chose a council, in which they took care that the officers of Wallingford-house should not be the majority: they appointed Fleetwood lieutenant-general, but inserted in his commission, that it should only continue during the pleasure of the house: they chose seven persons who should nominate to such commands as became vacant: and they voted, that all commissions should be received from the speaker, and be assigned by him in the name of the house. These precautions, the tendency of which was visible, gave great disgust to the general officers: and their discontent would immediately have broken out into some resolution fatal to the parliament, had it not been checked by the apprehensions of danger from the common enemy.

The bulk of the nation consisted of royalists and presbyterians; and to both these parties the dominion of the pretended parliament had ever been to the last degree odious. When that assembly was expelled by Cromwell, contempt had succeeded to hatred; and no reserve had been used in expressing the utmost derision against the impotent ambition of these usurpers. Seeing them reinstated in authority, all orders of men felt the highest indignation; together with apprehensions, lest such tyrannical rulers should exert their power by taking vengeance upon their enemies, who had so openly insulted them. A secret reconciliation, therefore, was made between the rival parties; and it was agreed, that, burying former enmities in oblivion, all efforts should be used for the overthrow of the rump; so they called the parliament, in allusion to that part of the animal body. The presbyterians, sensible, from experience, that their passion for liberty, however laudable, had carried them into unwarrantable excesses, were willing to lay aside ancient jealousies, and at all hazards to restore the royal family. The nobility, the gentry, bent their passionate endeavours to the same enterprise, by which alone they could be redeemed from slavery. And no man was so remote from party, so indifferent to public good, as not to feel the most ardent wishes for the dissolution of that tyranny which, whether the civil or the military part of it were considered, appeared equally oppressive and ruinous to the nation.

CONSPIRACY OF THE ROYALISTS.

Mordaunt, who had so narrowly escaped on his trial before the high-court of justice, seemed rather animated than daunted with past danger; and having, by his resolute behaviour, obtained the highest confidence of the royal party, he was now become the centre of all their conspiracies. In many counties, a resolution was taken to rise in arms. Lord Willoughby of Parham and sir Horatio Townshend undertook to secure Lynne; general Massey engaged to seize Gloucester; lord Newport, Littleton, and other gentlemen, conspired to take possession of Shrewsbury; sir George Booth, of Chester; sir Thomas Middleton, of North Wales; Arundel, Pollard, Granville, Trelawney, of Plymouth and Exeter. A day was appointed for the execution of all these enterprises. And the king, attended by the duke of York, had secretly arrived at Calais, with a resolution of putting himself at the head of his loyal subjects. The French court had promised to supply him with a small body of forces, in order to countenance the insurrections of the English.

This combination was disconcerted by the infidelity of sir Richard Willis. That traitor continued with the parliament the same correspondence which he had begun with Cromwell. He had engaged to reveal all conspiracies, so far as to destroy their effect; but reserved to himself, if he pleased, the power of concealing the conspirators. He took care never to name any of the old genuine cavaliers, who had zealously adhered, and were resolved still to adhere, to the royal cause in every fortune. These men he esteemed; these he even loved. He betrayed only the new converts among the presbyterians, or such lukewarm royalists as, discouraged with their disappointments, were resolved to expose themselves to no more hazards. A lively proof how impossible it is even for the most corrupted minds to divest themselves of all regard to morality and social duty!

In July many of the conspirators in the different counties were thrown into prison: others, astonished at such symptoms of secret treachery, left their houses, or remained quiet: the most tempestuous weather prevailed during the whole time appointed for the rendezvouses; insomuch that some found it impossible to join their friends, and others were dismayed with fear and superstition at an incident so unusual during the summer season. Of all the projects, the only one which took effect was that of sir George Booth for the seizing of Chester. The earl of Derby, lord Herbert of Cherbury, Mr. Lee, colonel Morgan, entered into this enterprise. Sir William Middleton joined Booth with some troops from North Wales; and the malcontents were powerful enough to subdue all in that neighbourhood who ventured to oppose them. In their declaration they made no mention of the king: they only demanded a free and full parliament.

The parliament was justly alarmed. How combustible the materials, they well knew; and the fire was now fallen among them. Booth was of a family eminently presbyterian; and his conjunction with the royalists they regarded as a dangerous symptom. They had many officers whose fidelity they could more depend on than that of Lambert: but there was no one in whose vigilance and capacity they reposed such confidence. They commissioned him to suppress the rebels. He made incredible haste. Booth imprudently ventured himself out of the walls of Chester, and exposed, in the open field, his raw troops against these hardy veterans. He was soon routed and taken prisoner. His whole army was dispersed. And the parliament had no further occupation than to fill all the jails with their open or secret enemies. Designs were even entertained of transporting the loyal families to Barbadoes, Jamaica, and the other colonies; lest they should propagate in England children of the same malignant affections with themselves.

This success hastened the ruin of the parliament. Lambert at the head of a body of troops, was no less dangerous to them than Booth. A thousand pounds, which they sent him to buy a jewel, were employed by him in liberalities to his officers. At his instigation they drew up a petition, and transmitted it to Fleetwood, a weak man, and an honest, if sincerity in folly deserve that honourable name. The import of this petition was, that Fleetwood should be made commander-in-chief; Lambert, major-general; Desborow lieutenant-general of the horse; Monk, major-general of the foot. To which a demand was added, that no officer should be dismissed from his command but by a court-martial.

The parliament, alarmed at the danger, immediately

cashiered Lambert, Desborow, Berry, Clarke, Barrow, Kelsey, Cobbet. Sir Arthur Hazelrig proposed the impeachment of Lambert for high-treason. Fleetwood's commission was vacated, and the command of the army was vested in seven persons, of whom that general was one. The parliament voted, that they would have no more general officers. And they declared it high-treason to levy any money without consent of parliament.

PARLIAMENT EXPELLED. *October* 13.

But these votes were feeble weapons in opposition to the swords of the soldiery. Lambert drew some troops together, in order to decide the controversy. Okey, who was leading his regiment to the assistance of the parliament, was deserted by them. Morley and Moss brought their regiments into Palace-yard, resolute to oppose the violence of Lambert. But that artful general knew an easy way of disappointing them. He placed his soldiers in the streets which led to Westminster-hall. When the speaker came in his coach, he ordered the horses to be turned, and very civilly conducted him home. The other members were in like manner intercepted. And the two regiments in Palace-yard, observing that they were exposed to derision, peaceably retired to their quarters. A little before this bold enterprise, a solemn fast had been kept by the army; and it is remarked, that this ceremony was the usual prelude to every signal violence which they committed.

COMMITTEE OF SAFETY. *October* 26.

The officers found themselves again invested with supreme authority, of which they intended for ever to retain the substance, however they might bestow on others the empty shadow or appearance. They elected a committee of twenty-three persons, of whom seven were officers. These they pretended to invest with sovereign authority; and they called them a *committee of safety*. They spoke everywhere of summoning a parliament chosen by the people; but they really took some steps towards assembling a military parliament composed of officers, elected from every regiment in the service. Throughout the three kingdoms there prevailed nothing but the melancholy fears, to the nobility and gentry, of a bloody massacre and extermination; to the rest of the people, of perpetual servitude, beneath those sanctified robbers, whose union and whose divisions would be equally destructive, and who, under pretence of superior illuminations, would soon extirpate, if possible, all private morality, as they had already done all public law and justice from the British dominions.

FOREIGN AFFAIRS.

During the time that England continued in this distracted condition, the other kingdoms of Europe were hastening towards a composure of those differences by which they had so long been agitated. The parliament, while it preserved authority, instead of following the imprudent politics of Cromwell, and lending assistance to the conquering Swede, embraced the maxims of the Dutch commonwealth, and resolved, in conjunction with that state, to mediate by force an accommodation between the northern crowns. Montague was sent with a squadron to the Baltic, and carried with him as ambassador Algernon Sidney, the celebrated republican. Sidney found the Swedish monarch employed in the siege of Copenhagen, the capital of his enemy; and was highly pleased, that, with a Roman arrogance, he could check the progress of royal victories, and display in so signal a manner the superiority of freedom above tyranny. With the highest indignation, the ambitious prince was obliged to submit to the imperious mediation of the two commonwealths. "It is cruel," said he, "that laws should be prescribed me by parricides and pedlars." But his whole army was enclosed in an island, and might be starved by the combined squadrons of England and Holland. He was obliged, therefore, to quit his prey, when he had so nearly gotten possession of it; and having agreed to a pacification with Denmark, he retired into his own country, where he soon after died.

The wars between France and Spain were also concluded by the treaty of the Pyrenees. These animosities had long been carried on between the rival states, even while governed by a sister and brother, who cordially loved and esteemed each other. But politics, which had so long prevailed over these friendly affections, now at last yielded to their influence; and never was the triumph more full and complete. The Spanish Low Countries, if not every part of that monarchy, lay almost entirely at the mercy of its enemy. Broken armies, disordered finances, slow and irresolute counsels; by these resources alone were the dispersed provinces of Spain defended against the vigorous power of France. But the queen-regent, anxious for the fate of her brother, employed her authority with the cardinal to stop the progress of the French conquests, and put an end to a quarrel which, being commenced by ambition, and attended with victory, was at last concluded with moderation. The young monarch of France, though aspiring and warlike in his character, was at this time entirely occupied in the pleasures of love and gallantry, and had passively resigned the reins of empire into the hands of his politic minister. And he remained an unconcerned spectator; while an opportunity for conquest was parted with, which he never was able, during the whole course of his active reign, fully to retrieve.

The ministers of the two crowns, Mazarine and don Louis de Haro, met at the foot of the Pyrenees, in the Isle of Pheasants, a place which was supposed to belong to neither kingdom. The negociation being brought to an issue by frequent conferences between the ministers, the monarchs themselves agreed to a congress: and these two splendid courts appeared in their full lustre amidst those savage mountains. Philip brought his daughter, Mary Therese, along with him; and giving her in marriage to his nephew, Louis, endeavoured to cement by this new tie the incompatible interests of the two monarchies. The French king made a solemn renunciation of every succession, which might accrue to him in right of his consort: a vain formality, too weak to restrain the ungoverned ambition of princes.

The affairs of England were in so great disorder, that it was not possible to comprehend that kingdom in the treaty, or adjust measures with a power which was in such incessant fluctuation. The king, reduced to despair by the failure of all enterprises for his restoration, was resolved to try the weak resource of foreign succours; and he went to the Pyrenees at the time when the two ministers were in the midst of their negociations Don Louis received him with that generous civility peculiar to his nation; and expressed great inclination, had the low condition of Spain allowed him, to give assistance to the distressed monarch. The cautious Mazarine, pleading the alliance of France with the English commonwealth, refused even to see him; and though the king offered to marry the cardinal's niece, he could, for the present, obtain nothing but empty professions of respect, and protestations of services. The condition of that monarch, to all the world, seemed totally desperate. His friends had been baffled in every attempt for his service: the scaffold had often streamed with the blood of the more active royalists: the spirits of many were broken with tedious imprisonments: the estates of all were burdened by the fines and confiscations which had been levied upon them: no one durst openly avow himself of that party; and so small did their number seem to a superficial view, that, even

should the nation recover its liberty, which was deemed nowise probable, it was judged uncertain what form of government it would embrace. But amidst all these gloomy prospects, fortune, by a surprising revolution, was now paving the way for the king to mount, in peace and triumph, the throne of his ancestors. It was by the prudence and loyalty of general Monk, that this happy change was at last accomplished.

GENERAL MONK.

George Monk, to whom the fate was reserved of re-establishing monarchy, and finishing the bloody dissensions of three kingdoms, was the second son of a family in Devonshire, ancient and honourable, but lately, from too great hospitality and expense, somewhat fallen to decay. He betook himself, in early youth, to the profession of arms; and was engaged in the unfortunate expeditions to Cadiz and the isle of Rhé. After England had concluded peace with all her neighbours, he sought military experience in the Low Countries, the great school of war to all the European nations; and he rose to the command of a company under lord Goring. This company consisted of two hundred men, of whom a hundred were volunteers, often men of family and fortune, sometimes noblemen who lived upon their own income in a splendid manner. Such a military turn at that time prevailed among the English.

When the sound of war was first heard in this island, Monk returned to England, partly desirous of promotion in his native country, partly disgusted with some ill usage from the States, of which he found reason to complain. Upon the Scottish pacification, he was employed by the earl of Leicester against the Irish rebels; and having obtained a regiment, was soon taken notice of, for his military skill, and for his calm and deliberate valour. Without ostentation, expense, or caresses, merely his humane and equal temper, he gained the good-will of the soldiery; who, with a mixture of familiarity and affection, usually called him *honest George Monk*; an honourable appellation, which they still continued to him, even during his greatest elevation. He was remarkable for his moderation in party; and while all around him were inflamed into rage against the opposite faction, he fell under suspicion from the candour and tranquillity of his behaviour. When the Irish army was called over into England, surmises of this kind had been so far credited, that he had even been suspended from his command, and ordered to Oxford, that he might answer the charge laid against him. His established character for truth and sincerity here stood him in great stead; and upon his earnest protestations and declarations, he was soon restored to his regiment, which he joined at the siege of Nantwich. The day after his arrival, Fairfax attacked and defeated the royalists, commanded by Biron; and took colonel Monk prisoner. He was sent to the Tower, where he endured, about two years, all the rigours of poverty and confinement. The king, however, was so mindful as to send him, notwithstanding his own difficulties, a present of 100 guineas; but it was not till after the royalists were totally subdued, that he recovered his liberty. Monk, however distressed, had always refused the most inviting offers from the parliament: but Cromwell, sensible of his merit, having solicited him to engage in the wars against the Irish, who were considered as rebels both by king and parliament, he was not unwilling to repair his broken fortunes by accepting a command which, he flattered himself, was reconcilable to the strictest principles of honour. Having once engaged with the parliament, he was obliged to obey orders; and found himself necessitated to fight, both against the marquis of Ormond in Ireland, and against the king himself in Scotland. Upon the reduction of the latter kingdom, Monk was left with the supreme command; and by the equality and justice of his administration, he was able to give contentment to that restless people, now reduced to subjection by a nation whom they hated. No less acceptable was his authority to the officers and soldiers; and foreseeing, that the good-will of the army under his command might some time be of great service to him, he had, with much care and success, cultivated their friendship.

MONK DECLARES FOR THE PARLIAMENT.

The connexions which he had formed with Cromwell, his benefactor, preserved him faithful to Richard, who had been enjoined by his father to follow in everything the directions of general Monk. When the long parliament was restored, Monk, who was not prepared for opposition, acknowledged their authority, and was continued in his command, from which it would not have been safe to attempt dislodging him. After the army had expelled the parliament, he protested against the violence, and resolved, as he pretended, to vindicate their invaded privileges. Deeper designs, either in the king's favour or his own, were, from the beginning, suspected to be the motives of his actions.

A rivalship had long subsisted between him and Lambert; and everybody saw the reason why he opposed the elevation of that ambitious general, by whose success his own authority, he knew, would soon be subverted. But little friendship had ever subsisted between him and the parliamentary leaders; and it seemed nowise probable, that he intended to employ his industry, and spend his blood, for the advancement of one enemy above another. How early he entertained designs for the king's restoration, we know not with certainty: it is likely, that as soon as Richard was deposed, he foresaw, that without such an expedient, it would be impossible ever to bring the nation to a regular settlement. His elder and younger brothers were devoted to the royal cause: the Granvilles, his near relations, and all the rest of his kindred, were in the same interests: he himself was intoxicated with no fumes of enthusiasm, and had maintained no connexions with any of the fanatical tribe. His early engagements had been with the king, and he had left that service without receiving any disgust from the royal family. Since he had enlisted himself with the opposite party, he had been guilty of no violence or rigour which might render him obnoxious. His return, therefore, to loyalty, was easy and open; and nothing could be supposed to counterbalance his natural propensity to that measure, except the views of his own elevation, and the prospect of usurping the same grandeur and authority which had been assumed by Cromwell. But from such exorbitant, if not impossible projects, the natural tranquillity and moderation of his temper, the calmness and solidity of his genius, not to mention his age, now upon the decline, seem to have set him at a distance. Cromwell himself, he always asserted, could not long have maintained his usurpation; and any other person even equal to him in genius, it was obvious, would now find it more difficult to practise arts, of which every one, from experience, was sufficiently aware. It is more agreeable, therefore, to reason as well as candour, to suppose that Monk, as soon as he put himself in motion, had entertained views of effecting the king's restoration; nor ought any objections, derived from his profound silence even to Charles himself, to be regarded as considerable. His temper was naturally reserved; his circumstances required dissimulation; the king, he knew, was surrounded with spies and traitors; and upon the whole, it seems hard to interpret that conduct, which ought to exalt our idea of his prudence, as a disparagement of his probity.

Sir John Granville, hoping that the general would engage in the king's service, sent into Scotland his younger brother, a clergyman, Dr. Monk, who carried him a letter and invitation from the king. When the doctor arrived, he found that his brother was then

holding a council of officers, and was not to be seen for some hours. In the mean time, he was received and entertained by Price, the general's chaplain, a man of probity, as well as a partisan of the king's. The doctor having an entire confidence in the chaplain, talked very freely to him about the object of his journey, and engaged him, if there should be occasion, to second his applications. At last, the general arrives; the brothers embrace; and after some preliminary conversation, the doctor open his business, Monk interrupted him, to know whether he had ever before to anybody mentioned the subject. "To nobody," replied his brother, "but to Price, whom I know to be entirely in your confidence." The general, altering his countenance, turned the discourse; and would enter into no further confidence with him, but sent him away with the first opportunity. He would not trust his own brother the moment he knew that he had disclosed the secret; though to a man whom he himself could have trusted.

His conduct in all other particulars was full of the same reserve and prudence: and no less was requisite for effecting the difficult work which he had undertaken. All the officers in his army, of whom he entertained any suspicion, he immediately cashiered: Cobbet, who had been sent by the committee of safety, under pretence of communicating their resolutions to Monk, but really with a view of debauching his army, he committed to custody: he drew together the several scattered regiments: he summoned an assembly, somewhat resembling a convention of states; and having communicated to them his resolution of marching into England, he received a seasonable though no great supply of money.

Hearing that Lambert was advancing northward with his army, Monk sent Clobery and two other commissioners to London, with large professions of his inclination to peace, and with offers of terms for an accommodation. His chief aim was to gain time, and relax the preparations of his enemies. The committee of safety fell into the snare. A treaty was signed by Monk's commissioners; but he refused to ratify it, and complained that they had exceeded their powers. He desired, however, to enter into a new negociation at Newcastle. The committee willingly accepted this fallacious offer.

Meanwhile these military sovereigns found themselves surrounded on all hands with inextricable difficulties. The nation had fallen into total anarchy; and by refusing the payment of all taxes, reduced the army to the greatest necessities. While Lambert's forces were assembling at Newcastle, Hazelrig and Morley took possession of Portsmouth, and declared for the parliament. A party, sent to suppress them, was persuaded by their commander to join in the same declaration. The city apprentices rose in a tumult, and demanded a free parliament. Though they were suppressed by colonel Hewson, a man who from the profession of a cobbler had risen to a high rank in the army, the city still discovered symptoms of the most dangerous discontent. It even established a kind of separate government, and assumed the supreme authority within itself. Admiral Lawson with his squadron came into the river, and declared for the parliament. Hazelrig and Morley, hearing of this important event, left Portsmouth, and advanced towards London. The regiments near that city being solicited by their old officers, who had been cashiered by the committee of safety, revolted again to the parliament. Desborow's regiment, being sent by Lambert to support his friends, no sooner arrived at St. Albans, than it declared for the same assembly.

Fleetwood's hand was found too weak and unstable to support this ill-founded fabric, which everywhere around him was fallen into ruins. When he received intelligence of any murmurs among the soldiers, he would prostrate himself in prayer, and could hardly be prevailed with to join the troops. Even when among them, he would, in the midst of any discourse, invite them all to prayer, and put himself on his knees before them. If any of his friends exhorted him to more vigour, they could get no other answer, than that God had spitten in his face, and would not hear him. Men now ceased to wonder why Lambert had promoted him to the office of general, and had contented himself with the second command in the army.

PARLIAMENT RESTORED. *December 26.*

Lenthal, the speaker, being invited by the officers, again assumed authority, and summoned together the parliament, which twice before had been expelled with so much reproach and ignominy. As soon as assembled, they repealed their act against the payment of excise and customs; they appointed commissioners for assigning quarters to the army; and, without taking any notice of Lambert, they sent orders to the forces under his command immediately to repair to those quarters which were appointed them.

1660. Lambert was now in a very disconsolate condition. Monk, he saw, had passed the Tweed at Coldstream, (1st January,) and was advancing upon him. His own soldiers deserted him in great multitudes, and joined the enemy. Lord Fairfax too, he heard, had raised forces behind him, and had possessed himself of York, without declaring his purpose. The last orders of the parliament so entirely stripped him of his army, that there remained not with him above a hundred horse; all the rest went to their quarters with quietness and resignation; and he himself was, some time after, arrested and committed to the Tower. The other officers, who had formerly been cashiered by the parliament, and who had resumed their commands, that they might subdue that assembly, were again cashiered and confined to their houses. Sir Harry Vane and some members, who had concurred with the committee of safety, were ordered into a like confinement. And the parliament now seemed to be again possessed of more absolute authority than ever, and to be without any danger of opposition or control.

The republican party was at this time guided by two men, Hazlerig and Vane, who were of opposite characters, and mortally hated each other. Hazelrig, who possessed greater authority in the parliament, was haughty, imperious, precipitate, vain-glorious; without civility or prudence; qualified only by his noisy, pertinacious obstinacy to acquire an ascendency in public assemblies. Vane was noted, in all civil transactions, for temper, insinuation, address, and a profound judgment; in all religious speculations, for folly and extravagance. He was a perfect enthusiast; and fancying that he was certainly favoured with inspiration, he deemed himself, to speak in the language of the times, to be a *man above ordinances*, and, by reason of his perfection, to be unlimited and unrestrained by any rules which govern inferior mortals. These whimsies, mingling with pride, had so corrupted his excellent understanding, that sometimes he thought himself the person deputed to reign on earth for a thousand years over the whole congregation of the faithful.

Monk, though informed of the restoration of the parliament, from whom he received no orders, still advanced with his army, which was near 6000 men: the scattered forces in England were above five times more numerous. Fairfax, who had resolved to declare for the king, not being able to make the general open his intentions, retired to his own house in Yorkshire. In all counties through which Monk passed, the prime gentry flocked to him with addresses; expressing their earnest desire, that he would be instrumental in restoring the nation to peace and tranquility, and to the enjoyment of those liberties, which by law were their birth-right, but of which, during so many years, they had been fatally bereaved: and that, in order to this salutary purpose, he would prevail, either for the re-

storing of those members who had been secluded before the king's death, or for the election of a new parliament, who might legally, and by general consent, again govern the nation. Though Monk pretended not to favour these addresses, that ray of hope, which the knowledge of his character and situation afforded, mightily animated all men. The tyranny and the anarchy, which now equally oppressed the kingdom; the experience of past distractions, the dread of future convulsions, the indignation against military usurpation, against sanctified hypocrisy: all these motives had united every party, except the most desperate, into ardent wishes for the king's restoration, the only remedy for all these fatal evils.

Scot and Robinson were sent as deputies by the parliament, under pretence of congratulating the general, but in reality to serve as spies upon him. The city dispatched four of their principal citizens to perform like compliments; and at the same time to confirm the general in his inclination to a free parliament, the object of all men's prayers and endeavours. The authority of Monk could scarcely secure the parliamentary deputies from those insults, which the general hatred and contempt towards their masters drew from men of every rank and denomination.

MONK ENTERS LONDON. *February* 3.

Monk continued his march with few interruptions till he reached St. Albans. He there sent a message to the parliament, desiring them to remove from London those regiments, which, though they now professed to return to their duty, had so lately offered violence to that assembly. This message was unexpected, and exceedingly perplexed the house. Their fate, they found, must still depend on a mercenary army; and they were as distant as ever from their imaginary sovereignty. However, they found it necessary to comply. The soldiers made more difficulty. A mutiny arose among them. One regiment, in particular, quartered in Somerset-house, expressly refused to yield their place to the northern army. But those officers who would gladly, on such an occasion, have inflamed the quarrel, were absent or in confinement; and for want of leaders, the soldiers were at last, with great reluctance, obliged to submit. Monk with his army took quarters in Westminster.

The general was introduced to the house; (6th February;) and thanks were given by Lenthal for the eminent services which he had done his country. Monk was a prudent, not an eloquent speaker. He told the house, that the services which he had been enabled to perform, were no more than his duty, and merited not such praises as those with which they were pleased to honour him: that among many persons of greater worth, who bore their commission, he had been employed as the instrument of providence for effecting their restoration; but he considered this service as a step only to more important services, which it was *their* part to render to the nation: that while on his march, he observed all ranks of men, in all places, to be in earnest expectation of a settlement, after the violent convulsions to which they had been exposed; and to have no prospect of that blessing but from the dissolution of the present parliament, and from the summoning of a new one, free and full, who, meeting without oaths or engagements, might finally give contentment to the nation: that applications had been made to him for that purpose; but that he, sensible of his duty, had still told the petitioners, that the parliament itself, which was now free, and would soon be full, was the best judge of all these measures, and that the whole community ought to acquiesce in their determination: that though he expressed himself in this manner to the people, he must now freely inform the house, that the fewer engagements were exacted, the more comprehensive would their plan prove, and the more satisfaction would it give to the nation: and that it was sufficient for public security, if the fanatical party and the royalists were excluded; since the principles of these factions were destructive either of government or of liberty.

This speech, containing matter which was both agreeable and disagreeable to the house as well as to the nation, still kept every one in suspense, and upheld that uncertainty, in which it seemed the general's interest to retain the public. But it was impossible for the kingdom to remain long in this doubtful situation; the people, as well as the parliament, pushed matters to a decision. During the late convulsions, the payment of taxes had been interrupted; and though the parliament, upon their assembling, renewed the ordinances for impositions, yet so little reverence did the people pay to those legislators, that they gave very slow and unwilling obedience to their commands. The common-council of London flatly refused to submit to an assessment required of them; and declared that, till a free and lawful parliament imposed taxes, they never should deem it their duty to make any payment. This resolution, if yielded to, would immediately have put an end to the dominion of the parliament: they were determined, therefore, upon this occasion, to make at once a full experiment of their own power, and of their general's obedience.

Monk received orders (9th February) to march into the city; to seize twelve persons, the most obnoxious to the parliament; to remove the posts and chains from all the streets; and to take down and break the portcullises and gates of the city: and very few hours were allowed him to deliberate upon the execution of these violent orders. To the great surprise and consternation of all men, Monk prepared himself for obedience. Neglecting the entreaties of his friends, the remonstrances of his officers, the cries of the people, he entered the city in a military manner; he apprehended as many as he could of the proscribed persons, whom he sent to the Tower; with all the circumstances of contempt he broke the gates and portcullises; and having exposed the city to the scorn and derision of all who hated it, he returned in triumph to his quarters in Westminster.

DECLARES FOR A FREE PARLIAMENT.

No sooner had the general leisure to reflect, than he found, that this last measure, instead of being a continuation of that cautious ambiguity, which he had hitherto maintained, was taking party without reserve, and laying himself, as well as the nation, at the mercy of that tyrannical parliament, whose power had long been odious, as their persons contemptible, to all men. He resolved, therefore, before it were too late, to repair the dangerous mistake into which he had been betrayed, and to show the whole world, still more without reserve, that he meant no longer to be the minister of violence and usurpation. After complaining of the odious service in which he had been employed, he wrote a letter to the house, (11th February,) reproaching them, as well with the new cabals which they had formed with Vane and Lambert, as with the encouragement given to a fanatical petition presented by Praise-God Barebone; and he required them, in the name of the citizens, soldiers, and whole common wealth, to issue writs, within a week, for the filling of their house, and to fix the time for their own dissolution and the assembling of a new parliament. Having dispatched this letter, which might be regarded, he thought, as an undoubted pledge of his sincerity, he marched with his army into the city, and desired Allen, the mayor, to summon a common-council at Guildhall. He there made many apologies for the indignity which, two days before, he had been obliged to put upon them; assured them of his perseverance in the measures which he had adopted; and desired that they might mutually plight their faith for a strict union be-

tween city and army, in every enterprise for the happiness and settlement of the commonwealth.

It would be difficult to describe the joy and exultation which displayed itself throughout the city, as soon as intelligence was conveyed of this happy measure, embraced by the general. The prospect of peace, concord, liberty, justice, broke forth at once, from amidst the deep darkness in which the nation had ever been involved. The view of past calamities no longer presented dismal prognostics of the future: it tended only to enhance the general exultation for those scenes of happiness and tranquillity, which all men now confidently promised themselves. The royalists, the presbyterians, forgetting all animosities, mingled in common joy and transport, and vowed never more to gratify the ambition of false and factious tyrants, by their calamitous divisions. The populace, more outrageous in their festivity, made the air resound with acclamations, and illuminated every street with signals of jollity and triumph. Applauses of the general were everywhere intermingled with detestation against the parliament. The most ridiculous inventions were adopted, in order to express this latter passion. At every bonfire rumps were roasted, and where these could no longer be found, pieces of flesh were cut into that shape; and the funeral of the parliament (the populace exclaimed) was celebrated by these symbols of hatred and derision.

The parliament, though in the agonies of despair, made still one effort for the recovery of their dominion. They sent a committee with offers to gain the general. He refused to hear them, except in the presence of some of the secluded members. Though several persons, desperate from guilt and fanaticism, promised to invest him with the dignity of supreme magistrate, and to support his government, he would not hearken to such wild proposals. Having fixed a close correspondence with the city, and established its militia in hands whose fidelity could be relied on, he returned with his army to Westminster, and pursued every proper measure for the settlement of the nation. While he still pretended to maintain republican principles, he was taking large steps towards the re-establishment of the ancient monarchy.

SECLUDED MEMBERS RESTORED.

February 21.

The secluded members, upon the general's invitation, went to the house, and finding no longer any obstruction, they entered, and immediately appeared to be the majority: most of the independents left the place. The restored members first repealed all the ordinances by which they had been excluded: they gave sir George Boothe and his party their liberty and estates: they renewed the general's commission, and enlarged his powers; they fixed an assessment for the support of the fleet and army; and having passed these votes for the present composure of the kingdom, they dissolved themselves, (16th March,) and issued writs for the immediate assembling of a new parliament. This last measure had been previously concerted with the general, who knew that all men, however different in affections, expectations, and designs, united in the detestation of the long parliament.

A council of state was established, consisting of men of character and moderation; most of whom, during the civil wars, had made a great figure among the presbyterians. The militia of the kingdom was put into such hands as would promote order and settlement. These, conjoined with Monk's army, which lay united at London, were esteemed a sufficient check on the more numerous, though dispersed army, of whose inclinations there was still much reason to be diffident. Monk, however, was every day removing the more obnoxious officers, and bringing the troops to a state of discipline and obedience.

Overton, governor of Hull, had declared his resolution to keep possession of that fortress till the coming of king Jesus: but when Alured produced the authority of parliament for his delivering the place to colonel Fairfax, he thought proper to comply.

Montague, who commanded the fleet in the Baltic, had entered into the conspiracy with sir George Boothe, and pretending want of provisions, had sailed from the Sound towards the coast of England, with an intention of supporting that insurrection of the royalists. On his arrival he received the news of Boothe's defeat, and the total failure of the enterprise. The great difficulties, to which the parliament was then reduced, allowed them no leisure to examine strictly the reasons which he gave for quitting his station: and they allowed him to retire peaceably to his country-house. The council of state now conferred on him, in conjunction with Monk, the command of the fleet; and secured the naval, as well as military force, in hands favourable to the public settlement.

Notwithstanding all these steps which were taking towards the re-establishment of monarchy, Monk still maintained the appearance of zeal for a commonwealth, and hitherto allowed no canal of correspondence between himself and the king to be opened. To call a free parliament, and to restore the royal family, were visibly, in the present disposition of the kingdom, one and the same measure: yet would not the general declare, otherwise than by his actions, that he had adopted the king's interests; and nothing but necessity extorted at last the confession from him. His silence, in the commencement of his enterprise, ought to be no objection to his sincerity; since he maintained the same reserve, at a time, when, consistent with common sense, he could have entertained no other purpose. [*See note* 6 T, *at the end of this Vol.*]

There was one Morrice, a gentleman of Devonshire, of a sedentary, studious disposition, nearly related to Monk, and one who had always maintained the strictest intimacy with him. With this friend alone did Monk deliberate concerning that great enterprise which he had projected. Sir John Granville, who had a commission from the king, applied to Morrice for access to the general; but received for answer, that the general desired him to communicate his business to Morrice. Granville, though importunately urged, twice refused to deliver his message to any but Monk himself; and this cautious politician, finding him now a person whose secrecy could be safely trusted, admitted him to his presence, and opened to him his whole intentions. Still he scrupled to commit anything to writing: he delivered only a verbal message by Granville; assuring the king of his services, giving advice for his conduct, and exhorting him instantly to leave the Spanish territories, and retire into Holland. He was apprehensive lest Spain might detain him as a pledge for the recovery of Dunkirk and Jamaica. Charles followed these directions, and very narrowly escaped to Breda. Had he protracted his journey a few hours, he had certainly, under pretence of honour and respect, been arrested by the Spaniards.

Lockhart, who was governor of Dunkirk, and nowise averse to the king's service, was applied to on this occasion. The state of England was set before him, the certainty of the Restoration represented, and the prospect of great favour displayed, if he would anticipate the vows of the kingdom, and receive the king into his fortress. Lockhart still replied, that his commission was derived from an English parliament, and he would not open his gates but in obedience to the same authority. This scruple, though in the present emergence it approaches towards superstition, it is difficult for us entirely to condemn.

The elections for the new parliament went everywhere in favour of the king's party. This was one of those popular torrents, where the most indifferent, or even the most averse, are transported with the general passion, and zealously adopt the sentiments of the community to which they belong. The enthusiasts them-

selves seemed to be disarmed of their fury; and between despair and astonishment gave way to those measures, which, they found, it would be impossible for them, by their utmost efforts, to withstand. The presbyterians and the royalists, being united, formed the voice of the nation, which, without noise, but with infinite ardour, called for the king's restoration. The kingdom was almost entirely in the hands of the former party; and some zealous leaders among them began to renew the demand of those conditions, which had been required of the late king in the treaty of Newport: but the general opinion seemed to condemn all those rigorous and jealous capitulations with their sovereign. Harassed with convulsions and disorders, men ardently longed for repose, and were terrified at the mention of negociations or delays, which might afford opportunity to the seditious army still to breed new confusion. The passion too for liberty, having been carried to such violent extremes, and having produced such bloody commotions, began, by a natural movement, to give place to a spirit of loyalty and obedience; and the public was less zealous in a cause which was become odious on account of the calamities which had so long attended it. After the legal concessions made by the late king, the constitution seemed to be sufficiently secured; and the additional conditions insisted on, as they had been framed during the greatest ardour of the contest, amounted rather to annihilation than a limitation of monarchy. Above all, the general was averse to the mention of conditions; and resolved that the crown, which he intended to restore, should be conferred on the king entirely free and unencumbered. Without further scruple, therefore, or jealousy, the people gave their voice in elections for such as they knew to entertain sentiments favourable to monarchy; and all paid court to a party which, they foresaw, was soon to govern the nation. Though the parliament had voted, that no one should be elected, who had himself, or whose father had borne arms for the late king; little regard was anywhere paid to this ordinance. The leaders of the presbyterians, the earl of Manchester, lord Fairfax, lord Robarts, Hollis, sir Anthony Ashley Cooper, Annesley, Lewis, were determined to atone for past transgressions by their present zeal for the royal interests; and from former merits, successes, and sufferings, they had acquired with their party the highest credit and authority.

The affairs of Ireland were in a condition no less favourable to the king. As soon as Monk declared against the English army, he dispatched emissaries into Ireland, and engaged the officers in that kingdom to concur with him in the same measures. Lord Broghill, president of Munster, and sir Charles Coote, president of Connaught, went so far as to enter into a correspondence with the king, and to promise their assistance for his restoration. In conjunction with sir Theophilus Jones, and other officers, they took possession of the government, and excluded Ludlow, who was zealous for the rump-parliament, but whom they pretended to be in a confederacy with the committee of safety. They kept themselves in readiness to serve the king; but made no declarations, till they should see the turn which affairs took in England.

But all these promising views had almost been blasted by an untoward accident. Upon the admission of the secluded members, the republican party, particularly the late king's judges, were seized with the justest despair, and endeavoured to infuse the same sentiments into the army. By themselves or their emissaries, they represented to the soldiers, that all those brave actions, which had been performed during the war, and which were so meritorious in the eyes of the parliament, would no doubt be regarded as the deepest crimes by the royalists, and would expose the army to the severest vengeance. That in vain did that party make professions of moderation and lenity: the king's death, the execution of so many of the nobility and gentry, the sequestration and imprisonment of the rest, were in their eyes crimes so deep, and offences so personal, as must be prosecuted with the most implacable resentment. That the loss of all arrears, and the cashiering of every officer and soldier, were the lightest punishment which must be expected: after the dispersion of the army, no further protection remained to them, either for life or property, but the clemency of enraged victors. And that, even if the most perfect security could be obtained, it were inglorious to be reduced, by treachery and deceit, to subjection under a foe, who, in the open field, had so often yielded to their superior valour.

After these suggestions had been infused into the army, Lambert suddenly made his escape from the Tower, and threw Monk and the council of state into great consternation. They knew Lambert's vigour and activity; they were acquainted with his popularity in the army; they were sensible, that, though the soldiers had lately deserted him, they sufficiently expressed their remorse and their detestation of those, who, by false professions, they found, had so egregiously deceived them. It seemed necessary, therefore, to employ the greatest celerity in suppressing so dangerous a foe: colonel Ingoldsby, who had been one of the late king's judges, but who was now entirely engaged in the royal cause, was dispatched after him. He overtook him at Daventry, while he had yet assembled but four troops of horse. One of them deserted him. Another quickly followed the example. He himself, endeavouring to make his escape, was seized by Ingoldsby, to whom he made submissions not suitable to his former character of spirit and valour. Okey, Axtel, Cobbet, Crede, and other officers of that party, were taken prisoners with him. All the roads were full of soldiers hastening to join them. In a few days, they had been formidable. And it was thought, that it might prove dangerous for Monk himself to have assembled any considerable body of his republican army for their suppression: so that nothing could be more happy than the sudden extinction of this rising flame.

THE RESTORATION.

When the parliament met, (25th May,) they chose sir Harbottle Grimstone speaker, a man, who, though he had for some time concurred with the late parliament, had long been esteemed affectionate to the king's service. The great dangers incurred during former usurpations, joined to the extreme caution of the general, kept every one in awe; and none dared, for some days, to make any mention of the king. The members exerted their spirit chiefly in bitter invectives against the memory of Cromwell, and in execrations against the inhuman murder of their late sovereign. At last, the general, having sufficiently sounded their inclinations, gave directions to Annesley, president of the council, to inform them, that one sir John Granville, a servant of the king's, had been sent over by his majesty, and was now at the door with a letter to the commons. The loudest acclamations were excited by this intelligence. Granville was called in: the letter, accompanied with a declaration, greedily read: without one moment's delay, and without a contradictory vote, a committee was appointed to prepare an answer: and in order to spread the same satisfaction throughout the kingdom, it was voted that the letter and declaration should immediately be published.

The people, freed from the state of suspense in which they had so long been held, now changed their anxious hope for the unmixed effusions of joy; and displayed a social triumph and exultation, which no private prosperity, even the greatest, is ever able fully to inspire. Traditions remain of men, particularly of Oughtred, the mathematician, who died of pleasure, when informed of this happy and surprising event. The king's declaration was well calculated to uphold the satisfaction inspired by the prospect of public settlement. It offered a general amnesty to all persons whatsoever;

and that without any exception but such as should afterwards be made by parliament: it promised liberty of conscience; and a concurrence in any act of parliament, which, upon mature deliberation, should be offered for insuring that indulgence: it submitted to the arbitration of the same assembly the inquiry into all grants, purchases, and alienations: and it assured the soldiers of all their arrears, and promised them, for the future, the same pay which they then enjoyed.

The lords, perceiving the spirit by which the kingdom, as well as the commons, was animated, hastened to reinstate themselves in their ancient authority, and to take their share in the settlement of the nation. They found the doors of their house open; and all were admitted; even such as had formerly been excluded on account of their pretended delinquency.

The two houses attended; while the king was proclaimed (8th May) with great solemnity, in Palace-yard, at Whitehall, and at Temple-bar. The commons voted 500 pounds to buy a jewel for Granville, who had brought them the king's gracious message: a present of 30,000 pounds was conferred on the king, 10,000 pounds on the duke of York, 5,000 pounds on the duke of Gloucester. A committee of lords and commons was dispatched to invite his majesty to return and take possession of the government. The rapidity with which all these events were conducted, was marvellous, and discovered the passionate zeal and entire unanimity of the nation. Such an impatience appeared, and such an emulation, in lords, and commons, and city, who should make the most lively expressions of their joy and duty, that, as the noble historian expresses it, a man could not but wonder where those people dwelt, who had done all the mischief, and kept the king so many years from enjoying the comfort and support of such excellent subjects. The king himself said, that it must surely have been his own fault that he had not sooner taken possession of the throne; since he found everybody so zealous in promoting his happy restoration.

The respect of foreign powers soon followed the submission of the king's subjects. Spain invited him to return to the Low Countries, and embark in some of her maritime towns. France made protestations of affection and regard, and offered Calais for the same purpose. The states-general sent deputies with a like friendly invitation. The king resolved to accept of this last offer. The people of the republic bore him a cordial affection; and politics no longer restrained their magistrates from promoting and expressing that sentiment. As he passed from Breda to the Hague, he was attended by numerous crowds, and was received with the loudest acclamations; as if themselves, not their rivals in power and commerce, were now restored to peace and security. The states-general in a body, and afterwards the states of Holland apart, performed their compliments with the greatest solemnity: every person of distinction was ambitious of being introduced to his majesty; all ambassadors and public ministers of kings, princes, or states, repaired to him, and professed the joy of their masters in his behalf: so that one would have thought, that from the united efforts of Christendom had been derived this revolution, which diffused everywhere such universal satisfaction.

The English fleet came in sight of Scheveling. Montague had not waited for orders from the parliament; but had persuaded the officers of themselves, to tender their duty to his majesty. The duke of York immediately went on board, and took the command of the fleet as high-admiral.

When the king disembarked at Dover, he was met by the general, whom he cordially embraced. Never subject, in fact, probably in his intentions, had deserved better of his king and country. In the space of a few months, without effusion of blood, by his cautious and disinterested conduct alone, he had bestowed settlement on three kingdoms, which had long been torn with the most violent convulsions: and having obstinately refused the most inviting conditions, offered him by the king as well as by every party in the kingdom, he freely restored his injured master to the vacant throne. The king entered London on the 29th of May, which was also his birth-day. The fond imaginations of men interpreted as a happy omen the concurrence of two such joyful periods.

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At this era, it may be proper to stop a moment and take a general survey of the age, so far as regards manners, finances, arms, commerce, arts and sciences. The chief use of history is, that it affords materials for disquisitions of this nature; and it seems the duty of an historian to point out the proper inferences and conclusions.

MANNERS AND ARTS.

No people could undergo a change more sudden and entire in their manners, than did the English nation during this period. From tranquillity, concord, submission, sobriety, they passed in an instant to a state of faction, fanaticism, rebellion, and almost frenzy. The violence of the English parties exceeded anything which we can now imagine: had they continued but a little longer, there was just reason to dread all the horrors of the ancient massacres and proscriptions. The military usurpers, whose authority was founded on palpable injustice, and was supported by no national party, would have been impelled by rage and despair into such sanguinary measures; and if these furious expedients had been employed on one side, revenge would naturally have pushed the other party, after a return of power, to retaliate upon their enemies. No social intercourse was maintained between the parties; no marriages or alliances contracted. The royalists, though oppressed, harassed, persecuted, disdained all affinity with their masters. The more they were reduced to subjection, the greater superiority did they affect above those usurpers, who by violence and injustice had acquired an ascendant over them.

The manners of the two factions were as opposite as those of the most distant nations. "Your friends, the cavaliers," said a parliamentarian to a royalist, "are very dissolute and debauched."—"True," replied the royalist, "they have the infirmities of men: but your friends, the roundheads, have the vices of devils, tyranny, rebellion, and spiritual pride." Riot and disorder, it is certain, notwithstanding the good example set them by Charles I., prevailed very much among his partisans. Being commonly men of birth and fortune, to whom excesses are less pernicious than to the vulgar, they were too apt to indulge themselves in all pleasures, particularly those of the table. Opposition to the rigid preciseness of their antagonists increased their inclination to good fellowship; and the character of a man of pleasure was affected among them, as a sure pledge of attachment to the church and monarchy. Even when ruined by confiscations and sequestrations, they endeavoured to maintain the appearance of a careless and social jollity. "As much as hope is superior to fear," said a poor and merry cavalier, "so much is our situation preferable to that of our enemies. We laugh while they tremble."

The gloomy enthusiasm which prevailed among the parliamentary party, is surely the most curious spectacle presented by any history; and the most instructive, as well as entertaining, to a philosophical mind. All recreations were in a manner suspended by the rigid severity of the presbyterians and independents. Horse-races and cock-matches, were prohibited as the greatest enormities. Even bear-baiting was esteemed heathenism and unchristian: the sport of it, not the inhumanity gave offence.

Colonel Hewson, from his pious zeal, marched with his regiment into London, and destroyed all the bears

which were there kept for the diversion of the citizens. This adventure seems to have given birth to the fiction of Hudibras. Though the English nation be naturally candid and sincere, hypocrisy prevailed among them beyond any example in ancient or modern times. The religious hypocrisy, it may be remarked, is of a peculiar nature; and being generally unknown to the person himself, though more dangerous, it employs less falsehood than any other species of insincerity. The Old Testament, preferably to the New, was the favourite of all the sectaries. The eastern poetical style of that composition made it more easily susceptible of a turn which was agreeable to them.

We have had occasion, in the course of this work, to speak of many of the sects which prevailed in England: to enumerate them all would be impossible. The quakers, however, are so considerable, at least so singular, as to merit some attention; and as they renounced by principle the use of arms, they never made such a figure in public transactions as to enter into any part of our narrative.

The religion of the quakers, like most others, began with the lowest vulgar, and in its progress, came at last to comprehend people of better quality and fashion. George Fox, born at Drayton, in Lancashire, in 1624, was the founder of this sect. He was the son of a weaver, and was himself bound apprentice to a shoemaker. Feeling a stronger impulse towards spiritual contemplations than towards that mechanical profession, he left his master, and went about the country clothed in a leathern doublet, a dress which he long affected, as well for its singularity as its cheapness. That he might wean himself from sublunary objects, he broke off all connexions with his friends and family, and never dwelt a moment in one place; lest habit should beget new connexions, and depress the sublimity of his aërial meditations. He frequently wandered into the woods, and passed whole days in hollow trees, without company, or any other amusement than his Bible. Having reached that pitch of perfection as to need no other book, he soon advanced to another state of spiritual progress, and began to pay less regard even to that divine composition itself. His own breast, he imagined, was full of the same inspiration which had guided the prophets and apostles themselves; and by this inward light must every spiritual obscurity be cleared, by this living spirit must the dead letter be animated.

When he had been sufficiently consecrated in his own imagination, he felt that the fumes of self-applause soon dissipate, if not continually supplied by the admiration of others; and he began to seek proselytes. Proselytes were easily gained, at a time when all men's affections were turned towards religion, and when the most extravagant modes of it were sure to be most popular. All the forms of ceremony, invented by pride and ostentation, Fox and his disciples, from a superior pride and ostentation, carefully rejected: even the ordinary rites of civility were shunned, as the nourishment of carnal vanity and self-conceit. They would bestow no titles of distinction: the name of *friend* was the only salutation with which they indiscriminately accosted every one. To no person would they make a bow, or move their hat, or give any signs of reverence. Instead of that affected adulation, introduced into modern tongues, of speaking to individuals as if they were a multitude, they returned to the simplicity of ancient languages; and *thou* and *thee* were the only expressions which, on any consideration, they could be brought to employ.

Dress too, a material circumstance, distinguished the members of this sect. Every superfluity and ornament was carefully retrenched: no plaits to their coat, no buttons to their sleeves: no lace, no ruffles, no embroidery. Even a button to the hat, though sometimes useful, yet not being always so, was universally rejected by them with horror and detestation.

The violent enthusiasm of this sect, like all high passions, being too strong for the weak nerves to sustain, threw the preachers into convulsions, and shakings, and distortions in their limbs; and they thence received the appellation of *quakers*. Amidst the great toleration which was then granted to all sects, and even encouragement given to all innovations, this sect alone suffered persecution. From the fervour of their zeal, the quakers broke into churches, disturbed public worship, and harassed the minister and audience with railing and reproaches. When carried before a magistrate, they refused him all reverence, and treated him with the same familiarity as if he had been their equal. Sometimes they were thrown into mad-houses, sometimes into prisons; sometimes whipped, sometimes pilloried. The patience and fortitude with which they suffered begat compassion, admiration, esteem.* A supernatural spirit was believed to support them under those sufferings which the ordinary state of humanity, freed from the illusions of passion, is unable to sustain.

The quakers crept into the army: but as they preached universal peace, they seduced the military zealots from their profession, and would soon, had they been suffered, have put an end, without any defeat or calamity, to the dominion of the saints. These attempts became a fresh ground of persecution, and a new reason for their progress among the people

Morals with this sect were carried, or affected to be carried, to the same degree of extravagance as religion. Give a quaker a blow on one cheek, he held up the other; ask his cloak, he gave you his coat also: the greatest interest could not engage him, in any court of judicature, to swear even to the truth: he never asked more for his wares than the precise sum which he was determined to accept. This last maxim is laudable, and continues still to be religiously observed by that sect.

No fanatics ever carried further the hatred to ceremonies, forms, orders, rights, and positive institutions. Even baptism and the Lord's supper, by all other sects believed to be interwoven with the very vitals of Christianity, were disdainfully rejected by them. The very sabbath they profaned. The holiness of churches they derided; and they would give to these sacred edifices no other appellation than that of *shops* or *steeple-houses*. No priests were admitted in their sect: every one had received from immediate illumination a character much superior to the sacerdotal. When they met for divine worship, each rose up in his place, and delivered the extemporary inspirations of the Holy Ghost: women were also admitted to teach the brethren, and were considered as proper vehicles to convey the dictates of the Spirit. Sometimes a great many preachers were moved to speak at once: sometimes a total silence prevailed in their congregations.

Some quakers attempted to fast forty days, in imitation of Christ; and one of them bravely perished in the experiment. A female quaker came naked into the church where the protector sat; being moved by the Spirit, as she said, to appear *as a sign* to the people. A number of them fancied, that the renovation of all things had commenced, and that clothes were to be rejected, together with other superfluities. The sufferings which followed the practice of this doctrine were a species of persecution not well calculated for promoting it.

James Naylor was a quaker, noted for blasphemy, or rather madness, in the time of the protectorship. He fancied that he himself was transformed into Christ, and was become the real Saviour of the world; and in consequence of this frenzy, he endeavoured to imitate many actions of the Messiah related in the

* The following story is told by Whitelocke, p. 589. Some quakers at Hasberton in Northumberland, coming to the minister on the sabbath day, and speaking to him, the people fell upon the quakers and almost killed one of two of them, who, dying soon after their return, declared they forgave the people, who knew not what they did, and all the rest, speaking to the people, so convinced them of the evil they had done in beating them, that the constable parted a quarrelling and cruel one another men, than they had been to use the quakers.

evangelists. As he bore a resemblance to the common pictures of Christ, he allowed his beard to grow in a like form: he raised a person from the dead:* he was ministered unto by women: he entered Bristol mounted on a horse; I suppose, from the difficulty in that place of finding an ass: his disciples spread their garments before him, and cried, "Hosannah to the highest! holy, holy is the Lord God of Sabbaoth!" When carried before the magistrate, he would give no other answer to all questions than, "Thou hast said it." What is remarkable, the parliament thought that the matter deserved their attention. Near ten days they spent in inquiries and debates about him. They condemned him to be pilloried, whipped, burned in the face, and to have his tongue bored through with a red-hot iron. All these severities he bore with the usual patience. So far his delusions supported him. But the sequel spoiled all. He was sent to Bridewell, confined to hard labour, fed on bread and water, and debarred from all his disciples, male and female. His illusion dissipated, and after some time he was contented to come out an ordinary man, and return to his usual occupations.

The chief taxes in England, during the time of the commonwealth, were the monthly assessments, the excise, and the customs. The assessments were levied on personal estates, as well as on land; and commissioners were appointed in each county for rating the individuals. The highest assessment amounted to 120,000 pounds a month in England; the lowest was 35,000. The assessments in Scotland were sometimes 10,000 pounds a month; commonly 6000. Those on Ireland 9000. At a medium, this tax might have afforded about a million a year. The excise, during the civil wars, was levied on bread, flesh-meat, as well as beer, ale, strong-waters, and many other commodities. After the king was subdued, bread and flesh-meat were exempted from excise. The customs on exportation were lowered in 1656. In 1650, commissioners were appointed to levy both customs and excises. Cromwell in 1657 returned to the old practice of farming. Eleven hundred thousand pounds were then offered, both for customs and excise, a greater sum than had ever been levied by the commissioners: the whole of the taxes during that period might at a medium amount to above two millions a year; a sum which, though moderate, much exceeded the revenue of any former king.† Sequestrations, compositions, sale of crown and church-lands, and of the lands of delinquents, yielded also considerable sums, but very difficult to be estimated. Church-lands are said to have been sold for a million. None of these were ever valued at above ten or eleven years' purchase. The estates of delinquents amounted to above 200,000 pounds a year. Cromwell died more than two millions in debt; though the parliament had left him in the treasury above 500,000 pounds; and in stores the value of 700,000 pounds.

The committee of danger, in April, 1643, voted to raise the army to 40,000 men. The same year, the pay of the army was estimated at 80,000 pounds a month. The establishment of the army in 1652, was in Scotland 15,000 foot, 2580 horse, 560 dragoons; in England, 4700 foot, 2520 horse, garrisons, 6154. In all, 31,514, besides officers. The army in Scotland was afterwards considerably reduced. The army in Ireland was not much short of 20,000 men; so that, upon the whole, the commonwealth maintained in 1652 a standing army of more than 50,000 men. Its pay amounted to a yearly sum of 1,047,715 pounds. Afterwards the protector reduced the establishment to 30,000 men, as appears by the Instrument of Government and Humble Petition and Advice. His frequent enterprises obliged him from time to time to augment them. Richard had on foot in England an army of 13,253 men; in Scotland, 9506; in Ireland, about 10,000 men. The foot-soldiers had commonly a shilling a day. The horse had two shillings and sixpence; so that many gentlemen and younger brothers of good family enlisted in the protector's cavalry. No wonder that such men were averse from the re-establishment of civil government, by which, they well knew, they must be deprived of so gainful a profession.

At the time of the battle of Worcester, the parliament had on foot about 30,000 men, partly militia, partly regular forces. The vigour of the commonwealth, and the great capacity of those members who had assumed the government, never at any time appeared so conspicuous.

The whole revenue of the public, during the protectorship of Richard, was estimated at 1,863,717 pounds; his annual expenses at 2,201,540 pounds. An additional revenue was demanded from parliament.

The commerce and industry of England increased extremely during the peaceable period of Charles's reign: the trade to the East-Indies and to Guinea became considerable. The English possessed almost the sole trade with Spain. Twenty thousand cloths were annually sent to Turkey. Commerce met with interruption, no doubt, from the civil wars and convulsions which afterwards prevailed; though it soon recovered after the establishment of the commonwealth. The war with the Dutch, by distressing the commerce of so formidable a rival, served to encourage trade in England: the Spanish war was to an equal degree pernicious. All the effects of the English merchants, to an immense value, were confiscated in Spain. The prevalence of democratical principles engaged the country gentlemen to bind their sons apprentices to merchants; and commerce has ever since been more honourable in England than in any other European kingdom. The exclusive companies, which formerly confined trade, were never expressly abolished by any ordinance of parliament during the commonwealth; but as men paid no regard to the prerogative whence the charters of these companies were derived, the monopoly was gradually invaded, and commerce increased by the increase of liberty. Interest in 1650 was reduced to six per cent.

The customs in England, before the civil wars, are said to have amounted to 500,000 pounds a year: a sum ten times greater than during the best period in queen Elizabeth's reign: but there is probably some exaggeration in this matter.

The post-house in 1653 was farmed at 10,000 pounds a year, which was deemed a considerable sum for the three kingdoms. Letters paid only about half their present postage.

From 1619 to 1638, there had been coined 6,900,042 pounds. From 1638 to 1657, the coinage amounted to 7,733,521 pounds. Dr. Davenant has told us from the registers of the mint, that between 1558 and 1659, there had been coined 19,832,476 pounds in gold and silver.

The first mention of tea, coffee, and chocolate, is about 1660. Asparagus, artichokes, cauliflower, and a variety of salads, were about the same time introduced into England.

The colony of New England increased by means of the puritans, who fled thither, in order to free themselves from the constraint which Laud and the church party had imposed upon them; and before the commencement of the civil wars, it is supposed to have contained 25,000 souls. For a like reason, the catholics, afterwards, who found themselves exposed to many hardships, and dreaded still worse treatment, went over to America in great numbers, and settled the colony of Maryland.

Before the civil wars, learning and the fine arts were favoured at court, and a good taste began to prevail in the nation. The king loved pictures, some-

* Hist. of the Min. p. 201. One Dennis Pack made oath before a magistrate, that she had seen him raise the dead. Nal. Collect. vol. ii. p. 616.

† It appears that the late king's revenue from 1637 to the meeting of the long parliament, was only 610,000 pounds, of which 200,000 it is believed arose



times handled the pencil himself, and was a good judge of the art. The pieces of foreign masters were bought up at a vast price; and the value of pictures doubled in Europe by the emulation between Charles and Philip IV. of Spain, who were touched with the same elegant passion. Vandyke was caressed and enriched at court. Inigo Jones was master of the king's buildings; though afterwards persecuted by the parliament, on account of the part which he had in rebuilding St. Paul's, and for obeying some orders of council, by which he was directed to pull down houses, in order to make room for that edifice. Laws, who had not been surpassed by any musician before him, was much beloved by the king, who called him the father of music. Charles was a good judge of writing, and was thought by some more anxious with regard to purity of style than became a monarch. Notwithstanding his narrow revenue, and his freedom from all vanity, he lived in such magnificence, that he possessed four and twenty palaces, all of them elegantly and completely furnished; insomuch that, when he removed from one to another he was not obliged to transport anything along with him.

Cromwell, though himself a barbarian, was not insensible to literary merit. Usher, notwithstanding his being a bishop, received a pension from him. Marvel and Milton were in his service. Waller, who was his relation, was caressed by him. That poet always said, that the protector himself was not so wholly illiterate as was commonly imagined. He gave a hundred pounds a year to the divinity professor at Oxford; and an historian mentions this bounty as an instance of his love of literature. He intended to have erected a college at Durham for the benefit of the northern counties.

Civil wars, especially when founded on principles of liberty, are not commonly unfavourable to the arts of eloquence and composition; or rather, by presenting nobler and more interesting objects, they amply compensate that tranquillity of which they bereave the Muses. The speeches of the parliamentary orators during this period are of a strain much superior to what any former age had produced in England; and the force and compass of our tongue were then first put to trial. It must, however, be confessed, that the wretched fanaticism which so much infected the parliamentary party, was no less destructive of taste and science, than of all law and order. Gaiety and wit were proscribed: human learning despised: freedom of inquiry detested: cant and hypocrisy alone encouraged. It was an article positively insisted on in the preliminaries to the treaty of Uxbridge, that all playhouses should for ever be abolished. Sir John Davenant, says Whitlocke, speaking of the year 1658, published an opera, notwithstanding the nicety of the times. All the king's furniture was put to sale: his pictures, disposed of at very low prices, enriched all the collections in Europe: the cartoons, when complete, were only appraised at 300 pounds, though the whole collection of the king's curiosities was sold at above 50,000. Even the royal palaces were pulled in pieces, and the materials of them sold. The very library and medals at St. James's were intended by the generals to be brought to auction, in order to pay the arrears of some regiments of cavalry quartered near London: but Selden, apprehensive of the loss, engaged his friend Whitlocke, then lord-keeper for the commonwealth, to apply for the office of librarian. This expedient saved that valuable collection.

It is, however, remarkable, that the greatest genius by far that shone out in England, during this period, was deeply engaged with these fanatics, and even prostituted his pen in theological controversy, in factious disputes, and in justifying the most violent measures of the party. This was John Milton, whose poems are admirable, though liable to some objections: his prose writings disagreeable, though not altogether defective in genius. Nor are all his poems equal: his Paradise Lost, his Comus, and a few others, shine out amidst some flat and insipid compositions: even in the Paradise Lost, his capital performance, there are very long passages, amounting to near a third of the work, almost wholly destitute of harmony and elegance, nay, of all vigour of imagination. This natural inequality in Milton's genius was much increased by the inequalities in his subject; of which some parts are of themselves the most lofty that can enter into human conception; others would have required the most laboured elegance of composition to support them. It is certain, that this author, when in a happy mode, and employed on a noble subject, is the most wonderfully sublime of any poet in any language; Homer and Lucretius and Tasso not excepted. More concise than Homer, more simple than Tasso, more nervous than Lucretius: had he lived in a later age, and learned to polish some rudeness in his verses; had he enjoyed better fortune, and possessed leisure to watch the returns of genius in himself, he had attained the pinnacle of perfection, and borne away the palm of epic poetry.

It is well known, that Milton never enjoyed in his lifetime the reputation which he deserved. His Paradise Lost was long neglected: prejudices against an apologist for the regicides, and against a work not wholly purged from the cant of former times, kept the ignorant world from perceiving the prodigious merit of that performance. Lord Somers, by encouraging a good edition of it, about twenty years after the author's death, first brought it into request; and Tonson, in his dedication of a smaller edition, speaks of it as a work just beginning to be known. Even during the prevalence of Milton's party, he seems never to have been much regarded; and Whitlocke talks of one Milton, as he calls him, a blind man, who was employed in translating a treaty with Sweden into Latin. These forms of expression are amusing to posterity, who consider how obscure Whitlocke himself, though lord-keeper and ambassador, and indeed a man of great abilities and merit, has become in comparison of Milton.

It is not strange that Milton received no encouragement after the Restoration: it is more to be admired that he escaped with his life. Many of the cavaliers blamed extremely that lenity towards him, which was so honourable in the king, and so advantageous to posterity. It is said, that he had saved Davenant's life during the protectorship; and Davenant in return afforded him like protection after the Restoration: being sensible, that men of letters ought always to regard their sympathy of taste as a more powerful band of union, than any difference of party or opinion as a source of animosity. It was during a state of poverty, blindness, disgrace, danger, and old age, that Milton composed his wonderful poem, which not only surpassed all the performances of his contemporaries, but all the compositions which had flowed from his pen during the vigour of his age and the height of his prosperity. This circumstance is not the least remarkable of all those which attend that great genius. He died in 1674, aged 66.

Waller was the first refiner of English poetry, at least of English rhyme; but his performances still abound with many faults; and, what is more material, they contain but feeble and superficial beauties. Gaiety wit, and ingenuity, are their ruling character: they aspire not to the sublime; still less to the pathetic. They treat of love, without making us feel any tenderness; and abound in panegyric, without exciting admiration. The panegyric, however, on Cromwell, contains more force than we should expect from the other compositions of this poet.

Waller was born to an ample fortune, was early introduced to the court, and lived in the best company. He possessed talents for eloquence as well as poetry; and till his death, which happened in a good old age, he was the delight of the house of commons. The errors of his life proceeded more from want of cou-

rage, than of honour or integrity. He died in 1567, aged 82.

Cowley is an author extremely corrupted by the bad taste of his age: but had he lived even in the purest times of Greece or Rome, he must always have been a very indifferent poet. He had no ear for harmony; and his verses are only known to be such by the rhyme which terminates them. In his rugged untuneable numbers are conveyed sentiments the most strained and distorted; long-spun allegories, distant allusions, and forced conceits. Great ingenuity, however, and vigour of thought, sometimes break out amidst those unnatural conceptions: a few anacreontics surprise us by their ease and gaiety: his prose writings please, by the honesty and goodness which they express, and even by their spleen and melancholy. This author was much more praised and admired during his lifetime, and celebrated after his death, than the great Milton. He died in 1667, aged 49.

Sir John Denham, in his Cooper's Hill, (for none of his other poems merit attention,) has a loftiness and vigour, which had not before him been attained by any English poet who wrote in rhyme. The mechanical difficulties of that measure retarded its improvement. Shakespeare, whose tragic scenes are sometimes so wonderfully forcible and expressive, is a very indifferent poet when he attempts to rhyme. Precision and neatness are chiefly wanting in Denham. He died in 1688, aged 73.

No English author in that age was more celebrated both abroad and at home than Hobbes: in our time he is much neglected: a lively instance, how precarious all reputations founded on reasoning and philosophy! A pleasant comedy, which paints the manners of the age, and exposes a faithful picture of nature, is a durable work, and is transmitted to the latest posterity. But a system, whether physical or metaphysical, commonly owes its success to its novelty; and is no sooner canvassed with impartiality than its weakness is discovered. Hobbes's politics are fitted only to promote tyranny, and his ethics to encourage licentiousness. Though an enemy to religion, he partakes nothing of the spirit of scepticism; but is as positive and dogmatical as if human reason, and his reason in particular, could attain a thorough conviction in these subjects. Clearness and propriety of style are the chief excellencies of Hobbes's writings. In his own person he is represented to have been a man of virtue; a character nowise surprising, notwithstanding his libertine system of ethics. Timidity is the principal fault with which he is reproached: he lived to an extreme old age, yet could never reconcile himself to the thoughts of death. The boldness of his opinions and sentiments forms a remarkable contrast to this part of his character. He died in 1679, aged 91.

Harrington's Oceana was well adapted to that age, when the plans of imaginary republics were the daily subjects of debate and conversation; and even in our time, it is justly admired as a work of genius and invention. The idea, however, of a perfect and immortal commonwealth will always be found as chimerical as that of a perfect and immortal man. The style of this author wants ease and fluency; but the good matter which his work contains makes compensation. He died in 1677, aged 66.

Harvey is entitled to the glory of having made, by reasoning alone, without any mixture of accident, a capital discovery in one of the most important branches of science. He had also the happiness of establishing at once his theory on the most solid and convincing proofs; and posterity has added little to the arguments suggested by his industry and ingenuity. His treatise of the circulation of the blood is further embellished by that warmth and spirit which so naturally accompany the genius of invention. This great man was much favoured by Charles I. who gave him the liberty of using all the deer in the royal forests for perfecting his discoveries on the generation of animals. It was remarked, that no physician in Europe who had reached forty years of age, ever, to the end of his life, adopted Harvey's doctrine of the circulation of the blood, and that his practice in London diminished extremely, from the reproach drawn upon him by that great and signal discovery. So slow is the progress of truth in every science, even when not opposed by factious or superstitious prejudices! He died in 1657, aged 79.

This age affords great materials for history; but did not produce any accomplished historian. Clarendon, however, will always be esteemed an entertaining writer, even independent of our curiosity to know the facts which he relates. His style is prolix and redundant, and suffocates us by the length of its periods: but it discovers imagination and sentiment, and pleases us at the same time that we disapprove of it. He is more partial in appearance than in reality: for he seems perpetually anxious to apologize for the king; but his apologies are often well grounded. He is less partial in his relation of facts, than in his account of characters: he was too honest a man to falsify the former; his affections were easily capable, unknown to himself, of disguising the latter. An air of probity and goodness runs through the whole work; as these qualities did in reality embellish the whole life of the author. He died in 1674, aged 66.

These are the chief performances which engage the attention of posterity. Those numberless productions, with which the press then abounded; the cant of the pulpit, the declamations of party, the subtilties of theology, all these have long ago sunk in silence and oblivion. Even a writer, such as Selden, whose learning was his chief excellency, or Chillingworth, an acute disputant against the papists, will scarcely be ranked among the classics of our language or country.

CHAPTER LXIII.

CHARLES II.

New Ministry——Act of Indemnity——Settlement of the Revenue——Trial and Execution of the Regicides——Dissolution of the Convention——Parliament——Prelacy restored——Insurrection of the Millenarians——Affairs of Scotland——Conference at the Savoy——Arguments for and against a Comprehension——A New Parliament——Bishops' Seats restored——Corporation Act——Act of Uniformity——King's Marriage——Trial of Vane, and Execution——Presbyterian Clergy ejected——Dunkirk sold to the French——Declaration of Indulgence——Decline of Clarendon's Credit.

1660. CHARLES II., when he ascended the throne of his ancestors, was thirty years of age. He possessed a vigorous constitution, a fine shape, a manly figure, a graceful air; and though his features were harsh, yet was his countenance in the main lively and engaging. He was in that period of life when there remains enough of youth to render the person amiable, without preventing that authority and regard which attend the years of experience and maturity. Tenderness was excited by the memory of his recent adversities. His present prosperity was the object rather of admiration than of envy. And as the sudden and surprising revolution, which restored him to his regal rights, had also restored the nation to peace, law, order, and liberty; no prince ever obtained a crown in more favourable circumstances, or was more blest with the cordial affection and attachment of his subjects.

This popularity the king, by his whole demeanour and behaviour was well qualified to support and to increase. To a lively wit and quick comprehension, he united a just understanding, and a general observation both of men and things. The easiest manners, the most unaffected politeness, the most engaging gaiety,

accompanied his conversation and address. Accustomed, during his exile, to live among his courtiers rather like a companion than a monarch, he retained, even while on the throne, that open affability, which was capable of reconciling the most determined republicans to his royal dignity. Totally devoid of resentment, as well from the natural lenity as carelessness of his temper, he insured pardon to the most guilty of his enemies, and left hopes of favour to his most violent opponents. From the whole tenor of his actions and discourse, he seemed desirous of losing the memory of past animosities, and of uniting every party in an affection for their prince and their native country.

NEW MINISTRY.

Into his council were admitted the most eminent men of the nation, without regard to former distinctions: the presbyterians, equally with the royalists, shared this honour. Annesley was also created earl of Anglesey; Ashley Cooper, lord Ashley; Denzil Hollis, lord Hollis. The earl of Manchester was appointed lord chamberlain, and lord Say privy-seal. Calamy and Baxter, presbyterian clergymen, were even made chaplains to the king.

Admiral Montague, created earl of Sandwich, was entitled, from his recent services, to great favour; and he obtained it. Monk, created duke of Albemarle, had performed such signal services, that, according to a vulgar and malignant observation, he ought rather to have expected hatred and ingratitude: yet was he ever treated by the king with great marks of distinction. Charles's disposition, free from jealousy, and the prudent behaviour of the general, who never overrated his merits, prevented all those disgusts which naturally arise in so delicate a situation. The capacity too of Albemarle was not extensive, and his parts were more solid than shining. Though he had distinguished himself in inferior stations, he was imagined, upon familiar acquaintance, not to be wholly equal to those great achievements, which fortune, united to prudence, had enabled him to perform; and he appeared unfit for the court, a scene of life to which he had never been accustomed. Morrice, his friend, was created secretary of state, and was supported more by his patron's credit than by his own abilities or experience.

But the choice which the king at first made of his principal ministers and favourites, was the circumstance which chiefly gave contentment to the nation, and prognosticated future happiness and tranquillity. Sir Edward Hyde, created earl of Clarendon, was chancellor and prime-minister: the marquis, created duke of Ormond, was steward of the household: the earl of Southampton, high-treasurer: sir Edward Nicholas, secretary of state. These men, united together in friendship, and combined in the same laudable inclinations, supported each other's credit, and pursued the interests of the public.

Agreeable to the present prosperity of public affairs, was the universal joy and festivity diffused throughout the nation. The melancholy austerity of the fanatics fell into discredit, together with their principles. The royalists, who had ever affected a contrary disposition, found in their recent success new motives for mirth and gaiety; and it now belonged to them to give repute and fashion to their manners. From past experience it had sufficiently appeared, that gravity was very distinct from wisdom, formality from virtue, and hypocrisy from religion. The king himself, who bore a strong propensity to pleasure, served, by his powerful and engaging example, to banish those sour and malignant humours, which had hitherto engendered such confusion. And though the just bounds were undoubtedly passed, when men returned from their former extreme; yet was the public happy in exchanging vices, pernicious to society, for disorders, hurtful chiefly to the individuals themselves who were guilty of them.

It required some time before the several parts of the state, disfigured by war and faction, could recover their former arrangement: but the parliament immediately fell into good correspondence with the king, and they treated him with the same dutiful regard which had usually been paid to his predecessors. Being summoned without the king's consent, they received, at first, only the title of a convention; and it was not till he passed an act for that purpose, that they were called by the appellation of parliament. All judicial proceedings, transacted in the name of the commonwealth or protector, were ratified by a new law. And both houses, acknowledging the guilt of the former rebellion, gratefully received in their own name, and in that of all the subjects, his majesty's gracious pardon and indemnity.

ACT OF INDEMNITY.

The king, before his restoration, being afraid of reducing any of his enemies to despair, and at the same time unwilling that such enormous crimes as had been committed should receive a total impunity, had expressed himself very cautiously in his declaration of Breda, and had promised an indemnity to all criminals but such as should be excepted by parliament. He now issued a proclamation, declaring that such of the late king's judges as did not yield themselves prisoners within fourteen days should receive no pardon. Nineteen surrendered themselves; some were taken in their flight; others escaped beyond sea.

The commons seem to have been more inclined to lenity than the lords. The upper house, inflamed by the ill usage which they had received, were resolved, besides the late king's judges, to except every one who had sat in any high court of justice. Nay, the earl of Bristol moved, that no pardon might be granted to those who had anywise contributed to the king's death. So wide an exception, in which every one who had served the parliament might be comprehended, gave a general alarm; and men began to apprehend, that this motion was the effect of some court artifice or intrigue. But the king soon dissipated these fears. He came to the house of peers; and, in the most earnest terms, pressed the act of general indemnity. He urged both the necessity of the thing and the obligation of his former promise: a promise, he said, which he would ever regard as sacred; since to it he probably owed the satisfaction, which at present he enjoyed, of meeting his people in parliament. This measure of the king's was received with great applause and satisfaction.

After repeated solicitations, the act of indemnity passed both houses, and soon received the royal assent. Those who had an immediate hand in the late king's death were there excepted: even Cromwell, Ireton, Bradshaw, and others, now dead, were attainted, and their estates forfeited. Vane and Lambert, though none of the regicides, were also excepted. St. John and seventeen persons more were deprived of all benefits from this act, if they ever accepted public employment. All who had sat in any illegal high court of justice were disabled from bearing offices. These were all the severities which followed such furious civil wars and convulsions.

SETTLEMENT OF THE REVENUE.

The next business was the settlement of the king's revenue. In this work, the parliament had regard to public freedom, as well as to the support of the crown. The tenures of wards and liveries had long been regarded as a grievous burden by the nobility and gentry; several attempts had been made during the reign of James to purchase this prerogative, together with that of purveyance; and 200,000 pounds a year had been

offered that prince in lieu of them: wardships and purveyance had been utterly abolished by the republican parliament: and even in the present parliament, before the king had arrived in England, a bill had been introduced, offering him a compensation for the emolument of these prerogatives. A hundred thousand pounds a year was the sum agreed to; and half of the excise was settled in perpetuity upon the crown as the fund whence this revenue should be levied. Though that impost yielded more profit, the bargain might be esteemed hard; and it was chiefly the necessity of the king's situation, which induced him to consent to it. No request of the parliament, during the present joy, could be refused them.

Tonnage and poundage and the other half of the excise were granted to the king during life. The parliament even proceeded so far as to vote that the settled revenue of the crown for all charges should be 1,200,000 pounds a year; a sum greater than any English monarch had ever before enjoyed. But as all the princes of Europe were perpetually augmenting their military force, and consequently their expense, it became requisite that England, from motives both of honour and security, should bear some proportion to them, and adapt its revenue to the new system of politics which prevailed. According to the chancellor's computation, a charge of 800,000 pounds a year was at present requisite for the fleet and other articles, which formerly cost the crown but eighty thousand.

Had the parliament, before restoring the king, insisted on any further limitations than those which the constitution already imposed, besides the danger of reviving former quarrels among parties; it would seem that their precautions had been entirely superfluous. By reason of its slender and precarious revenue, the crown in effect was still totally dependent. Not a fourth part of this sum, which seemed requisite for public expenses, could be levied without consent of parliament; and any concessions, had they been thought necessary, might, even after the Restoration, be extorted by the commons from their necessitous prince. This parliament showed no intention of employing at present that engine to any such purposes; but they seemed still determined not to part with it entirely, or to render the revenues of the crown fixed and independent. Though they voted in general, that 1,200,000 pounds a year should be settled on the king, they scarcely assigned any funds which could yield two thirds of that sum. And they left the care of fulfilling their engagements to the future consideration of parliament.

In all the temporary supplies which they voted, they discovered the same cautious frugality. To disband the army, so formidable in itself and so much accustomed to rebellion and changes of government, was necessary for the security both of king and parliament; yet the commons showed great jealousy in granting the sums requisite for that end. An assessment of 70,000 pounds a month was imposed; but it was at first voted to continue only three months: and all the other sums, which they levied for that purpose, by a poll-bill and new assessments, were still granted by parcels; as if they were not, as yet, well assured of the fidelity of the hand to which the money was intrusted. Having proceeded so far in the settlement of the nation, the parliament adjourned itself (13th September) for some time.

TRIAL AND EXECUTION OF THE REGICIDES.

During the recess of parliament, the object which chiefly interested the public, was the trial and condemnation of the regicides. The general indignation, attending the enormous crime of which these men had been guilty, made their sufferings the subject of joy to the people: but in the peculiar circumstances of that action, in the prejudices of the times, as well as in the behaviour of the criminals, a mind, seasoned with humanity, will find a plentiful source of compassion and indulgence. Can any one, without concern for human blindness and ignorance, consider the demeanour of general Harrison, who was first brought to his trial? With great courage and elevation of sentiment, he told the court, that the pretended crime, of which he stood accused, was not a deed performed in a corner: the sound of it had gone forth to most nations: and in the singular and marvellous conduct of it had chiefly appeared the sovereign power of Heaven. That he himself, agitated by doubts, had often, with passionate tears, offered up his addresses to the divine majesty, and earnestly sought for light and conviction: he had still received assurance of a heavenly sanction, and returned from these devout supplications with more serene tranquillity and satisfaction. That all the nations of the earth were, in the eyes of their Creator, less than a drop of water in the bucket; nor were their erroneous judgments aught but darkness, compared with divine illuminations. That these frequent illapses of the Divine Spirit he could not suspect to be interested illusions; since he was conscious that for no temporal advantage, would he offer injury to the poorest man or woman that trod upon the earth. That all the allurements of ambition, all the terrors of imprisonment, had not been able, during the usurpation of Cromwell, to shake his steady resolution, or bend him to a compliance with that deceitful tyrant. And that when invited by him to sit on the right hand of the throne, when offered riches and splendour and dominion, he had disdainfully rejected all temptations; and, neglecting the tears of his friends and family, had still, through every danger, held fast his principles and his integrity.

Scot, who was more a republican than a fanatic, had said in the house of commons, a little before the Restoration, that he desired no other epitaph to be inscribed on his tombstone than this: "Here lies Thomas Scot, who adjudged the king to death." He supported the same spirit upon his trial.

Carew, a millenarian, submitted to his trial, *saving to our Lord Jesus Christ his right to the government of these kingdoms.* Some scrupled to say, according to form, that they would be tried by God and their country; because God was not visibly present to judge them. Others said, that they would be tried by the word of God.

No more than six of the late king's judges, Harrison, Scot, Carew, Clement, Jones, and Scrope, were executed: Scrope alone, of all those who came in upon the king's proclamation. He was a gentleman of good family, and of a decent character; but it was proved, that he had a little before, in conversation, expressed himself as if he were nowise convinced of any guilt in condemning the king. Axtel, who had guarded the high court of justice, Hacker, who commanded on the day of the king's execution, Coke, the solicitor for the people of England, and Hugh Peters, the fanatical preacher, who inflamed the army and impelled them to regicide: all these were tried and condemned, and suffered with the king's judges. No saint or confessor ever went to martyrdom with more assured confidence of heaven than was expressed by those criminals, even when the terrors of immediate death, joined to many indignities, were set before them. The rest of the king's judges, by an unexampled lenity, were reprieved; and they were dispersed into several prisons.

This punishment of declared enemies interrupted not the rejoicings of the court: but the death of the duke of Gloucester, (13th September,) a young prince of promising hopes, threw a great cloud upon them. The king, by no incident in his life, was ever so deeply affected. Gloucester was observed to possess united the good qualities of both his brothers: the clear judgment and penetration of the king; the industry and application of the duke of York. He was also believed to be affectionate to the religion and constitution of his country. He was but twenty years of age, when the small-pox put an end to his life

The princess of Orange, having come to England, in order to partake of the joy attending the restoration of her family, with whom she lived in great friendship, soon after sickened and died. The queen-mother paid a visit to her son; and obtained his consent to the marriage of the princess Henrietta with the duke of Orleans, brother to the French king.

DISSOLUTION OF THE CONVENTION PARLIAMENT. *December* 29.

After a recess of near two months, the parliament met, and proceeded in the great work of the national settlement. They established the post-office, wine licences, and some articles of the revenue. They granted more assessments, and some arrears, for paying and disbanding the army. Business, being carried on with great unanimity, was soon dispatched: and after they had sat near two months, the king, in a speech full of the most gracious expressions, thought proper to dissolve them.

This house of commons had been chosen during the reign of the old parliamentary party; and though many royalists had crept in amongst them, yet did it chiefly consist of presbyterians, who had not yet entirely laid aside their old jealousies and principles. Lenthal, a member, having said, that those who first took arms against the king, were as guilty as those who afterwards brought him to the scaffold, was severely reprimanded by order of the house; and the most violent efforts of the long parliament, to secure the constitution, and bring delinquents to justice, were in effect vindicated and applauded. The claim of the two houses to the militia, the first ground of the quarrel, however exorbitant an usurpation, was never expressly resigned by this parliament. They made all grants of money with a very sparing hand. Great arrears being due by the protector to the fleet, the army, the navy-office, and every branch of service, this whole debt they threw upon the crown, without establishing funds sufficient for its payment. Yet notwithstanding this jealous care, expressed by the parliament, there prevails a story, that Popham, having sounded the disposition of the members, undertook to the earl of Southampton to procure, during the king's life, a grant of two millions a year land-tax: a sum which, added to the customs and excise, would for ever have rendered this prince independent of his people. Southampton, it is said, merely from his affection to the king, had unwarily embraced the offer; and it was not till he communicated the matter to the chancellor, that he was made sensible of its pernicious tendency. It is not improbable that such an offer might have been made, and been hearkened to; but it is nowise probable that all the interest of the court would ever, with this house of commons, have been able to make it effectual. Clarendon showed his prudence, no less than his integrity, in entirely rejecting it.

The chancellor, from the same principles of conduct, hastened to disband the army. When the king reviewed these veteran troops, he was struck with their beauty, order, discipline, and martial appearance; and being sensible, that regular forces are most necessary implements of royalty, he expressed a desire of finding expedients still to retain them. But his wise minister set before him the dangerous spirit by which these troops were actuated, their enthusiastic genius, their habits of rebellion and mutiny; and he convinced the king, that, till they were disbanded, he never could esteem himself securely established on his throne. No more troops were retained than a few guards and garrisons, about 1000 horse, and 4000 foot. This was the first appearance under the monarchy, of a regular standing army in this island. Lord Mordaunt said, that the king, being possessed of that force, might now look upon himself as the most considerable gentleman in England.* The fortifications of Gloucester, Taunton, and other towns, which had made resistance to the king during the civil wars, were demolished.

Clarendon not only behaved with wisdom and justice in the office of chancellor: all the counsels, which he gave the king, tended equally to promote the interest of prince and people. Charles, accustomed in his exile to pay entire deference to the judgment of this faithful servant, continued still to submit to his direction; and for some time no minister was ever possessed of more absolute authority. He moderated the forward zeal of the royalists, and tempered their appetite for revenge. With the opposite party, he endeavoured to preserve inviolate all the king's engagements: he kept an exact register of the promises which had been made for any service, and he employed all his industry to fulfil them. This good minister was now nearly allied to the royal family. His daughter, Ann Hyde, a woman of spirit and fine accomplishments, had hearkened, while abroad, to the addresses of the duke of York, and, under promise of marriage, had secretly admitted him to her bed. Her pregnancy appeared soon after the Restoration; and though many endeavoured to dissuade the king from consenting to so unequal an alliance, Charles, in pity to his friend and minister, who had been ignorant of these engagements, permitted his brother to marry her. Clarendon expressed great uneasiness at the honour which he had obtained: and said, that, by being elevated so much above his rank, he thence dreaded a more sudden downfall.

PRELACY RESTORED.

Most circumstances of Clarendon's administration have met with applause: his maxims alone in the conduct of ecclesiastical politics have by many been deemed the effect of prejudices narrow and bigoted. Had the jealousy of royal power prevailed so far with the convention parliament, as to make them restore the king with strict limitations, there is no question but the establishment of presbyterian discipline had been one of the conditions most rigidly insisted on. Not only that form of ecclesiastical government is more favourable to liberty than to royal power: it was likewise, on its own account, agreeable to the majority of the house of commons, and suited their religious principles. But as the impatience of the people, the danger of delay, the general disgust towards faction, and the authority of Monk, had prevailed over that jealous project of limitations, the full settlement of the hierarchy, together with the monarchy, was a necessary and infallible consequence. All the royalists were zealous for that mode of religion; the merits of the episcopal clergy towards the king, as well as their sufferings on that account, had been great; the laws which established bishops and the liturgy were as yet unrepealed by legal authority; and any attempt of the parliament, by new acts, to give the superiority to presbyterianism, had been sufficient to involve the nation again in blood and confusion. Moved by these views, the commons had wisely postponed the examination of all religious controversy, and had left the settlement of the church to the king and to the ancient laws.

The king at first used great moderation in the execution of the laws. Nine bishops still remained alive; and these were immediately restored to their sees: all the ejected clergy recovered their livings: the liturgy a form of worship decent, and not without beauty, was again admitted into the churches: but, at the same time, a declaration was issued, in order to give contentment to the presbyterians, and preserve an air of moderation and neutrality. In this declaration, the king promised that he would provide suffragan bishops for the larger dioceses; that the prelates should, all of them, be regular and constant preachers; that they should not confer ordination, or exercise any jurisdiction, without the advice and assistance of presbyters, chosen by the diocese; that such alterations should be

* King James's Memoirs. This prince says, that Venner's insurrection furnished a reason or pretence for keeping up the guards, which were intended to first Corbet's plot, disbanded with the rest of the army

made in the liturgy as would render it totally unexceptionable; that, in the meantime, the use of that mode of worship should not be imposed on such as were unwilling to receive it; and that the surplice, the cross in baptism, and kneeling at the name of Jesus, should not be rigidly insisted on. This declaration was issued by the king as head of the church; and he plainly assumed, in many parts of it, a legislative authority in ecclesiastical matters. But the English government, though more exactly defined by the late contests, was not as yet reduced in every particular, to the strict limits of law. And if ever prerogative was justifiably employed, it seemed to be on the present occasion, when all parts of the state were torn with past convulsions, and required the moderating hand of the chief magistrate to reduce them to their ancient order.

INSURRECTION OF THE MILLENARIANS.

But though these appearances of neutrality were maintained, and a mitigated episcopacy only seemed to be insisted on, it was far from the intention of the ministry always to preserve like regard to the presbyterians. The madness of the fifth monarchy men afforded them a pretence for departing from it. Venner, a desperate enthusiast, who had often conspired against Cromwell, having, by his zealous lectures, inflamed his own imagination and that of his followers, issued forth at their head into the streets of London. They were, to the number of sixty, completely armed, believed themselves invulnerable and invincible, and firmly expected the same success which had attended Gideon and other heroes of the Old Testament. Every one at first fled before them. One unhappy man, who, being questioned, said, "He was for God and king Charles," was instantly murdered by them. They went triumphantly from street to street, everywhere proclaiming king Jesus, who, they said, was their invisible leader. At length the magistrates, having assembled some train-bands, made an attack upon them. They defended themselves with order, as well as valour; and, after killing many of the assailants, they made a regular retreat into Cane-Wood, near Hampstead. Next morning they were chased thence by a detachment of the guards; but they ventured again to invade the city, which was not prepared to receive them. After committing great disorder, and traversing almost every street of that immense capital, they retired into a house, which they were resolute to defend to the last extremity. Being surrounded, and the house untiled, they were fired upon from every side, and they still refused quarter. The people rushed in upon them, and seized the few who were alive. These were tried, condemned, and executed; and to the last they persisted in affirming, that if they were deceived, it was the Lord that had deceived them.

Clarendon and the ministry took occasion from this insurrection, to infer the dangerous spirit of the presbyterians, and of all the sectaries: but the madness of the attempt sufficiently proved, that it had been undertaken by no concert, and never could have proved dangerous. The well-known hatred too, which prevailed between the presbyterians and the other sects, should have removed the former from all suspicion of any concurrence in the enterprise. But as a pretence was wanted, besides their old demerits, for justifying the intended rigours against all of them, this reason, however slight, was greedily laid hold of.

AFFAIRS OF SCOTLAND.

Affairs in Scotland hastened with still quicker steps than those in England towards a settlement and a compliance with the king. It was deliberated in the English council, whether that nation should be restored to its liberty, or whether the forts erected by Cromwell should not still be upheld in order to curb the mutinous spirit by which the Scots in all ages had been so much governed. Lauderdale, who, from the battle of Worcester to the Restoration, had been detained prisoner in the Tower, had considerable influence with the king; and he strenuously opposed this violent measure. He represented, that it was the loyalty of the Scottish nation which had engaged them in an opposition to the English rebels; and to take advantage of the calamities into which, on that account, they had fallen, would be regarded as the highest injustice and ingratitude: that the spirit of that people was now fully subdued by the servitude under which the usurpers had so long held them, and would of itself yield to any reasonable compliance with their legal sovereign, if, by this means, they recovered their liberty and independence: that the attachment of the Scots towards their king, whom they regarded as their native prince, was naturally much stronger than that of the English; and would afford him a sure resource, in case of any rebellion among the latter: that republican principles had long been, and still were, very prevalent with his southern subjects, and might again menace the throne with new tumults and resistance: that the time would probably come, when the king, instead of desiring to see English garrisons in Scotland, would be better pleased to have Scottish garrisons in England, who, supported by English pay, would be found to curb the seditious genius of that opulent nation: and that a people, such as the Scots, governed by a few nobility, would more easily be reduced to submission under monarchy, than one like the English, who breathed nothing but the spirit of democratical equality.

1661. These views induced the king to disband all the forces in Scotland, (1st January,) and to raze all the forts which had been erected. General Middleton, created earl of that name, was sent commissioner to the parliament, which was summoned. A very compliant spirit was there discovered in all orders of men. The commissioner had even sufficient influence to obtain an act, annulling, at once, all laws which had passed since the year 1633, on pretext of the violence which, during that time, had been employed against the king and his father, in order to procure their assent to these statutes. This was a very large, if not an unexampled, concession; and, together with many dangerous limitations, overthrew some useful barriers which had been erected to the constitution. But the tide was now running strongly towards monarchy; and the Scottish nation plainly discovered, that their past resistance had proceeded more from the turbulence of their aristocracy, and the bigotry of their ecclesiastics, than from any fixed passion towards civil liberty. The lords of articles were restored, with some other branches of prerogative; and royal authority, fortified with more plausible claims and pretences, was, in its full extent, re-established in that kingdom.

The prelacy likewise, by the abrogating of every statute enacted in favour of presbytery, was thereby tacitly restored; and the king deliberated what use he should make of this concession. Lauderdale, who at bottom was a passionate zealot against episcopacy, endeavoured to persuade him, that the Scots, if gratified in this favourite point of ecclesiastical government, would, in every other demand, be entirely compliant with the king. Charles, though he had no such attachment to prelacy as had influenced his father and grandfather, had suffered such indignities from the Scottish presbyterians, that he ever after bore them a hearty aversion. He said to Lauderdale, that presbyterianism, he thought, was not a religion for a gentleman; and he could not consent to its further continuance in Scotland. Middleton too and his other ministers persuaded him, that the nation in general was so disgusted with the violence and tyranny of the ecclesiastics, that any alteration of church government would be universally grateful. And Clarendon, as well as Ormond, dreading that the presbyterian sect, if legally established in

Scotland, would acquire authority in England and Ireland, seconded the application of these ministers. The resolution was therefore taken to restore prelacy; a measure afterwards attended with many and great inconveniences: but whether in this resolution Charles chose not the lesser evil, it is very difficult to determine. Sharp, who had been commissioned by the presbyterians in Scotland to manage their interests with the king, was persuaded to abandon that party; and, as a reward for his compliance, was created archbishop of St. Andrews. The conduct of ecclesiastical affairs was chiefly intrusted to him; and as he was esteemed a traitor and a renegade by his old friends, he became on that account, as well as from the violence of his conduct, extremely obnoxious to them.

Charles had not promised to Scotland any such indemnity as he had ensured to England by the declaration of Breda: and it was deemed more political for him to hold over men's heads, for some time, the terror of punishment, till they should have made the requisite compliances with the new government. Though neither the king's temper nor plan of administration led him to severity, some examples, after such a bloody and triumphant rebellion, seemed necessary; and the marquis of Argyle, and one Guthry, were pitched on as the victims. Two acts of indemnity, one passed by the late king in 1641, another by the present in 1651, formed it was thought, invincible obstacles to the punishment of Argyle; and barred all inquiry into that part of his conduct which might justly be regarded as the most exceptionable. Nothing remained but to try him for his compliance with the usurpation; a crime common to him with the whole nation, and such a one as the most loyal and affectionate subject might frequently by violence be obliged to commit. To make this compliance appear the more voluntary and hearty, there were produced in court letters which he had written to Albemarle, while that general commanded in Scotland, and which contained expressions of the most cordial attachment to the established government. But besides the general indignation excited by Albemarle's discovery of this private correspondence, men thought that even the highest demonstrations of affection might, during jealous times, be exacted as a necessary mark of compliance from a person of such distinction as Argyle, and could not, by any equitable construction, imply the crime of treason. The parliament, however, scrupled not to pass sentence upon him; and he died with great constancy and courage. As he was universally known to have been the chief instrument of the past disorders and civil wars, the irregularity of his sentence, and several iniquitous circumstances in the method of conducting his trial, seemed, on that account, to admit of some apology. Lord Lorne, son of Argyle, having ever preserved his loyalty, obtained a gift of the forfeiture, Guthry was a seditious preacher, and had personally affronted the king; his punishment gave surprise to nobody. Sir Archibald Johnstone of Warriston was attainted and fled; but was seized in France about two years after, brought over, and executed. He had been very active during all the late disorders, and was even suspected of a secret correspondence with the English regicides.

Besides these instances of compliance in the Scottish parliament, they voted an additional revenue to the king of 40,000 pounds a year, to be levied by way of excise. A small force was purposed to be maintained by this revenue, in order to prevent like confusions with those to which the kingdom had been hitherto exposed. An act was also passed, declaring the covenant unlawful, and its obligation void and null.

CONFERENCE AT THE SAVOY. *March* 25.

In England, the civil distinctions seemed to be abolished by the lenity and equality of Charles's administration. Cavalier and Roundhead were heard of no more: all men seemed to concur in submitting to the king's lawful prerogatives, and in cherishing the just privileges of the people and of parliament. Theological controversy alone still subsisted, and kept alive some sparks of that flame which had thrown the nation into combustion. While catholics, independents, and other sectaries were content with entertaining some prospect of toleration, prelacy and presbytery struggled for the superiority; and the hopes and fears of both parties kept them in agitation. A conference was held in the Savoy between twelve bishops and twelve leaders among the presbyterian ministers, with an intention, at least on pretence, of bringing about an accommodation between the parties. The surplice, the cross in baptism, the kneeling at the sacrament, the bowing at the name of Jesus, were anew canvassed; and the ignorant multitude were in hopes that so many men of gravity and learning could not fail, after deliberate argumentation, to agree in all points of controversy: they were surprised to see them separate more inflamed than ever, and more confirmed in their several prejudices. To enter into particulars would be superfluous. Disputes concerning religious forms are, in themselves, the most frivolous of any; and merit attention only so far as they have influence on the peace and order of civil society.

ARGUMENTS FOR AND AGAINST A COMPREHENSION.

The king's declaration had promised, that some endeavours should be used to effect a comprehension of both parties; and Charles's own indifference with regard to all such questions seemed a favourable circumstance for the execution of that project. The partisans of a comprehension said, that the presbyterians, as well as the prelatists, having felt by experience the fatal effects of obstinacy and violence, were now well disposed towards an amicable agreement: that the bishops, by relinquishing some part of their authority, and dispensing with the most exceptionable ceremonies, would so gratify their adversaries as to obtain their cordial and affectionate compliance, and unite the whole nation in one faith and one worship: that by obstinately insisting on forms, in themselves insignificant, an air of importance was bestowed on them, and men were taught to continue equally obstinate in rejecting them: that the presbyterian clergy would go every reasonable length, rather than, by parting with their livings, expose themselves to a state of beggary, at best of dependence: and that if their pride were flattered by some seeming alterations, and a pretence given them for affirming that they had not abandoned their former principles, nothing further was wanting to produce a thorough union between those two parties, which comprehended the bulk of the nation.

It was alleged on the other hand, that the difference between religious sects was founded, not on principle, but on passion; and till the irregular affections of men could be corrected, it was in vain to expect, by compliances, to obtain a perfect unanimity and comprehension: that the more insignificant the objects of dispute appeared, with the more certainty might it be inferred, that the real ground of dissension was different from that which was universally pretended: that the love of novelty, the pride of argumentation, the pleasure of making proselytes, and the obstinacy of contradiction, would for ever give rise to sects and disputes; nor was it possible that such a source of dissension could ever, by any concessions, be entirely exhausted: that the church, by departing from ancient practices and principles, would tacitly acknowledge herself guilty of error, and lose that reverence, so requisite for preserving the attachment of the multitude; and that if the present concessions (which was more than probable) should prove ineffectual, greater must still be made; and in the issue, discipline would be despoiled of all its authority, and worship of all its decency,

without obtaining that end which had been so fondly sought for by these dangerous indulgences.

The ministry were inclined to give the preference to the latter arguments; and were the more confirmed in that intention by the disposition, which appeared in the parliament lately assembled. (8th May.) The royalists and zealous churchmen were at present the popular party in the nation, and, seconded by the efforts of the court, had prevailed in most elections. Not more than fifty-six members of the presbyterian party had obtained seats in the lower house; and these were not able either to oppose or retard the measures of the majority. Monarchy, therefore, and episcopacy, were now exalted to as great power and splendour as they had lately suffered misery and depression. Sir Edward Turner was chosen speaker.

An act was passed for the security of the king's person and government. To intend or devise the king's imprisonment, or bodily harm, or deposition, or levying war against him, was declared, during the lifetime of his present majesty, to be high-treason. To affirm him to be a papist or heretic, or to endeavour by speech or writing to alienate his subjects' affections from him; these offences were made sufficient to incapacitate the person guilty from holding any employment in church or state. To maintain that the long parliament is not dissolved, or that either or both houses, without the king, are possessed of legislative authority, or that the covenant is binding, was made punishable by the penalty of premunire.

The covenant itself, together with the act for erecting the high court of justice, that for subscribing the engagement, and that for declaring England a commonwealth, were ordered to be burnt by the hands of the hangman. The people assisted with great alacrity on this occasion.

The abuses of petitioning in the preceding reign had been attended with the worst consequences; and to prevent such irregular practices for the future, it was enacted, that no more than twenty hands should be fixed to any petition, unless with the sanction of three justices, or the major part of the grand jury; and that no petition should be presented to the king or either house by above ten persons. The penalty annexed to a transgression of this law was a fine of a hundred pounds and three months imprisonment.

BISHOPS' SEATS RESTORED.

The bishops, though restored to their spiritual authority, were still excluded from parliament by the law which the late king had passed immediately before the commencement of the civil disorders. Great violence, both against the king and the house of peers, had been employed in passing this law; and on that account alone, the partisans of the church were provided with a plausible pretence for repealing it. Charles expressed much satisfaction, when he gave his assent to the act for that purpose. It is certain, that the authority of the crown, as well as that of the church, was interested in restoring the prelates to their former dignity. But those, who deemed every acquisition of the prince a detriment to the people, were apt to complain of this instance of complaisance in the parliament.

After an adjournment of some months, the parliament was again assembled, (20th November,) and proceeded in the same spirit as before. They discovered no design of restoring, in its full extent, the ancient prerogative of the crown: they were only anxious to repair all those breaches which had been made, not by the love of liberty, but by the fury of faction and civil war. The power of the sword had, in all ages, been allowed to be vested in the crown; and though no law conferred this prerogative, every parliament, till the last of the preceding reign, had willingly submitted to an authority more ancient, and therefore more sacred, than that of any positive statute. It was now thought proper solemnly to relinquish the violent pretensions of that parliament, and to acknowledge, that neither one house, nor both houses, independent of the king, were possessed of any military authority. The preamble to this statute went so far as to renounce all right even of *defensive* arms against the king; and much observation has been made with regard to a concession esteemed so singular. Were these terms taken in their full literal sense, they imply a total renunciation of limitations to monarchy, and of all privileges in the subject, independent of the will of the sovereign. For as no rights can subsist without some remedy, still less rights exposed to so much invasion from tyranny, or even from ambition; if subjects must never resist, it follows, that every prince, without any effort, policy, or violence, is at once rendered absolute and uncontrollable: the sovereign needs only issue an edict, abolishing every authority but his own; and all liberty, from that moment, is in effect annihilated. But this meaning it were absurd to impute to the present parliament, who, though zealous royalists, showed in their measures, that they had not cast off all regard to national privileges. They were probably sensible, that to suppose in the sovereign any such invasion of public liberty is entirely unconstitutional; and that therefore expressly to reserve, upon that event, any right of resistance in the subject, must be liable to the same objection. They had seen that the long parliament, under colour of defence, had begun a violent attack upon kingly power; and, after involving the kingdom in blood, had finally lost that liberty for which they had so imprudently contended. They thought, perhaps erroneously, that it was no longer possible, after such public and such exorbitant pretensions, to persevere in that prudent silence hitherto maintained by the laws; and that it was necessary, by some positive declaration, to bar the return of like inconveniencies. When they excluded, therefore, the right of defence, they supposed, that the constitution remaining firm upon its basis, there never really could be an attack made by the sovereign. If such an attack was at any time made, the necessity was then extreme: and the case of extreme and violent necessity, no laws, they thought, could comprehend; because to such a necessity no laws could beforehand point out a proper remedy.

CORPORATION ACT.

The other measures of this parliament still discovered a more anxious care to guard against rebellion in the subject than encroachments in the crown: the recent evils of civil war and usurpation had naturally increased the spirit of submission to the monarch, and had thrown the nation into that dangerous extreme. During the violent and jealous government of the parliament and of the protectors, all magistrates, liable to suspicion, had been expelled the corporations; and none had been admitted, who gave not proofs of affection to the ruling powers, or who refused to subscribe the covenant. To leave all authority in such hands seemed dangerous; and the parliament, therefore, empowered the king to appoint commissioners for regulating the corporations, and expelling such magistrates as either intruded themselves by violence, or professed principles dangerous to the constitution, civil and ecclesiastical. It was also enacted, that all magistrates should disclaim the obligation of the covenant, and should declare, both their belief, that it was not lawful, upon any pretence whatsoever, to resist the king, and their abhorrence of the traitorous position of taking arms by the king's authority against his person, or against those who were commissioned by him.

ACT OF UNIFORMITY. 1662.

The care of the church was no less attended to by this parliament, than that of monarchy; and the bill of uniformity was a pledge of their sincere attachment to the episcopal hierarchy, and of their antipathy to

presbyterianism. Different parties, however, concurred in promoting this bill, which contained many severe clauses. The independents and other sectaries, enraged to find all their schemes subverted by the presbyterians, who had once been their associates, exerted themselves to disappoint that party of the favour and indulgence, to which, from their recent merits in promoting the Restoration, they thought themselves justly entitled. By the presbyterians, said they, the war was raised: by them was the populace first incited to tumults: by their zeal, interest, and riches were the armies supported: by their force was the king subdued: and if, in the sequel, they protested against those extreme violences, committed on his person by the military leaders, their opposition came too late, after having supplied these usurpers with the power and the pretences, by which they maintained their sanguinary measures. They had indeed concurred with the royalists in recalling the king: but ought they to be esteemed, on that account, more affectionate to the royal cause? Rage and animosity, from disappointed ambition, were plainly their sole motives; and if the king should now be so imprudent as to distinguish them by any particular indulgencies, he would soon experience from them the same hatred and opposition which had proved so fatal to his father.

The catholics, though they had little interest in the nation, were a considerable party at court; and from their services and sufferings during the civil wars, it seemed but just to bear them some favour and regard. These religionists dreaded an entire union among the protestants. Were they the sole nonconformists in the nation, the severe execution of penal laws upon their sect seemed an infallible consequence; and they used, therefore, all their interest to push matters to extremity against the presbyterians, who had formerly been their most severe oppressors, and whom they now expected for their companions in affliction. The earl of Bristol, who, from conviction, or interest, or levity, or complaisance for the company with whom he lived, had changed his religion during the king's exile, was regarded as the head of this party.

The church party had, during so many years, suffered such injuries and indignities from the sectaries of every denomination, that no moderation, much less deference, was on this occasion to be expected in the ecclesiastics. Even the laity of that communion seemed now disposed to retaliate upon their enemies, according to the usual measures of party justice. This sect or faction (for it partook of both) encouraged the rumours of plots and conspiracies against the government; crimes which, without any apparent reason, they imputed to their adversaries. And instead of enlarging the terms of communion, in order to comprehend the presbyterians, they gladly laid hold of the prejudices which prevailed among that sect, in order to eject them from their livings. By the bill of uniformity it was required that every clergyman should be re-ordained, if he had not before received episcopal ordination; should declare his assent to everything contained in the Book of Common Prayer; should take the oath of canonical obedience; should abjure the solemn league and covenant; and should renounce the principle of taking arms, on any pretence whatsoever, against the king.

This bill reinstated the church in the same condition in which it stood before the commencement of the civil wars; and as the old persecuting laws of Elizabeth still subsisted in their full rigour, and new clauses of a like nature were now enacted, all the king's promises of toleration and of indulgence to tender consciences were thereby eluded and broken. It is true, Charles, in his declaration from Breda, had expressed his intention of regulating that indulgence by the advice and authority of parliament: but this limitation could never reasonably be extended to a total infringement and violation of his engagements. However, it is agreed, that the king did not voluntarily concur with this violent measure, and that the zeal of Clarendon and of the church party among the commons, seconded by the intrigues of the catholics, was the chief cause which extorted his consent.

The royalists, who now predominated, were very ready to signalize their victory, by establishing those high principles of monarchy which their antagonists had controverted: but when any real power or revenue was demanded for the crown, they were neither so forward nor so liberal in their concessions as the king would gladly have wished. Though the parliament passed laws for regulating the navy, they took no notice of the army; and declined giving their sanction to this dangerous innovation. The king's debts were become intolerable; and the commons were at last constrained to vote him an extraordinary supply of 1,200,000 pounds, to be levied by eighteen monthly assessments. But besides that this supply was much inferior to the occasion, the king was obliged earnestly to solicit the commons, before he could obtain it; and, in order to convince the house of its absolute necessity, he desired them to examine strictly into all his receipts and disbursements. Finding likewise upon inquiry, that the several branches of revenue fell much short of the sums expected, they at last, after much delay, voted a new imposition of two shillings on each hearth; and this tax they settled on the king during life. The whole established revenue, however, did not, for many years, exceed a million; a sum confessedly too narrow for the public expenses. A very rigid frugality at least, which the king seems to have wanted, would have been requisite to make it suffice for the dignity and security of government. After all business was dispatched, the parliament was prorogued. (19th May.)

KING'S MARRIAGE.

Before the parliament rose, the court was employed in making preparations for the reception of the new queen, Catherine of Portugal, to whom the king was betrothed, and who had just landed at Portsmouth. During the time that the protector carried on the war with Spain, he was naturally led to support the Portuguese in their revolt; and he engaged himself by treaty to supply them with 10,000 men for their defence against the Spaniards. On the king's restoration, advances were made by Portugal for the renewal of the alliance; and in order to bind the friendship closer, an offer was made of the Portuguese princess, and a portion of 500,000 pounds, together with two fortresses, Tangiers in Africa, and Bombay in the East Indies. Spain, who, after the peace of the Pyrenees, bent all her force to recover Portugal, now in appearance abandoned by France, took the alarm, and endeavoured to fix Charles in an opposite interest. The catholic king offered to adopt any other princess as a daughter of Spain, either the princess of Parma, or, what he thought more popular, some protestant princess, the daughter of Denmark, Saxony, or Orange; and on any of these, he promised to confer a dowry equal to that which was offered by Portugal. But many reasons inclined Charles rather to accept of the Portuguese proposals. The great disorders in the government and finances of Spain made the execution of her promises be much doubted; and the king's urgent necessities demanded some immediate supply of money. The interest of the English commerce likewise seemed to require that the independency of Portugal should be supported, lest the union of that crown with Spain should put the whole treasures of America into the hands of one potentate. The claims too of Spain upon Dunkirk and Jamaica, rendered it impossible, without further concessions, to obtain the cordial friendship of that power: and on the other hand, the offer, made by Portugal, of two such considerable fortresses, promised a great accession to the naval force of England. Above all, the proposals of a protestant princess was no allurement to Charles, whose inclinations led him strongly

to give the preference to a catholic alliance. According to the most probable accounts,* the resolution of marrying the daughter of Portugal was taken by the king, unknown to all his ministers; and no remonstrances could prevail with him to alter his intentions. When the matter was laid before the council, all voices concurred in approving the resolution; and the parliament expressed the same complaisance. And thus was concluded, (21st May,) seemingly with universal consent, the inauspicious marriage with Catherine, a princess of virtue, but who was never able, either by the graces of her person or humour, to make herself agreeable to the king. The report, however, of her natural incapacity to have children, seems to have been groundless; since she was twice declared to be pregnant.

The festivity of these espousals was clouded by the trial and execution of criminals. Berkstead, Cobbet, and Okey, three regicides, had escaped beyond sea; and after wandering some time concealed in Germany, came privately to Delft, having appointed their families to meet them in that place. They were discovered by Downing, the king's resident in Holland, who had formerly served the protector and commonwealth in the same station, and who once had even been chaplain to Okey's regiment. He applied for a warrant to arrest them. It had been usual for the States to grant these warrants; though, at the same time, they had ever been careful secretly to advertise the persons, that they might be enabled to make their escape. This precaution was eluded by the vigilance and dispatch of Downing. He quickly seized the criminals, hurried them on board a frigate which lay off the coast, and sent them to England. These three men behaved with more moderation and submission, than any of the other regicides who had suffered. Okey in particular, at the place of execution, prayed for the king, and expressed his intention, had he lived, of submitting peaceably to the established government. He had risen during the wars from being a chandler in London to a high rank in the army; and in all his conduct appeared to be a man of humanity and honour. In consideration of his good character and of his dutiful behaviour, his body was given to his friends to be buried.

TRIAL OF VANE.

The attention of the public was much engaged by the trial of two distinguished criminals, Lambert and Vane. These men, though none of the late king's judges, had been excepted from the general indemnity, and committed to prison. The convention-parliament, however, was so favourable to them, as to petition the king, if they should be found guilty, to suspend their execution: but this new parliament, more zealous for monarchy, applied for their trial and condemnation. Not to revive disputes, which were better buried in oblivion, the indictment of Vane did not comprehend any of his actions during the war between the king and parliament: it extended only to his behaviour after the late king's death, as member of the council of state, and secretary of the navy, where fidelity to the trust reposed in him required his opposition to monarchy.

Vane wanted neither courage nor capacity to avail himself of this advantage. He urged, that, if a compliance with the government, at that time established in England, and the acknowledging of its authority, were to be regarded as criminal, the whole nation had incurred equal guilt, and none would remain, whose innocence could entitle them to try or condemn him for his pretended treasons: that according to these maxims, wherever an illegal authority was established by force, a total and universal destruction must ensue; while the usurpers proscribed one part of the nation for disobedience, the lawful prince punished the other for compliance: that the legislature of England, foreseeing this violent situation, had provided for public security by the famous statute of Henry VII.; in which it was enacted, that no man, in case of any revolution, should ever be questioned for his obedience to the king in being: that whether the established government were a monarchy or a commonwealth, the reason of the thing was still the same; nor ought the expelled prince to think himself entitled to allegiance, so long as he could not afford protection: that it belonged not to private persons, possessed of no power, to discuss the title of their governors; and every usurpation, even the most flagrant, would equally require obedience with the most legal establishment: that the controversy between the late king and his parliament was of the most delicate nature; and men of the greatest probity had been divided in their choice of the party which they should embrace: that the parliament, being rendered indissoluble but by its own consent, was become a kind of co-ordinate power with the king; and as the case was thus entirely new and unknown to the constitution, it ought not to be tried rigidly by the letter of the ancient laws: that for his part, all the violences, which had been put upon the parliament, and upon the person of the sovereign, he had ever condemned; nor had he once appeared in the house for some time before and after the execution of the king: that finding the whole government thrown into disorder, he was still resolved, in every revolution, to adhere to the commons, the root, the foundation of all lawful authority: that in prosecution of this principle, he had cheerfully undergone all the violence of Cromwell's tyranny; and would now, with equal alacrity, expose himself to the rigours of perverted law and justice: that though it was in his power, on the king's restoration, to have escaped from his enemies, he was determined, in imitation of the most illustrious names of antiquity, to perish in defence of liberty, and to give testimony with his blood for that honourable cause, in which he had been enlisted: and that, besides the ties by which God and nature had bound him to his native country, he was voluntarily engaged by the most sacred covenant, whose obligation no earthly power should ever be able to make him relinquish.

EXECUTION OF VANE. *June* 14.

All the defence which Vane could make was fruitless. The court, considering more the general opinion of his active guilt in the beginning and prosecution of the civil wars, than the articles of treason charged against him, took advantage of the letter of the law, and brought him in guilty. His courage deserted him not upon his condemnation. Though timid by nature, the persuasion of a just cause supported him against the terrors of death; while his enthusiasm, excited by the prospect of glory, embellished the conclusion of a life, which, through the whole course of it, had been so much disfigured by the prevalence of that principle. Lest pity for a courageous sufferer should make impression on the populace, drummers were placed under the scaffold, whose noise, as he began to launch out in reflections on the government, drowned his voice, and admonished him to temper the ardour of his zeal. He was not astonished at this unexpected incident. In all his behaviour, there appeared a firm and animated intrepidity; and he considered death but as a passage to that eternal felicity, which he believed to be prepared for him.

This man, so celebrated for his parliamentary talents, and for his capacity in business, has left some writings behind him: they treat, all of them, of religious subjects, and are absolutely unintelligible: no traces of eloquence, or even of common sense, appear in them. A strange paradox! did we not know, that men of the greatest genius, where they relinquish by principle the

* Cont's Comment. vol. iv. p. 51. This [illegible] than that in Athanasius's Memoirs, that the elector's chief [illegible] Portuguese alliance. The [illegible] was [illegible] match.

use of their reason, are only enabled, by their vigour of mind, to work themselves the deeper into error and absurdity. It was remarkable, that, as Vane, by being the chief instrument of Strafford's death, had first opened the way for that destruction which overwhelmed the nation; so by his death he closed the scene of blood. He was the last that suffered on account of the civil wars. Lambert, though condemned, was reprieved at the bar; and the judges declared, that, if Vane's behaviour had been equally dutiful and submissive, he would have experienced like lenity in the king. Lambert survived his condemnation near thirty years. He was confined to the isle of Guernsey; where he lived contented, forgetting all his past schemes of greatness, and entirely forgotten by the nation: he died a Roman catholic.

PRESBYTERIAN CLERGY EJECTED.

August 24.

However odious Vane and Lambert were to the presbyterians, that party had no leisure to rejoice at their condemnation. The fatal St. Bartholomew approached; the day, when the clergy were obliged by the late law, either to relinquish their livings, or to sign the articles required of them. A combination had been entered into by the most zealous of the presbyterian ecclesiastics to refuse the subscription; in hopes that the bishops would not venture at once to expel so great a number of the most popular preachers. The catholic party at court, who desired a great rent among the protestants, encouraged them in this obstinacy, and gave them hopes that the king would protect them in their refusal. The king himself, by his irresolute conduct, contributed, either from design or accident, to increase this opinion. Above all, the terms of subscription had been made strict and rigid, on purpose to disgust all the zealous and scrupulous among the presbyterians, and deprive them of their livings. About 2000 of the clergy, in one day, relinquished their cures; and, to the astonishment of the court, sacrificed their interest to their religious tenets. Fortified by society in their sufferings, they were resolved to undergo any hardships, rather than openly renounce those principles, which, on other occasions, they were so apt, from interest, to warp or elude. The church enjoyed the pleasure of retaliation; and even pushed, as usual, the vengeance further than the offence. During the dominion of the parliamentary party, a fifth of each living had been left to the ejected clergymen; but this indulgence, though at first insisted on by the house of peers, was now refused to the presbyterians. However difficult to conciliate peace among theologians, it was hoped by many, that some relaxation in the terms of communion might have kept the presbyterians united to the church, and have cured those ecclesiastical factions which had been so fatal, and were still so dangerous. Bishoprics were offered to Calamy, Baxter, and Reynolds, leaders among the presbyterians; the last only could be prevailed on to accept. Deaneries and other preferments were refused by many.

DUNKIRK SOLD TO THE FRENCH.

The next measure of the king has not had the good fortune to be justified by any party; but is often considered, on what grounds I shall not determine, as one of the greatest mistakes, if not blemishes, of his reign. It is the sale of Dunkirk to the French. The parsimonious maxims of the parliament, and the liberal, or rather careless disposition of Charles, were ill suited to each other; and notwithstanding the supplies voted him, his treasury was still very empty and very much indebted. He had secretly received the sum of 200,000 crowns from France for the support of Portugal; but the forces sent over to that country, and the fleets maintained in order to defend it, had already cost the king that sum; and together with it, near double the money which had been paid as the queen's portion.* The time fixed for payment of his sister's portion to the duke of Orleans was approaching. Tangiers, a fortress from which great benefit was expected, was become an additional burden to the crown; and Rutherford, who now commanded in Dunkirk, had increased the charge of that garrison to a hundred and twenty thousand pounds a year. These considerations had such influence, not only on the king, but even on Clarendon, that this uncorrupt minister was the most forward to advise accepting a sum of money in lieu of a place which he thought the king, from the narrow state of his revenue, was no longer able to retain. By the treaty with Portugal it was stipulated that Dunkirk should never be yielded to the Spaniards: France was therefore the only purchaser that remained. D'Estrades was invited over by a letter from the chancellor himself in order to conclude the bargain. Nine hundred thousand pounds were demanded. One hundred thousand were offered. The English by degrees lowered their demand: the French raised their offer: and the bargain was concluded at 400,000 pounds. The artillery and stores were valued at a fifth of the sum. The importance of this sale was not, at that time, sufficiently known, either abroad or at home.† The French monarch himself, so fond of acquisitions, and so good a judge of his own interests, thought that he had made a hard bargain;‡ and this sum, in appearance so small, was the utmost which he would allow his ambassador to offer.

DECLARATION OF INDULGENCE. *December* 26.

A new incident discovered such a glimpse of the king's character and principles, as, at first, the nation was somewhat at a loss how to interpret, but such as subsequent events, by degrees, rendered sufficiently plain and manifest. He issued a declaration on pretence of mitigating the rigours contained in the act of uniformity. After expressing his firm resolution to observe the general indemnity, and to trust entirely to the affections of his subjects, not to any military power, for the support of his throne, he mentioned the promises of liberty of conscience, contained in his declaration of Breda. And he subjoined, that, "as in the first place he had been zealous to settle the uniformity of the church of England, in discipline, ceremony, and government, and shall ever constantly maintain it; so as for what concerns the penalties upon those who, living peaceably, do not conform themselves thereunto, through scruple and tenderness of misguided conscience, but modestly and without scandal perform their devotions in their own way, he should make it his special care, so far as in him lay, without invading the freedom of parliament, to incline their wisdom next approaching sessions to concur with him in making some such act for that purpose, as may enable him to exercise with a more universal satisfaction, that power of dispensing which he conceived to be inherent in him." Here a most important prerogative was exercised by the king; but under such artful reserves and limitations as might prevent the full discussion of the claim, and obviate a breach between him and his parliament. The foundation of this measure lay much deeper, and was of the utmost consequence.

* That was above half of 300,000 pounds, [illegible] as the queen's portion.

† I [illegible] from many of D'Estrades's letters, particularly that of the 23d of August, 1662, that the king made a present to D'Estrades of the purchase-money, which would not have [illegible] to [illegible] of it, but was [illegible] the money to the king for the [illegible]. The king, on the other hand, was jealous lest the parliament should [illegible] separate application or address in a manner [illegible] to [illegible] to [illegible] to [illegible] a proof that the government was not [illegible] into that close [illegible] and mutual confidence which [illegible] to [illegible].

‡ The chief importance in [illegible] Dunkirk to the French was, that it was [illegible] the [illegible] of the Spaniards, but it was [illegible] XIV. [illegible] made it a [illegible]. If [illegible] England [illegible] [illegible] [illegible]

The king, during his exile, had imbibed strong prejudices in favour of the catholic religion; and, according to the most probable accounts, had already been secretly reconciled in form to the church of Rome. The great zeal expressed by the parliamentary party against all papists, had always from a spirit of opposition, inclined the court and all the royalists, to adopt more favourable sentiments towards that sect, which, through the whole course of the civil wars, had strenuously supported the rights of the sovereign. The rigour too, which the king, during his abode in Scotland, had experienced from the presbyterians, disposed him to run into the other extreme, and to bear a kindness to the party most opposite in its genius to the severity of those religionists. The solicitations and importunities of the queen-mother, the contagion of the company which he frequented, the view of a more splendid and courtly mode of worship, the hopes of indulgence in pleasure; all these causes operated powerfully on a young prince, whose careless and dissolute temper made him incapable of adhering closely to the principles of his early education. But if the thoughtless humour of Charles rendered him an easy convert to popery, the same disposition ever prevented the theological tenets of that sect from taking any fast hold of him. During his vigorous state of health, while his blood was warm and his spirits high, a contempt and disregard to all religion held possession of his mind; and he might more properly be denominated a deist than a catholic. But in those revolutions of temper, when the love of raillery gave place to reflection, and his penetrating, but negligent, understanding was clouded with fears and apprehension, he had starts of more sincere conviction; and a sect, which always possessed his inclination, was then master of his judgment and opinion.*

But though the king thus fluctuated during his whole reign, between irreligion, which he more openly professed, and popery, to which he retained a secret propensity, his brother, the duke of York, had zealously adopted all the principles of that theological party. His eager temper and narrow understanding made him a thorough convert, without any reserve from interest, or doubts from reasoning and inquiry. By his application to business he had acquired a great ascendant over the king, who, though possessed of more discernment, was glad to throw the burden of affairs on the duke, of whom he entertained little jealousy. On pretence of easing the protestant dissenters, they agreed upon a plan for introducing a general toleration, and giving the catholics the free exercise of their religion; at least, the exercise of it in private houses. The two brothers saw with pleasure so numerous and popular a body of the clergy refuse conformity; and it was hoped that, under shelter of their name, the small and hated sect of the catholics might meet with favour and protection.

1663. But while the king pleaded his early promises of toleration, and insisted on many other plausible topics, the parliament, who sat a little after the declaration was issued, (18th February,) could by no means be satisfied with this measure. The declared intention of easing the dissenters, and the secret purpose of favouring the catholics, were equally disagreeable to them; and in these prepossessions they were encouraged by the king's ministers themselves, particularly the chancellor. The house of commons represented to the king, that his declaration of Breda contained no promise to the presbyterians and other dissenters, but only an expression of his intentions, upon supposition of the concurrence of parliament: that even if the nonconformists had been entitled to plead a promise, they had intrusted this claim, as all their other rights and privileges, to the house of commons, who were their representatives, and who now freed the king from that obligation: that it was not to be supposed that his majesty and the houses were so bound by that declaration as to be incapacitated from making any laws which might be contrary to it: that even at the king's restoration there were laws of uniformity in force which could not be dispensed with but by act of parliament: and that the indulgence intended would prove most pernicious both to church and state, would open the door to schism, encourage faction, disturb the public peace, and discredit the wisdom of the legislature. The king did not think proper, after this remonstrance, to insist any further at present on the project of indulgence.

In order to deprive the catholics of all hopes, the two houses concurred in a remonstrance against them. The king gave a gracious answer; though he scrupled not to profess his gratitude towards many of that persuasion, on account of their faithful services in his father's cause and in his own. A proclamation, for form's sake, was soon after issued against Jesuits and Romish priests: but care was taken, by the very terms of it, to render it ineffectual. The parliament had allowed, that all foreign priests belonging to the two queens, should be excepted, and that a permission for them to remain in England should still be granted. In the proclamation the word *foreign* was purposely omitted; and the queens were thereby authorized to give protection to as many English priests as they should think proper.

That the king might reap some advantage from his compliances, however fallacious, he engaged the commons anew into an examination of his revenue, which, chiefly by the negligence in levying it, had proved, he said, much inferior to the public charges. Notwithstanding the price of Dunkirk, his debts, he complained, amounted to a considerable sum; and to satisfy the commons that the money formerly granted him had not been prodigally expended, he offered to lay before them the whole account of his disbursements. It is, however, agreed on all hands, that the king, though during his banishment he had managed his small and precarious income with great order and economy, had now much abated of these virtues, and was unable to make his royal revenues suffice for his expenses. The commons without entering into too nice a disquisition, voted him four subsidies; and this was the last time that taxes were levied in that manner.

Several laws were made this session with regard to trade. The militia also came under consideration, and some rules were established for ordering and arming it. It was enacted that the king should have no power of keeping the militia under arms above fourteen days in the year. The situation of this island, together with its great naval power, has always occasioned other means of security, however requisite, to be much neglected among us: and the parliament showed here a very superfluous jealousy of the king's strictness in disciplining the militia. The principles of liberty rather require a contrary jealousy.

The earl of Bristol's friendship with Clarendon, which had subsisted with great intimacy during their exile and the distresses of the royal party, had been considerably impaired since the Restoration, by the chancellor's refusing his assent to some grants which Bristol had applied for to a court lady: and a little after, the latter nobleman, agreeably to the impetuosity and indiscretion of his temper, broke out against the minister in the most outrageous manner. He even entered a charge of treason against him before the house of peers; but he had concerted his measures so imprudently, that the judges, when consulted, declared, that, neither for its matter nor its form, could the charge be legally received. The articles indeed resembled more the incoherent altercations of a passionate enemy, than a serious accusation, fit to be discussed by a court of judicature; and Bristol himself was so ashamed of his conduct and defeat, that he absconded during some

* The author confesses that the king's zeal for popery was apt, at intervals, to go further than is here supposed, as appears from many passages in James the second's Memoirs

time. Notwithstanding his fine talents, his eloquence, his spirit, and his courage, he could never regain the character which he lost by this hasty and precipitate measure.

DECLINE OF CLARENDON'S CREDIT.

But though Clarendon was able to elude this rash assault, his credit at court was sensibly declining; and in proportion as the king found himself established on the throne, he began to alienate himself from a minister, whose character was so little suited to his own. Charles's favour for the catholics was always opposed by Clarendon, public liberty was secured against all attempts of the over-zealous royalists, prodigal grants of the king were checked or refused, and the dignity of his own character was so much consulted by the chancellor, that he made it an inviolable rule, as did also his friend Southampton, never to enter into any connexion with the royal mistresses. The king's favourite was Mrs. Palmer, afterwards created duchess of Cleveland; a woman prodigal, rapacious, dissolute, violent, revengeful. She failed not in her turn to undermine Clarendon's credit with his master; and her success was at this time made apparent to the whole world. Secretary Nicholas, the chancellor's great friend, was removed from his place; and sir Harry Bennet, his avowed enemy, was advanced to that office. Bennet was soon after created lord Arlington.

Though the king's conduct had hitherto, since his restoration, been, in the main, laudable, men of penetration began to observe, that those virtues by which he had at first so much dazzled and enchanted the nation, had great show, but not equal solidity. His good understanding lost much of its influence by his want of application; his bounty was more the result of a facility of disposition, than any generosity of character; his social humour led him frequently to neglect his dignity; his love of pleasure was not attended with proper sentiment and decency; and while he seemed to bear a good-will to every one that approached him, he had a heart not very capable of friendship, and he had secretly entertained a very bad opinion and distrust of mankind. But, above all, what sullied his character, in the eyes of good judges, was his negligent ingratitude towards the unfortunate cavaliers, whose zeal and sufferings in the royal cause had known no bounds. This conduct, however, in the king, may, from the circumstances of his situation and temper, admit of some excuse; at least of some alleviation. As he had been restored more by the efforts of his reconciled enemies than of his ancient friends, the former pretended a title to share his favour; and being, from practice, acquainted with public business, they were better qualified to execute any trust committed to them. The king's revenues were far from being large, or even equal to his necessary expenses; and his mistresses, and the companions of his mirth and pleasures, gained by solicitation every request from his easy temper. The very poverty to which the more zealous royalists had reduced themselves, by rendering them insignificant, made them unfit to support the king's measures, and caused him to deem them a useless incumbrance. And as many false and ridiculous claims of merit were offered, his natural indolence, averse to a strict discussion or inquiry, led him to treat them all with equal indifference. The parliament took some notice of the poor cavaliers. Sixty thousand pounds were at one time distributed among them: Mrs. Lane also, and the Penderells, had handsome presents and pensions from the king. But the greater part of the royalists still remained in poverty and distress; aggravated by the cruel disappointment in their sanguine hopes, and by seeing favour and preferment bestowed upon their most inveterate foes. With regard to the act of indemnity and oblivion, they universally said, that it was an act of indemnity to the king's enemies, and of oblivion to his friends.

CHAPTER LXIV.

New Session — Rupture with Holland — A new Session — Victory of the English — Rupture with France — Rupture with Denmark — New Session — Sea fight of four Days — Victory of the English — Fire of London — Advances towards Peace — Disgrace at Chatham — Peace of Breda — Clarendon's Fall and Banishment — State of France — Character of Louis XIV. — French Invasion of the Low Countries — Negociation — Triple League — Treaty of Aix-la-Chapelle — Affairs of Scotland and of Ireland.

A NEW SESSION. *March* 16, 1664.

THE next session of parliament discovered a continuance of the same principles which had prevailed in all the foregoing. Monarchy and the church were still the objects of regard and affection. During no period of the present reign did this spirit more evidently pass the bounds of reason and moderation.

The king, in his speech to the parliament, had ventured openly to demand a repeal of the triennial act; and he even went so far as to declare that, notwithstanding the law, he never would allow any parliament to be assembled by the methods prescribed in that statute. The parliament, without taking offence at this declaration, repealed the law; and, in lieu of all the securities formerly provided, satisfied themselves with a general clause, "that parliaments should not be interrupted above three years at the most." As the English parliament had now raised itself to be a regular check and control upon royal power, it is evident that they ought still to have preserved a regular security for their meeting, and not have trusted entirely to the good-will of the king, who, if ambitious or enterprising, had so little reason to be pleased with these assemblies. Before the end of Charles's reign, the nation had occasion to feel very sensibly the effects of this repeal.

By the act of uniformity, every clergyman, who should officiate without being properly qualified, was punishable by fine and imprisonment; but this security was not thought sufficient for the church. It was now enacted, that wherever five persons above those of the same household should assemble in a religious congregation, every one of them was liable for the first offence to be imprisoned three months, or pay five pounds; for the second, to be imprisoned six months, or pay ten pounds; and for the third, to be transported seven years, or pay a hundred pounds. The parliament had only in their eye the malignity of the sectaries: they should have carried their attention further, to the chief cause of that malignity, the restraint under which they laboured.

The commons likewise passed a vote, that the wrongs, dishonours, and indignities, offered to the English by the subjects of the United Provinces, were the greatest obstructions to all foreign trade; and they promised to assist the king with their lives and fortunes in asserting the rights of his crown, against all opposition whatsoever. This was the first open step towards the Dutch war. We must explain the causes and motives of this measure.

RUPTURE WITH HOLLAND.

That close union and confederacy, which, during a course of near seventy years, has subsisted, almost without interruption or jealousy between England and Holland, is not so much founded on the natural unalterable interests of these states, as on their terror of the growing power of the French monarch, who, without their combination, it is apprehended, would soon extend his dominion over Europe. In the first years of Charles's reign, when the ambitious genius of Louis had not, as yet, displayed itself, and when the great force of his people was, in some measure, unknown even to themselves, the rivalship of commerce, not checked by any other jealousy or apprehension, had in England begotten a violent enmity against the neighbouring republic.

Trade was beginning, among the English, to be a matter of general concern; but notwithstanding all their efforts and advantages, their commerce seemed hitherto to stand upon a footing which was somewhat precarious. The Dutch, who by industry and frugality were enabled to undersell them in every market, retained possession of the most lucrative branches of commerce; and the English merchants had the mortification to find that all attempts to extend their trade were still turned, by the vigilance of their rivals, to their loss and dishonour. Their indignation increased, when they considered the superior naval power of England; the bravery of her officers and seamen; her favourable situation, which enabled her to intercept the whole Dutch commerce. By the prospect of these advantages they were strongly prompted, from motives less just than political, to make war upon the States; and at once to ravish from them by force what they could not obtain, or could obtain but slowly, by superior skill and industry.

The careless unambitious temper of Charles rendered him little capable of forming so vast a project as that of engrossing the commerce and naval power of Europe; yet could he not remain altogether insensible to such obvious and such tempting prospects. His genius, happily turned towards mechanics, had inclined him to study naval affairs, which, of all branches of business, he both loved the most and understood the best. Though the Dutch, during his exile, had expressed towards him more civility and friendship than he had received from any other foreign power, the Louvestein or aristocratic faction, which at this time ruled the commonwealth, had fallen into close union with France; and could that party be subdued, he might hope that his nephew, the young prince of Orange, would be reinstated in the authority possessed by his ancestors, and would bring the States to a dependence under England. His narrow revenues made it still requisite for him to study the humours of his people, which now ran violently towards war; and it has been suspected, though the suspicion was not justified by the event, that the hopes of diverting some of the supplies to his private use were not overlooked by this necessitous monarch.

The duke of York, more active and enterprising, pushed more eagerly the war with Holland. He desired an opportunity of distinguishing himself; he loved to cultivate commerce: he was at the head of a new African company, whose trade was extremely checked by the settlements of the Dutch: and perhaps the religious prejudices, by which that prince was always so much governed, began even so early to instil into him an antipathy against a protestant commonwealth, the bulwark of the Reformation. Clarendon and Southampton, observing that the nation was not supported by any foreign alliance, were averse to hostilities; but their credit was now on the decline.

By these concurring motives, the court and parliament were both of them inclined to a Dutch war. The parliament was prorogued without voting supplies; (17th May;) but as they had been induced, without any open application from the crown, to pass that vote above-mentioned against the Dutch encroachments, it was reasonably considered as sufficient sanction for the vigorous measures which were resolved on.

Downing, the English minister at the Hague, a man of an insolent, impetuous temper, presented a memorial to the States, containing a list of those depredations, of which the English complained. It is remarkable, that all the pretended depredations preceded the year 1662, when a treaty of league and alliance had been renewed with the Dutch; and these complaints were then thought either so ill-grounded or so frivolous, that they had not been mentioned in the treaty. Two ships alone, the Bonaventure and the Good-hope, had been claimed by the English; and it was agreed that the claim should be prosecuted by the ordinary course of justice. The states had consigned a sum of money in case the cause should be decided against them; but the matter was still in dependence. Cary, who was intrusted by the proprietors with the management of the lawsuit for the Bonaventure, had resolved to accept of thirty thousand pounds, which were offered him; but was hindered by Downing, who told him, that the claim was a matter of state between the two nations, not a concern of private persons. These circumstances give us no favourable idea of the justice of the English pretensions.

Charles confined not himself to memorials and remonstrances. Sir Robert Holmes was secretly dispatched with a squadron of twenty-two ships to the coast of Africa. He not only expelled the Dutch from Cape Corse, to which the English had some pretensions; he likewise seized the Dutch settlements of Cape Verde and the isle of Gorce, together with several ships trading on that coast. And having sailed to America, he possessed himself of Nova Belgia, since called New York; a territory which James the First had given by patent to the earl of Stirling, but which had never been planted but by the Hollanders. When the States complained of these hostile measures, the king, unwilling to avow what he could not well justify, pretended to be totally ignorant of Holmes's enterprise. He likewise confined that admiral to the Tower; but some time after released him.

The Dutch, finding that their applications for redress were likely to be eluded, and that a ground of quarrel was industriously sought for by the English, began to arm with diligence. They even exerted, with some precipitation, an act of vigour, which hastened on the rupture. Sir John Lawson and de Ruiter had been sent with combined squadrons into the Mediterranean, in order to chastise the piratical states on the coast of Barbary; and the time of their separation and return was now approaching. The States secretly dispatched orders to de Ruiter, that he should take in provisions at Cadiz; and sailing towards the coast of Guinea, should retaliate on the English, and put the Dutch in possession of those settlements whence Holmes had expelled them. De Ruiter, having a considerable force on board, met with no opposition in Guinea. All the new acquisitions of the English, except Cape Corse, were recovered from them. They were even dispossessed of some old settlements. Such of their ships as fell into his hands were seized by de Ruiter. That admiral sailed to America. He attacked Barbadoes, but was repulsed. He afterwards committed hostilities in Long Island.

Meanwhile, the English preparations for war were advancing with vigour and industry. The king had received no supplies from parliament; but by his own funds and credit he was enabled to equip a fleet: the city of London lent him 100,000 pounds: the spirit of the nation seconded his armaments: he himself went from port to port, inspecting with great diligence, and encouraging the work: and in a little time the English navy was put in a formidable condition. Eight hundred thousand pounds are said to have been expended on this armament. When Lawson arrived, and communicated his suspicion of de Ruiter's enterprise, orders were issued for seizing all Dutch ships; and one hundred and thirty-five fell into the hands of the English. These were not declared prizes, till afterwards, when war was proclaimed.

A NEW SESSION. *November* 24.

The parliament, when it met, granted a supply, the largest by far that had ever been given to a king of England, yet scarcely sufficient for the present undertaking. Near two millions and a half were voted to be levied by quarterly payments in three years. The avidity of the merchants, together with the great prospect of success, had animated the whole nation against the Dutch.

A great alteration was made this session in the

method of taxing the clergy. In almost all the other monarchies of Europe, the assemblies, whose consent was formerly requisite to the enacting of laws, were composed of three estates, the clergy, the nobility, and the commonalty, which formed so many members of the political body, of which the king was considered as the head. In England too, the parliament was always represented as consisting of three estates; but their separation was never so distinct as in other kingdoms. A convocation, however, had usually sat at the same time with the parliament; though they possessed not a negative voice in the passing of laws, and assumed no other temporal power than that of imposing taxes on the clergy. By reason of ecclesiastical preferments, which he could bestow, the king's influence over the church was more considerable than over the laity; so that the subsidies, granted by the convocation, were commonly greater than those which were voted by parliament. The church, therefore, was not displeased to depart tacitly from the right of taxing herself, and allow the commons to lay impositions on ecclesiastical revenues, as on the rest of the kingdom. In recompense, two subsidies, which the convocation had formerly granted, were remitted; and the parochial clergy were allowed to vote at elections. Thus the church of England made a barter of power for profit. Their convocations, having become insignificant to the crown, have been much disused of late years.

The Dutch saw, with the utmost regret, a war approaching, whence they might dread the most fatal consequences, but which afforded no prospect of advantage. They tried every art of negociation before they would come to extremities. Their measures were at that time directed by John de Wit, a minister equally eminent for greatness of mind, for capacity, and for integrity. Though moderate in his private deportment, he knew how to adopt in his public counsels that magnanimity which suits the minister of a great state. It was ever his maxim, that no independent government should yield to another any evident point of reason or equity; and that all such concessions so far from preventing war, served to no other purpose than to provoke fresh claims and insults. By his management a spirit of union was preserved in all the provinces; great sums were levied: and a navy was equipped, composed of larger ships than the Dutch had ever built before, and able to cope with the fleet of England.

1665. As soon as certain intelligence arrived of de Ruiter's enterprises, Charles declared war against the States. (22nd February.) His fleet, consisting of 114 sail, besides fireships and ketches, was commanded by the duke of York, and under him by prince Rupert and the earl of Sandwich. It had about 22,000 men on board. Obdam, who was admiral of the Dutch navy, of nearly equal force, declined not the combat. In the heat of action, when engaged in close fight with the duke of York, Obdam's ship blew up. This accident much discouraged the Dutch, who fled towards their own coast. Tromp alone, son of the famous admiral killed during the former war, bravely sustained with his squadron the efforts of the English, and protected the rear of his countrymen. The vanquished had nineteen ships sunk and taken. (3rd June.) The victors lost only one. Sir John Lawson died soon after of his wounds.

It is affirmed, and with an appearance of reason, that this victory might have been rendered more complete, had not orders been issued to slacken sail by Brounker, one of the duke's bedchamber, who pretended authority from his master. The duke disclaimed the orders; but Brounker never was sufficiently punished for his temerity.* It is allowed, however, that the duke behaved with great bravery during the action. He was long in the thickest of the fire. The earl of Falmouth, lord Muskerry, and Mr. Boyle were killed by one shot at his side, and covered him all over with their brains and gore. And it is not likely, that, in a pursuit, where even persons of inferior station, and of the most cowardly disposition, acquire courage, a commander should feel his spirits to flag, and should turn from the back of an enemy, whose face he had not been afraid to encounter.

This disaster threw the Dutch into consternation, and determined de Wit, who was the soul of their councils, to exert his military capacity, in order to support the declining courage of his countrymen. He went on board the fleet, which he took under his command; and he soon remedied all those disorders which had been occasioned by the late misfortune. The genius of this man was of the most extensive nature. He quickly became as much master of naval affairs, as if he had from his infancy been educated in them; and he even made improvements in some parts of pilotage and sailing, beyond what men expert in those arts had ever been able to attain.

RUPTURE WITH FRANCE.

The misfortunes of the Dutch determined their allies to act for their assistance and support. The king of France was engaged in a defensive alliance with the States; but as his naval force was yet in its infancy, he was extremely averse, at that time, from entering into a war with so formidable a power as England. He long tried to mediate a peace between the States, and for that purpose sent an embassy to London, which returned without effecting anything. Lord Hollis, the English ambassador at Paris, endeavoured to draw over Louis to the side of England; and, in his master's name, made him the most tempting offers. Charles was content to abandon all the Spanish Low Countries to the French, without pretending to a foot of ground for himself; provided Louis would allow him to pursue his advantages against the Dutch. But the French monarch, though the conquest of that valuable territory was the chief object of his ambition, rejected the offer as contrary to his interests: he thought, that if the English had once established an uncontrollable dominion over the sea and over commerce, they would soon be able to render his acquisitions a dear purchase to him. When de Lionne, the French secretary, assured Van Beuninghen, ambassador of the States, that this offer had been pressed on his master during six months; "I can readily believe it," replied the Dutchman; "I am sensible that it is the interest of England."

Such were the established maxims at that time with regard to the interests of princes. It must however be allowed, that the politics of Charles, in making this offer, were not a little hazardous. The extreme weakness of Spain would have rendered the French conquests easy and infallible: but the vigour of the Dutch, it might be foreseen, would make the success of the English much more precarious. And even were the naval force of Holland totally annihilated, the acquisition of the Dutch commerce to England could not be relied on as a certain consequence; nor is trade a constant attendant of power, but depends on many other, and some of them very delicate circumstances.

Though the king of France was resolved to support the Hollanders in that unequal contest in which they were engaged; yet he protracted his declaration, and employed the time in naval preparations, both in the ocean and the Mediterranean. The king of Denmark meanwhile was resolved not to remain an idle specta-

* King James in his Memoirs gives an account of this affair different from [illegible] meet with in any history. He says, that while he was asleep, [illegible] Sir John Harman, captain of the ship, to slacken sail. Sir John refused, but obeyed. After some time, finding that he [illegible] was in pursuit of the enemy's admiral, he ordered the sail as before, so that the [illegible] on the quarter-deck, and finding all things as he left them, knew nothing of what had passed during his repose. Nobody gave him the least information of it. It was later, that he heard of it by a letter of accusation, and he intended to have cashiered Brounker by martial law [illegible] that time, the house of commons took up the quarrel, and [illegible] which made it impossible for the duke to punish [illegible] otherwise than by dismissing him his service. Brounker, before the [illegible], never pretended to act but [illegible] orders from the duke.

tor of the contest between the maritime powers. The part which he acted was the most extraordinary: he made a secret agreement with Charles to seize all the Dutch ships in his harbours, and to share the spoils with the English, provided they would assist him in executing this measure. In order to increase his prey, he perfidiously invited the Dutch to take shelter in his ports; and accordingly the East India fleet, very richly laden, had put into Bergen. Sandwich, who now commanded the English navy, (the duke having gone ashore,) dispatched sir Thomas Tiddiman with a squadron to attack them; but whether from the king of Denmark's delay in sending orders to the governor, or, what is more probable, from his avidity in endeavouring to engross the whole booty, the English admiral, though he behaved with great bravery, failed of his purpose. The Danish governor fired upon him, and the Dutch, having had leisure to fortify themselves, made a gallant resistance. (3rd August.)

RUPTURE WITH DENMARK.

The king of Denmark, seemingly ashamed of his conduct, concluded with sir Gilbert Talbot, the English envoy, an offensive alliance against the States; and at the very same time, his resident at the Hague, by his orders, concluded an offensive alliance against England. To this latter alliance he adhered, probably from jealousy of the increasing naval power of England; and he seized and confiscated all the English ships in his harbours. This was a sensible check to the advantages which Charles had obtained over the Dutch. Not only a blow was given to the English commerce; the king of Denmark's naval force was also considerable, and threatened every moment a conjunction with the Hollanders. That prince stipulated to assist his ally with a fleet of thirty sail; and he received in return a yearly subsidy of 1,500,000 crowns, of which 300,000 were paid by France.

The king endeavoured to counterbalance these confederacies by acquiring new friends and allies. He had dispatched sir Richard Fanshaw into Spain, who met with a very cold reception. That monarchy was sunk into a state of weakness, and was menaced with an invasion from France; yet could not any motive prevail with Philip to enter into cordial friendship with England. Charles's alliance with Portugal, the detention of Jamaica and Tangiers, the sale of Dunkirk to the French; all these offences sunk so deep in the mind of the Spanish monarch, that no motive of interest was sufficient to outweigh them.

The bishop of Munster was the only ally that Charles could acquire. This prelate, a man of restless enterprise and ambition, had entertained a violent animosity against the States; and he was easily engaged, by the promise of subsidies from England, to make an incursion on that republic. With a tumultuary army of near 20,000 men, he invaded her territories, and met with weak resistance. The land forces of the States were as feeble and ill-governed, as their fleets were gallant and formidable. But after his committing great ravages in several of the provinces, a stop was put to the progress of this warlike prelate. He had not military skill sufficient to improve the advantages which fortune had put into his hands: the king of France sent a body of 6000 men to oppose him: subsidies were not regularly remitted him from England; and many of his troops deserted for want of pay: the elector of Brandenburgh threatened him with an invasion in his own state: and on the whole, he was glad to conclude a peace under the mediation of France. On the first surmise of his intentions, sir William Temple was sent from London with money to fix him in his former alliance; but found that he arrived too late.

The Dutch encouraged by all these favourable circumstances, continued resolute to exert themselves to the utmost in their own defence. De Ruiter, their great admiral, was arrived from his expedition to Guinea: their Indian fleet was come home in safety: their harbours were crowded with merchant ships: faction at home was appeased: the young prince of Orange had put himself under the tuition of the States of Holland, and of de Wit, their pensionary, who executed his trust with honour and fidelity: and the animosity, which the Hollanders entertained against the attack of the English, so unprovoked, as they thought it, made them thirst for revenge, and hope for better success in their next enterprise. Such vigour was exerted in the common cause, that, in order to man the fleet, all merchant ships were prohibited to sail, and even the fisheries were suspended.

The English likewise continued in the same disposition, though another more grievous calamity had joined itself to that of war. The plague had broken out in London; and that with such violence, as to cut off, in a year, near 90,000 inhabitants. The king was obliged to summon the parliament at Oxford. (10th October.)

FIVE-MILE ACT.

A good agreement still subsisted between the king and parliament. They, on their part, unanimously voted him the supply demanded, twelve hundred and fifty thousand pounds, to be levied in two years by monthly assessments. And he, to gratify them, passed the five-mile act, which had given occasion to grievous and not unjust complaints. The church, under pretence of guarding monarchy against its inveterate enemies, persevered in the project of wreaking her own enmity against the non-conformists. It was enacted, that no dissenting teacher who took not the non-resistance oath, above-mentioned, should, except upon the road, come within five miles of any corporation, or of any place, where he had preached after the act of oblivion. The penalty was a fine of fifty pounds, and six months' imprisonment. By ejecting the non-conforming clergy from their churches, and prohibiting all separate congregations, they had been rendered incapable of gaining any livelihood by their spiritual profession. And now, under colour of removing them from places where their influence might be dangerous, an expedient was fallen upon to deprive them of all means of subsistence. Had not the spirit of the nation undergone a change, these violences were preludes to the most furious persecution.

However prevalent the hierarchy, this law did not pass without opposition. Besides several peers, attached to the old parliamentary party, Southampton himself, though Clarendon's great friend, expressed his disapprobation of these measures. But the church party, not discouraged with this opposition, introduced into the house of commons a bill for imposing the oath of non-resistance on the whole nation. It was rejected only by three voices. The parliament, after a short session, was prorogued. (31st October.)

SEA-FIGHT OF FOUR DAYS.

1666. After France had declared war, England was evidently overmatched in force. Yet she possessed this advantage by her situation, that she lay between the fleets of her enemies, and might be able, by speedy and well-concerted operations, to prevent their junction. But such was the unhappy conduct of her commanders, or such the want of intelligence in her ministers, that this circumstance turned rather to her prejudice. Louis had given orders to the duke of Beaufort, his admiral, to sail from Toulon; and the French squadron, under his command, consisting of above forty sail, was now commonly supposed to be entering the Channel. The Dutch fleet, to the number of seventy-six sail, was at sea, under the command of de Ruiter and Tromp, in order to join him. The duke of Albemarle and prince Rupert commanded the English fleet, which exceeded not seventy-four sail. Albemarle, who, from his successes under the protector, had too much learned to despise the enemy,

proposed to detach prince Rupert with twenty ships, in order to oppose the duke of Beaufort. Sir George Ayscue, well acquainted with the bravery and conduct of de Ruiter, protested against the temerity of this resolution: but Albemarle's authority prevailed. The remainder of the English set sail to give battle to the Dutch; who, seeing the enemy advance quickly upon them, cut their cables, and prepared for the combat. The battle that ensued is one of the most memorable that we read of in story; whether we consider its long duration, or the desperate courage with which it was fought. Albemarle made here some atonement by his valour for the rashness of the attempt. No youth animated by glory and ambitious hopes, could exert himself more than did this man, who was now in the decline of life, and who had reached the summit of honours. We shall not enter minutely into particulars. It will be sufficient to mention the chief events of each day's engagement.

In the first day (June 1st) sir William Berkeley, vice-admiral, leading the van, fell into the thickest of the enemy, was overpowered, and his ship taken. He himself was found dead in his cabin, all covered with blood. The English had the weather-gage of the enemy; but as the wind blew so hard, that they could not use their lower tier, they derived but small advantage from this circumstance. The Dutch shot, however, fell chiefly on their sails and rigging; and few ships were sunk or much damaged. Chain-shot was at that time a new invention, commonly attributed to de Wit. Sir John Harman exerted himself extremely on this day. The Dutch admiral, Evertz, was killed in engaging him. Darkness parted the combatants.

The second day, the wind was somewhat fallen and the combat became more steady and more terrible. The English now found, that the greatest valour cannot compensate the superiority of numbers against an enemy who is well conducted, and who is not defective in courage. De Ruiter and Van Tromp, rivals in glory and enemies from faction, exerted themselves in emulation of each other; and de Ruiter had the advantage of disengaging and saving his antagonist, who had been surrounded by the English, and was in the most imminent danger. Sixteen fresh ships joined the Dutch fleet during the action; and the English were so shattered, that their fighting ships were reduced to twenty-eight, and they found themselves obliged to retreat towards their own coast. The Dutch followed them, and were on the point of renewing the combat, when a calm, which came a little before night prevented the engagement.

Next morning, the English were obliged to continue their retreat; and a proper disposition was made for that purpose. The shattered ships were ordered to stretch a-head; and sixteen of the most entire followed them in good order, and kept the enemy in awe. Albemarle himself closed the rear, and presented an undaunted countenance to his victorious foes. The earl of Ossory, son of Ormond, a gallant youth, who sought honour and experience in every action throughout Europe, was then on board the admiral. Albemarle confessed to him his intention rather to blow up his ship and perish gloriously, than yield to the enemy. Ossory applauded this desperate resolution.

About two o'clock, the Dutch had come up with their enemy, and were ready to renew the fight; when a new fleet was descried from the south, crowding all their sail to reach the scene of action. The Dutch flattered themselves that Beaufort was arrived, to cut off the retreat of the vanquished: the English hoped that prince Rupert had come, to turn the scale of action. Albemarle, who had received intelligence of the prince's approach, bent his course towards him. Unhappily, sir George Ayscue, in a ship of a hundred guns, the largest in the fleet, struck on the Galloper sands, and could receive no assistance from his friends, who were hastening to join the re-enforcement. He could not even reap the consolation of perishing with honour and revenging his death on his enemies. They were preparing fireships to attack him, and he was obliged to strike. The English sailors, seeing the necessity with the utmost indignation surrendered themselves prisoners.

Albemarle and prince Rupert were now determined to face the enemy; and next morning the battle began afresh, with more equal force than ever, and with equal valour. After long cannonading, the fleets came to a close combat; which was continued with great violence, till parted by a mist. The English retired first into their harbours.

Though the English, by their obstinate courage, reaped the chief honour in this engagement, it is somewhat uncertain who obtained the victory. The Hollanders took a few ships, and having some appearances of advantage, expressed their satisfaction by all the signs of triumph and rejoicing. But as the English fleet was repaired in a little time, and put to sea more formidable than ever, together with many of those ships which the Dutch had boasted to have burned or destroyed, all Europe saw, that those two brave nations were engaged in a contest, which was not likely, on either side, to prove decisive.

VICTORY OF THE ENGLISH. *July* 25.

It was the conjunction alone of the French that could give a decisive superiority to the Dutch. In order to facilitate this conjunction, de Ruiter, having repaired his fleet, posted himself at the mouth of the Thames. The English, under prince Rupert and Albemarle, were not long in coming to the attack. The numbers of each fleet amounted to about eighty sail; and the valour and experience of the commanders, as well as of the seamen, rendered the engagement fierce and obstinate. Sir Thomas Allen, who commanded the white squadron of the English, attacked the Dutch van, which he entirely routed; and he killed the three admirals who commanded it. Van Tromp engaged sir Jeremy Smith; and during the heat of action, he was separated from de Ruiter and the main body, whether by accident or design was never certainly known. De Ruiter, with conduct and valour, maintained the combat against the main body of the English; and though overpowered by numbers, kept his station, till night ended the engagement. Next day, finding the Dutch fleet scattered and discouraged, his high spirit submitted to a retreat, which yet he conducted with such skill, as to render it equally honourable to himself as the greatest victory. Full of indignation, however, at yielding the superiority to the enemy, he frequently exclaimed, "My God! what a wretch am I? among so many thousand bullets, is there not one to put an end to my miserable life?" One de Witte, his son-in-law, who stood near, exhorted him, since he sought death, to turn upon the English, and render his life a dear purchase to the victors. But de Ruiter esteemed it more worthy a brave man to persevere to the uttermost, and, as long as possible, to render service to his country. All that night and next day, the English pressed upon the rear of the Dutch; and it was chiefly by the redoubled efforts of de Ruiter, that the latter saved themselves in their harbours.

The loss sustained by the Hollanders in this action was not very considerable; but as violent animosities had broken out between the two admirals, who engaged all the officers on one side or other, the consternation, which took place, was great among the provinces. Tromp's commission was at last taken from him; but though several captains had misbehaved, they were so effectually protected by their friends in the magistracy of the towns, that most of them escaped punishment; many were still continued in their commands.

The English now rode incontestable masters of the sea, and insulted the Dutch in their harbours. A detachment under Holmes was sent into the road of

Vlie, and burned a hundred and forty merchantmen, two men of war, together with Brandaris, a large and rich village on the coast. The Dutch merchants, who lost by this enterprise, uniting themselves to the Orange faction, exclaimed against an administration which, they pretended, had brought such disgrace and ruin on their country. None but the firm and intrepid mind of de Wit could have supported itself under such a complication of calamities.

The king of France, apprehensive that the Dutch would sink under their misfortunes; at least that de Wit, his friend, might be dispossessed of the administration, hastened the advance of the duke of Beaufort. The Dutch fleet likewise was again equipped; and, under the command of de Ruiter, cruised near the straits of Dover. Prince Rupert with the English navy, now stronger than ever, came full sail upon them. The Dutch admiral thought proper to decline the combat, and retired into St. John's road near Bulloigne. Here he sheltered himself, both from the English and from a furious storm which arose. Prince Rupert too was obliged to retire into St. Helen's; where he stayed some time, in order to repair the damages which he had sustained. Meanwhile the duke of Beaufort proceeded up the Channel, and passed the English fleet unperceived: but he did not find the Dutch, as he expected. De Ruiter had been seized with a fever: many of the chief officers had fallen into sickness: a contagious distemper was spread through the fleet: and the States thought it necessary to recall them into their harbours, before the enemy could be refitted. The French king, anxious for his navy, which, with so much care and industry, he had lately built, dispatched orders to Beaufort, to make the best of his way to Brest. That admiral had again the good fortune to pass the English. One ship alone, the Ruby, fell into the hands of the enemy.

FIRE OF LONDON. *September* 3.

While the war continued without any decisive success on either side, a calamity happened in London, which threw the people into great consternation. Fire, breaking out in a baker's house, near the bridge, spread itself on all sides with such rapidity, that no efforts could extinguish it, till it laid in ashes a considerable part of the city. The inhabitants, without being able to provide effectually for their relief, were reduced to be spectators of their own ruin; and were pursued from street to street by the flames, which unexpectedly gathered round them. Three days and nights did the fire advance; and it was only by the blowing up of houses that it was at last extinguished. The king and duke used their utmost endeavours to stop the progress of the flames; but all their industry was unsuccessful. About four hundred streets, and thirteen thousand houses, were reduced to ashes.

The causes of this calamity were evident. The narrow streets of London, the houses built entirely of wood, the dry season, and a violent east-wind which blew; these were so many concurring circumstances, which rendered it easy to assign the reason of the destruction that ensued. But the people were not satisfied with this obvious account. Prompted by blind rage, some ascribed the guilt to the republicans, others to the catholics; though it is not easy to conceive how the burning of London could serve the purposes of either party. As the papists were the chief objects of public detestation, the rumour, which threw the guilt on them, was more favourably received by the people. No proof, however, or even presumption, after the strictest inquiry by a committee of parliament, ever appeared to authorize such a calumny; yet, in order to give countenance to the popular prejudice, the inscription engraved by authority on the monument, ascribed this calamity to that hated sect. This clause was erased by order of king James, when he came to the throne; but after the Revolution it was replaced. So credulous, as well as obstinate, are the people in believing everything which flatters their prevailing passion!

The fire of London, though at that time a great calamity, has proved in the issue beneficial both to the city and the kingdom. The city was rebuilt in a very little time; and care was taken to make the streets wider and more regular than before. A discretionary power was assumed by the king to regulate the distribution of the buildings, and to forbid the use of lath and timber, the materials of which the houses were formerly composed. The necessity was so urgent, and the occasion so extraordinary, that no exceptions were taken at an exercise of authority, which otherwise might have been deemed illegal. Had the king been enabled to carry his power still further, and made the houses be rebuilt with perfect regularity, and entirely upon one plan, he had much contributed to the convenience, as well as embellishment, of the city. Great advantages, however, have resulted from the alterations, though not carried to the full length. London became much more healthy after the fire. The plague, which used to break out with great fury twice or thrice every century, and indeed was always lurking in some corner or other of the city, has scarcely ever appeared since that calamity.

The parliament met soon after, and gave the sanction of law to those regulations made by royal authority; as well as appointed commissioners for deciding all such questions of property as might arise from the fire. They likewise voted a supply of 1,800,000 pounds to be levied, partly by a poll-bill, partly by assessments. Though their inquiry brought out no proofs, which could fix on the papists the burning of London, the general aversion against that sect still prevailed; and complaints were made, probably without much foundation, of its dangerous increase. Charles, at the desire of the commons, issued a proclamation for the banishment of all priests and jesuits; but the bad execution of this, as well as the former edicts, destroyed all confidence in his sincerity, whenever he pretended an aversion towards the catholic religion. Whether suspicions of this nature had diminished the king's popularity, is uncertain; but it appears, that the supply was voted much later than Charles expected, or even than the public necessities seemed to require. The intrigues of the duke of Buckingham, a man who wanted only steadiness to render him extremely dangerous, had somewhat embarrassed the measures of the court; and this was the first time that the king found any considerable reason to complain of a failure of confidence in his house of commons. The rising symptoms of ill-humour tended, no doubt, to quicken the steps which were already making towards a peace with foreign enemies.

ADVANCES TOWARDS PEACE. 1667.

Charles began to be sensible, that all the ends for which the war had been undertaken, were likely to prove entirely abortive. The Dutch, even when single had defended themselves with vigour, and were every day improving in their military skill and preparations. Though their trade had suffered extremely, their extensive credit enabled them to levy great sums; and while the seamen of England loudly complained of want of pay, the Dutch navy was regularly supplied with money and everything requisite for its subsistence. As two powerful kings now supported them, every place, from the extremity of Norway to the coasts of Bayonne, was become hostile to the English. And Charles, neither fond of action, nor stimulated by any violent ambition, earnestly sought for means of restoring tranquillity to his people, disgusted with a war, which, being joined with the plague and fire, had proved so fruitless and destructive.

The first advances towards an accommodation were made by England. When the king sent for the body

of sir William Berkeley, he insinuated to the States his desire of peace on reasonable terms: and their answer corresponded in the same amicable intentions. Charles, however, to maintain the appearance of superiority, still insisted that the States should treat at London; and they agreed to make him this compliment so far as concerned themselves: but being engaged in alliance with two crowned heads, they could not, they said, prevail with these to depart in that respect from their dignity. On a sudden, the king went so far on the other side as to offer the sending of ambassadors to the Hague; but this proposal, which seemed honourable to the Dutch, was meant only to divide and distract them, by affording the English an opportunity to carry on cabals with the disaffected party. The offer was therefore rejected; and conferences were secretly held in the queen-mother's apartments at Paris, where the pretensions of both parties were discussed. The Dutch made equitable proposals; either that all things should be restored to the same condition in which they stood before the war; or that both parties should continue in possession of their present acquisitions. Charles accepted of the latter proposal; and almost everything was adjusted, except the disputes with regard to the isle of Polerone. This island lies in the East Indies, and was formerly valuable for its produce of spices. The English had been masters of it; but were dispossessed at the time when the violences were committed against them at Amboyna. Cromwell had stipulated to have it restored; and the Hollanders, having first entirely destroyed all the spice-trees, maintained, that they had executed the treaty, but that the English had been anew expelled during the course of the war. Charles renewed his pretensions to this island; and as the reasons on both sides began to multiply, and seemed to require a long discussion, it was agreed to transfer the treaty to some other place; and Charles made choice of Breda.

Lord Hollis and Henry Coventry were the English ambassadors. They immediately desired, that a suspension of arms should be agreed to till the several claims should be adjusted: but this proposal, seemingly so natural, was rejected by the credit of de Wit. That penetrating and active minister, thoroughly acquainted with the characters of princes and the situation of affairs, had discovered an opportunity of striking a blow, which might at once restore to the Dutch the honour lost during the war, and severely revenge those injuries, which he ascribed to the wanton ambition and injustice of the English.

Whatever projects might have been formed by Charles for secreting the money granted him by parliament, he had hitherto failed in his intention. The expenses of such vast armaments had exhausted all the supplies;* and even a great debt was contracted to the seamen. The king therefore was resolved to save, as far as possible, the last supply of 1,800,000 pounds; and to employ it for payment of his debts, as well those which had been occasioned by the war, as those which he had formerly contracted. He observed, that the Dutch had been with great reluctance forced into the war, and that the events of it were not such as to inspire them with great desire of its continuance. The French, he knew, had been engaged into hostilities by no other motive than that of supporting their ally; and were now more desirous than ever of putting an end to the quarrel. The differences between the parties were so inconsiderable, that the conclusion of peace appeared infallible; and nothing but forms, at least some vain points of honour, seemed to remain for the ambassadors at Breda to discuss. In this situation, Charles, moved by an ill-timed frugality, remitted his preparations, and exposed England to one of the greatest affronts which it has ever received. Two small squadrons alone were equipped; and during a war with such potent and martial enemies, everything was left almost in the same situation as in times of the most profound tranquillity.

DISGRACE AT CHATHAM. *June* 10.

De Wit protracted the negociations at Breda, and hastened the naval preparations. The Dutch fleet appeared in the Thames, under the command of de Ruiter, and threw the English into the utmost consternation. A chain had been drawn across the river Medway; some fortifications had been added to Sheerness and Upnore-castle: but all these preparations were unequal to the present necessity. Sheerness was soon taken; nor could it be saved by the valour of sir Edward Sprague, who defended it. Having the advantage of a spring-tide and an easterly wind, the Dutch pressed on and broke the chain, though fortified by some ships, which had been there sunk by orders of the duke of Albemarle. They burned the three ships which lay to guard the chain, the Matthias, the Unity, and the Charles the Fifth. After damaging several vessels, and possessing themselves of the hull of the Royal Charles, which the English had burned, they advanced, with six men-of-war and five ships, as far as Upnore-castle, where they burned the Royal Oak, the Loyal London, and the Great James. Captain Douglas, who commanded on board the Royal Oak, perished in the flames, though he had an easy opportunity of escaping. "Never was it known," he said, "that a Douglas had left his post without orders." The Hollanders fell down the Medway without receiving any considerable damage; and it was apprehended, that they might next tide sail up the Thames, and extend their hostilities even to the bridge of London. Nine ships were sunk at Woolwich, four at Blackwall: platforms were raised in many places, furnished with artillery; the train-bands were called out; and every place was in a violent agitation. The Dutch sailed next to Portsmouth, where they made a fruitless attempt: they met with no better success at Plymouth: they insulted Harwich: they sailed again upon the Thames as far as Tilbury, where they were repulsed. The whole coast was in alarm: and had the French thought proper at this time to join the Dutch fleet and to invade England, consequences the most fatal might justly have been apprehended. But Louis had no intention to push the victory to such extremities. His interest required that a balance should be kept between the two maritime powers; not that an uncontrolled superiority should be given to either.

Great indignation prevailed amongst the English, to see an enemy, whom they regarded as inferior, whom they had expected totally to subdue, and over whom they had gained many honourable advantages, now of a sudden ride undisputed masters of the ocean; burn their ships in their very harbours, fill every place with confusion, and strike a terror into the capital itself. But though the cause of all these disasters could be ascribed neither to bad fortune, to the misconduct of admirals, nor to the ill behaviour of seamen, but solely to the avarice, at least to the improvidence, of the government, no dangerous symptoms of discontent appeared, and no attempt for an insurrection was made by any of those numerous sectaries, who had been so openly branded for their rebellious principles, and who upon that supposition had been treated with such severity.†

In the present distress, two expedients were embraced: an army of 12,000 men was suddenly levied; and the parliament, though it lay under prorogation, was summoned to meet. The houses were very thin; and the only vote which the commons passed was an address for breaking the army; which was complied with. This expression of jealousy showed the court

* The Dutch had spent on the war near 40 millions of livres a-year, above three millions sterling, a much greater sum than had ever been granted by the English parliament.—D'Estrades, 26th December, 1665; 1st January, 1665. Temple, vol. i. p. 71. It was probably the want of money which engaged the king to pay the seamen with tickets; a contrivance which proved so much to their loss.

† Some new conventicles, however, both in Scotland and England, had kept up a correspondence with the states, and had entered into projects for insurrection; but they were too weak even to attempt the execution of them.—D'Estrades, 15th of October, 1665.

what they might expect from that assembly; and it was thought more prudent to prorogue them till next winter.

PEACE OF BREDA. *July* 10.

But the signing of the treaty at Breda extricated the king from his present difficulties. The English ambassadors received orders to recede from those demands, which, however frivolous in themselves, could not now be relinquished, without acknowledging a superiority in the enemy. Polerone remained with the Dutch; satisfaction for the ships Bonaventure and Good-hope, the pretended grounds of the quarrel, was no longer insisted on; Acadie was yielded to the French. The acquisition of New York, a settlement so important by its situation, was the chief advantage which the English reaped from a war, in which the national character of bravery had shone out with lustre, but where the misconduct of the government, especially in the conclusion, had been no less apparent.

CLARENDON'S FALL.

To appease the people by some sacrifice seemed requisite before the meeting of parliament; and the prejudices of the nation pointed out the victim. The chancellor was at this time much exposed to the hatred of the public, and of every party which divided the nation. All the numerous sectaries regarded him as their determined enemy; and ascribed to his advice and influence those persecuting laws to which they had lately been exposed. The catholics knew, that while he retained any authority, all their credit with the king and the duke would be entirely useless to them, nor must they ever expect any favour or indulgence. Even the royalists, disappointed in their sanguine hopes of preferment, threw a great load of envy on Clarendon, into whose hands the king seemed at first to have resigned the whole power of government. The sale of Dunkirk, the bad payment of the seamen, the disgrace at Chatham, the unsuccessful conclusion of the war; all these misfortunes were charged on the chancellor, who, though he had ever opposed the rupture with Holland, thought it still his duty to justify what he could not prevent. A building, likewise, of more expense and magnificence than his slender fortune could afford, being unwarily undertaken by him, much exposed him to public reproach, as if he had acquired great riches by corruption. The populace gave it commonly the appellation of Dunkirk House.

The king himself, who had always more revered than loved the chancellor, was now totally estranged from him. Amidst the dissolute manners of the court, that minister still maintained an inflexible dignity, and would not submit to any condescensions, which he deemed unworthy of his age and character. Buckingham, a man of profligate morals, happy in his talent for ridicule, but exposed in his own conduct to all the ridicule which he threw on others, still made him the object of his raillery, and gradually lessened in the king that regard which he bore to his minister. When any difficulties arose either for want of power or money, the blame was still thrown on him, who, it was believed, had carefully at the Restoration checked all lavish concessions to the king. And, what perhaps touched Charles more nearly, he found in Clarendon, it is said, obstacles to his pleasures, as well as to his ambition.

The king, disgusted with the homely person of his consort, and desirous of having children, had hearkened to proposals of obtaining a divorce, on pretence either of her being pre-engaged to another, or of having made a vow of chastity before her marriage. He was further stimulated by his passion for Mrs. Stuart, daughter of a Scotch gentleman; a lady of great beauty, and whose virtue he had hitherto found impregnable: but Clarendon, apprehensive of the consequences attending a disputed title, and perhaps anxious for the succession of his own grandchildren, engaged the duke of Richmond to marry Mrs. Stuart, and thereby put an end to the king's hopes. It is pretended that Charles never forgave this disappointment.

When politics, therefore, and inclination both concurred to make the king sacrifice Clarendon to popular prejudices, the memory of his past services was not able any longer to delay his fall. The great seal was taken from him, and given to sir Orlando Bridgeman, by the title of lord-keeper. Southampton, the treasurer, was now dead, who had persevered to the utmost in his attachments to the chancellor. The last time he appeared at the council-table, he exerted his friendship with a vigour which neither age nor infirmities could abate. "This man," said he, speaking of Clarendon, "is a true protestant and an honest Englishman; and while he enjoys power, we are secure of our laws, liberties, and religion. I dread the consequences of his removal."

But the fall of the chancellor was not sufficient to gratify the malice of his enemies: his total ruin was resolved on. The duke of York in vain exerted his interest in behalf of his father-in-law. Both prince and people united in promoting that violent measure; and no means were thought so proper for ingratiating the court with a parliament, which had so long been governed by that very minister, who was now to be the victim of their prejudices.

Some popular acts paved the way for the session; and the parliament, in their first address, gave the king thanks for these instances of his goodness; and among the rest, they took care to mention his dismission of Clarendon. The king, in reply, assured the houses, that he would never again employ that nobleman in any public office whatsoever. Immediately, the charge against him was opened in the house of commons by Mr. Seymour, afterwards sir Edward, and consisted of seventeen articles. The house, without examining particulars, further than hearing general affirmations that all would be proved, immediately voted his impeachment. Many of the articles [*See note* 6 U. *at the end of this Vol.*] we know to be either false or frivolous; and such of them as we are less acquainted with, we may fairly presume to be no better grounded. His advising the sale of Dunkirk seems the heaviest and truest part of the charge; but a mistake in judgment, allowing it to be such, where there appear no symptoms of corruption or bad intentions, it would be very hard to impute as a crime to any minister. The king's necessities, which occasioned that measure, cannot, with any appearance of reason, be charged on Clarendon; and chiefly proceeded from the over-frugal maxims of the parliament itself, in not granting the proper supplies to the crown.

When the impeachment was carried up to the peers, as it contained an accusation of treason in general without specifying any particulars, it seemed not a sufficient ground for committing Clarendon to custody. The precedents of Strafford and Laud were not, by reason of the violence of the times, deemed a proper authority; but as the commons still insisted upon his commitment, it was necessary to appoint a free conference between the houses. The lords persevered in their resolution; and the commons voted this conduct to be an obstruction to public justice, and a precedent of evil and dangerous tendency. They also chose a committee to draw up a vindication of their own proceedings.

Clarendon, finding that the popular torrent, united to the violence of power, ran with impetuosity against him, and that a defence offered to such prejudiced ears, would be entirely ineffectual, thought proper to withdraw. At Calais he wrote a paper addressed to the house of lords. He there said that his fortune, which was but moderate, had been gained entirely by the lawful, avowed profits of his office, and by the voluntary bounty of the king; that during the first years after the Restoration he had always concurred in

opinion with the other counsellors, men of such reputation that no one could entertain suspicions of their wisdom or integrity; that his credit soon declined, and however he might disapprove of some measures, he found it vain to oppose them; that his repugnance to the Dutch war, the source of all the public grievances, was always generally known, as well as his disapprobation of many unhappy steps taken in conducting it; and that whatever pretence might be made of public offences, his real crime, that which had exasperated his powerful enemies, was his frequent opposition to exorbitant grants, which the importunity of suitors had extorted from his majesty.

CLARENDON'S BANISHMENT.

The lords transmitted this paper to the commons, under the appellation of a libel: and by a vote of both houses, it was condemned to be burned by the hands of the hangman. The parliament next proceeded to exert their legislative power against Clarendon, and passed a bill of banishment and incapacity, which received the royal assent. He retired into France, where he lived in a private manner. He survived his banishment six years; and he employed his leisure chiefly in reducing into order the History of the Civil Wars, for which he had before collected materials. The performance does honour to his memory; and, except Whitlocke's Memorials, is the most candid account of those times, composed by any contemporary author.

Clarendon was always a friend to the liberty and constitution of his country. At the commencement of the civil wars, he had entered into the late king's service, and was honoured with a great share in the esteem and friendship of that monarch: he was pursued with unrelenting animosity by the long parliament: he had shared all the fortunes, and directed all the counsels, of the present king during his exile: he had been advanced to the highest trust and offices after the Restoration: yet all these circumstances, which might naturally operate with such force either on resentment, gratitude, or ambition, had no influence on his uncorrupted mind. It is said, that when he first engaged in the study of the law, his father exhorted him with great earnestness to shun the practice, too common in that profession, of straining every point in favour of prerogative, and perverting so useful a science to the oppression of liberty: and in the midst of these rational and virtuous counsels, which he reiterated, he was suddenly seized with an apoplexy, and expired in his son's presence. This circumstance gave additional weight to the principles which he inculcated.

The combination of king and subject to oppress so good a minister affords, to men of opposite dispositions, an equal occasion of inveighing against the ingratitude of princes, or ignorance of the people. Charles seems never to have mitigated his resentment against Clarendon; and the national prejudices pursued him to his retreat in France. A company of English soldiers, being quartered near him, assaulted his house, broke open the doors, gave him a dangerous wound on the head, and would have proceeded to the last extremities, had not their officers, hearing of the violence, happily interposed.

1668. The next expedient which the king embraced, in order to acquire popularity, is more deserving of praise; and, had it been steadily pursued, would probably have rendered his reign happy, certainly his memory respected. It is the Triple Alliance of which I speak; a measure which gave entire satisfaction to the public.

STATE OF FRANCE.

The glory of France, which had long been eclipsed, either by domestic factions, or by the superior force of the Spanish monarchy, began now to break out with great lustre, and to engage the attention of the neighbouring nations. The independent power and mutinous spirit of the nobility were subdued: the popular pretensions of the parliament restrained: the hugonot party reduced to subjection: that extensive and fertile country, enjoying every advantage both of climate and situation, was fully peopled with ingenious and industrious inhabitants: and while the spirit of the nation discovered all the vigour and bravery requisite for great enterprises, it was tamed to an entire submission under the will of the sovereign.

CHARACTER OF LOUIS XIV.

The sovereign who now filled the throne was well adapted, by his personal character, both to increase and to avail himself of these advantages. Louis XIV., endowed with every quality which could enchant the people, possessed many which merit the approbation of the wise. The masculine beauty of his person was embellished with a noble air: the dignity of his behaviour was tempered with affability and politeness: elegant without effeminacy, addicted to pleasure without neglecting business, decent in his very vices, and beloved in the midst of arbitrary power, he surpassed all contemporary monarchs, as in grandeur so likewise in fame and glory.

His ambition, regulated by prudence, not by justice, had carefully provided every means of conquest; and before he put himself in motion, he seemed to have absolutely ensured success. His finances were brought into order: a naval power created: his armies increased and disciplined: magazines and military stores provided: and though the magnificence of his court was supported beyond all former example, so regular was the economy observed, and so willingly did the people, now enriched by arts and commerce, submit to multiplied taxes, that his military force much exceeded what in any preceding age had ever been employed by any European monarch.

The sudden decline and almost total fall of the Spanish monarchy opened an inviting field to so enterprising a prince, and seemed to promise him easy and extensive conquests. The other nations of Europe, feeble or ill-governed, were astonished at the greatness of his rising empire: and all of them cast their eyes towards England, as the only power which could save them from that subjection with which they seemed to be so nearly threatened.

The animosity which had anciently subsisted between the English and French nations, and which had been suspended for above a century by the jealousy of Spanish greatness, began to revive and to exert itself. The glory of preserving the balance of Europe, a glory so much founded on justice and humanity, flattered the ambition of England; and the people were eager to provide for their own future security, by opposing the progress of so hated a rival. The prospect of embracing such measures had contributed, among other reasons, to render the peace of Breda so universally acceptable to the nation. By the death of Philip IV., king of Spain, an inviting opportunity, and some very slender pretences, had been afforded to call forth the ambition of Louis.

At the treaty of the Pyrenees, when Louis espoused the Spanish princess, he had renounced every title of succession to every part of the Spanish monarchy: and this renunciation had been couched in the most accurate and most precise terms that language could afford. But on the death of his father-in-law, he retracted his renunciation, and pretended that natural rights depending on blood and succession could not be annihilated by any extorted deed or contract. Philip had left a son, Charles II. of Spain; but as the queen of France was of a former marriage, she laid claim to a considerable province of the Spanish monarchy, even to the exclusion of her brother. By the customs of

some parts of Brabant, a female of a first marriage was preferred to a male of a second, in the succession to private inheritances; and Louis thence inferred, that his queen had acquired a right to the dominion of that important duchy.

FRENCH INVASION OF THE LOW COUNTRIES.

A claim of this nature was more properly supported by military force, than by argument and reasoning. Louis appeared on the frontiers of the Netherlands with an army of 40,000 men, commanded by the best generals of the age, and provided with everything necessary for action. The Spaniards, though they might have foreseen this measure, were totally unprepared. Their towns without magazines, fortifications, or garrisons, fell into the hands of the French king, as soon as he presented himself before them. Athe, Lisle, Tournay, Oudenarde, Courtray, Charleroi, Binche, were immediately taken: and it was visible that no force in the Low Countries was able to stop or retard the progress of the French arms.

This measure, executed with such celerity and success, gave great alarm to almost every court in Europe. It had been observed with what dignity, or even haughtiness, Louis, from the time he began to govern, had ever supported all his rights and pretensions. D'Estrades, the French ambassador, and Watteville, the Spanish, having quarrelled in London, on account of their claims for precedency, the French monarch was not satisfied till Spain sent to Paris a solemn embassy, and promised never more to revive such contests. Crequi, his ambassador at Rome, had met with an affront from the pope's guards; the pope, Alexander VII., had been constrained to break his guards, to send his nephew to ask pardon, and to allow a pillar to be erected in Rome itself, as a monument of his own humiliation. The king of England too had experienced the high spirit and unsubmitting temper of Louis. A pretension to superiority in the English flag having been advanced, the French monarch remonstrated with such vigour, and prepared himself to resist with such courage, that Charles found it more prudent to desist from his vain and antiquated claims. The king of England, said Louis to his ambassador D'Estrades, may know my force, but he knows not the sentiments of my heart: everything appears to me contemptible in comparison of glory.* These measures of conduct had given strong indications of his character: but the invasion of Flanders discovered an ambition which, being supported by such overgrown power, menaced the general liberties of Europe.

As no state lay nearer the danger, none was seized with more terror than the United Provinces. They were still engaged, together with France, in a war against England; and Louis had promised them that he would take no step against Spain without previously informing them: but, contrary to this assurance, he kept a total silence, till on the very point of entering upon action. If the renunciation made at the treaty of the Pyrenees was not valid, it was foreseen, that upon the death of the king of Spain, a sickly infant, the whole monarchy would be claimed by Louis, after which it would be vainly expected to set bounds to his pretensions. Charles, acquainted with these well-grounded apprehensions of the Dutch, had been the more obstinate in insisting on his own conditions at Breda; and by delaying to sign the treaty, had imprudently exposed himself to the signal disgrace which he received at Chatham. De Wit, sensible that a few weeks' delay would be of no consequence in the Low Countries, took this opportunity of striking an important blow, and of finishing the war with honour to himself and to his country.

* 25th January, 1662.

NEGOCIATIONS.

Negociations meanwhile commenced for the saving of Flanders; but no resistance was made to the French arms. The Spanish ministers exclaimed everywhere against the flagrant injustice of Louis's pretensions, and represented it to be the interest of every power in Europe, even more than of Spain itself, to prevent his conquest of the Low Countries. The emperor and the German princes discovered evident symptoms of discontent; but their motions were slow and backward. The States, though terrified at the prospect of having their frontier exposed to so formidable a foe, saw no resource, no means of safety. England indeed seemed disposed to make opposition to the French; but the variable and impolitic conduct of Charles kept that republic from making him any open advances, by which she might lose the friendship of France, without acquiring any new ally. And though Louis, dreading a combination of all Europe, had offered terms of accommodation, the Dutch apprehended lest these, either from the obstinacy of the Spaniards, or the ambition of the French, should never be carried into execution.

Charles resolved with great prudence to take the first step towards a confederacy. Sir William Temple, his resident at Brussels, received orders to go secretly to the Hague, and to concert with the States the means of saving the Netherlands. This man, whom philosophy had taught to despise the world, without rendering him unfit for it, was frank, open, sincere, superior to the little tricks of vulgar politicians; and meeting in de Wit with a man of the same generous and enlarged sentiments, he immediately opened his master's intentions, and pressed a speedy conclusion. A treaty was from the first negociated between these two statesmen with the same cordiality as if it were a private transaction between intimate companions. Deeming the interest of their country the same, they gave full scope to that sympathy of character which disposed them to an entire reliance on each other's professions and engagements. And though jealousy against the house of Orange might inspire de Wit with an aversion to a strict union with England, he generously resolved to sacrifice all private considerations to the public service.

Temple insisted on an offensive league between England and Holland, in order to oblige France to relinquish all her conquests: but de Wit told him, that this measure was too bold and precipitate to be agreed to by the States. He said, that the French were the old and constant allies of the republic; and, till matters came to extremities, she never would deem it prudent to abandon a friendship so well established, and rely entirely on a treaty with England, which had lately waged so cruel a war against her: that ever since the reign of Elizabeth, there had been such a fluctuation in the English councils, that it was not possible, for two years together, to take any sure or certain measures with that kingdom: that though the present ministry, having entered into views so conformable to national interest, promised greater firmness and constancy, it might still be unsafe, in a business of such consequence, to put entire confidence in them: that the French monarch was young, haughty, and powerful; and if treated in so imperious a manner, would expose himself to the greatest extremities rather than submit: that it was sufficient, if he could be constrained to adhere to the offers which he himself had already made; and if the remaining provinces of the Low Countries could be thereby saved from the danger, with which they were at present threatened: and that the other powers, in Germany and the north, whose assistance they might expect, would be satisfied with putting a stop to the French conquests, without pretending to recover the places already lost.

The English minister was content to accept of the terms proposed by the pensionary. Louis had offered to relinquish all the queen's rights, on condition either

of keeping the conquests which he had made last campaign, or of receiving, in lieu of them, Franchecomté, together with Cambray, Aire, and St. Omers. De Wit and Temple founded their treaty upon this proposal. They agreed to offer their mediation to the contending powers, and oblige France to adhere to this alternative, and Spain to accept of it. If Spain refused, they agreed, that France should not prosecute her claim by arms, but leave it entirely to England and Holland to employ force for making the terms effectual. And the remainder of the Low Countries they thenceforth guaranteed to Spain. A defensive alliance was likewise concluded between Holland and England.

The articles of this confederacy were soon adjusted by such candid and able negociators: but the greatest difficulty still remained. By the constitution of the republic, all the towns in all the provinces must give their consent to every alliance; and besides that this formality could not be dispatched in less than two months, it was justly to be dreaded, that the influence of France would obstruct the passing of the treaty in some of the smaller cities. D'Estrades, the French ambassador, a man of abilities, hearing of the league which was on the carpet, treated it lightly; "Six weeks hence," said he, "we shall speak to it." To obviate this difficulty, de Wit had the courage, for the public good, to break through the laws in so fundamental an article; and by his authority, he prevailed with the states-general at once to sign and ratify the league: (13th January:) though they acknowledged that, if that measure should displease their constituents, they risked their heads by this irregularity. After sealing, all parties embraced with great cordiality. Temple cried out, "At Breda, as friends: here, as brothers." And de Wit added, that now the matter was finished, it looked like a miracle.

TRIPLE LEAGUE.

Room had been left in the treaty for the accession of Sweden, which was soon after obtained; and thus was concluded in five days their triple league; an event received with equal surprise and approbation by the world. Notwithstanding the unfortunate conclusion of the last war, England now appeared in her proper station, and by this wise conduct, had recovered all her influence and credit in Europe. Temple likewise received great applause; but to all the compliments made him on the occasion, he modestly replied, that to remove things from their centre, or proper element, required force and labour; but that of themselves they easily returned to it.

The French monarch was extremely displeased with this measure. Not only bounds were at present set to his ambition: such a barrier was also raised as seemed for ever impregnable. And though his own offer was made the foundation of the treaty, he had prescribed so short a time for the acceptance of it that he still expected, from the delays and reluctance of Spain, to find some opportunity of eluding it. The court of Madrid showed equal displeasure. To relinquish any part of the Spanish provinces, in lieu of claims, so apparently unjust, and these urged with such violence and haughtiness, inspired the highest disgust. Often did the Spaniards threaten to abandon entirely the Low Countries, rather than submit to so cruel a mortification; and they endeavoured, by this menace, to terrify the mediating powers into more vigorous measures for their support. But Temple and de Wit were better acquainted with the views and interests of Spain. They knew, that she must still retain the Low Countries, as a bond of connexion with the other European powers, who alone, if her young monarch should happen to die without issue, could ensure her independency against the pretensions of France. They still urged, therefore, the terms of the triple league, and threatened Spain with war in case of refusal. The plenipotentiaries of all the powers met at Aix-la-Chapelle. Temple was minister for England; Van Beuninghen for Holland; D'Hona for Sweden.

TREATY OF AIX-LA-CHAPELLE.

Spain at last, pressed on all hands, accepted of the alternative offered; but in her very compliance, she gave strong symptoms of ill-humour and discontent. It had been apparent, that the Hollanders, entirely neglecting the honour of the Spanish monarchy, had been anxious only for their own security; and, provided they could remove Louis to a distance from their frontier, were more indifferent what progress he made in other places. Sensible of these views, the queen-regent of Spain resolved still to keep them in an anxiety, which might for the future be the foundation of an union more intimate than they were willing at present to enter into. Franchecomté, by a vigorous and well-concerted plan of the French king, had been conquered, in fifteen days, during a rigorous season, and in the midst of winter. She chose, therefore, to recover this province, and to abandon all the towns conquered in Flanders during the last campaign. By this means Louis extended his garrisons into the heart of the Low Countries; and a very feeble barrier remained to the Spanish provinces.

But notwithstanding the advantages of his situation, the French monarch could entertain small hopes of ever extending his conquests on that quarter, which lay the most exposed to his ambition, and where his acquisitions were of most importance. The triple league guaranteed the remaining provinces to Spain; and the emperor and other powers of Germany, whose interest seemed to be intimately concerned, were invited to enter into the same confederacy. Spain herself, having, about this time, under the mediation of Charles, made peace on equal terms with Portugal, might be expected to exert more vigour and opposition to her haughty and triumphant rival. The great satisfaction, expressed in England, on account of the counsels now embraced by the court, promised the hearty concurrence of parliament in every measure which could be proposed for opposition to the grandeur of France. And thus all Europe seemed to repose herself with security under the wings of that powerful confederacy, which had been so happily formed for her protection. It is now time to give some account of the state of affairs in Scotland and in Ireland.

AFFAIRS OF SCOTLAND.

The Scottish nation, though they had never been subject to the arbitrary power of their prince, had but very imperfect notions of law and liberty; and scarcely in any age had they ever enjoyed an administration, which had confined itself within the proper boundaries. By their final union alone with England, their once hated adversary, they have happily attained the experience of a government perfectly regular, and exempt from all violence and injustice. Charles, from his aversion to business, had intrusted the affairs of that country to his ministers, particularly Middleton; and these could not forbear making very extraordinary stretches of authority.

There had been intercepted a letter, written by lord Lorne to lord Duffus, in which, a little too plainly, but very truly, he complained, that his enemies had endeavoured by falsehood to prepossess the king against him. But he said, that he had now discovered them, had defeated them, and had gained the person, meaning the earl of Clarendon, upon whom the chief of them depended. This letter was produced before the parliament; and Lorne was tried upon an old tyrannical, absurd law against *Leasing-making;* by which it was rendered criminal to belie the subjects to the king, or create in him an ill opinion of them. He was condemned to die: but Charles was much displeased with the sentence, and granted him a pardon.

It was carried in parliament, that twelve persons, without crime, witness, trial or accuser, should be declared incapable of all trust or office; and to render this injustice more egregious, it was agreed, that these persons should be named by ballot: a method of voting which several republics had adopted at elections, in order to prevent faction and intrigue; but which could serve only as a cover to malice and iniquity, in the inflicting of punishments. Lauderdale, Crawford, and sir Robert Murray, among others, were incapacitated: but the king, who disapproved of this injustice, refused his assent.

An act was passed against all persons who should move the king for restoring the children of those who were attainted by parliament; an unheard of restraint on application for grace and mercy. No penalty was affixed; but the act was but the more violent and tyrannical on that account. The court-lawyers had established it as a maxim, that the assigning of a punishment was a limitation of the crown: whereas a law, forbidding anything, though without a penalty, made the offenders criminal. And in that case, they determined, that the punishment was arbitrary; only that it could not extend to life. Middleton as commissioner passed this act; though he had no instructions for that purpose.

An act of indemnity passed; but at the same time it was voted, that all those who had offended during the late disorders, should be subjected to fines; and a committee of parliament was appointed for imposing them. These proceeded without any regard to some equitable rules, which the king had prescribed to them. The most obnoxious compounded secretly. No consideration was had, either of men's riches, or of the degrees of their guilt: no proofs were produced: inquiries were not so much as made: but as fast as information was given in against any man, he was marked down for a particular fine: and all was transacted in a secret committee. When the list was read in parliament, exceptions were made to several: some had been under age during the civil wars; some had been abroad. But it was still replied, that a proper time would come, when every man should be heard in his own defence. The only intention, it was said, of setting the fines was, that such persons should have no benefit by the act of indemnity, unless they paid the sum demanded: every one that chose to stand upon his innocence, and renounce the benefit of the indemnity, might do it at his peril. It was well known, that no one would dare so far to set at defiance so arbitrary an administration. The king wrote to the council, ordering them to supersede the levying of those fines: but Middleton found means, during some time, to elude these orders. And at last, the king obliged his ministers to compound for half the sums which had been imposed. In all these transactions, and in most others, which passed during the present reign, we still find the moderating hand of the king, interposed to protect the Scots from the oppressions which their own countrymen, employed in the ministry, were desirous of exercising over them.

But the chief circumstance, whence were derived all the subsequent tyranny and disorders in Scotland, was the execution of the laws for the establishment of episcopacy; a mode of government, to which a great part of the nation had entertained an insurmountable aversion. The rights of patrons had for some years been abolished; and the power of electing ministers had been vested in the kirk-session, and lay-elders. It was now enacted, that all incumbents, who had been admitted upon this title, should receive a presentation from the patron, and should be instituted anew by the bishop, under the penalty of deprivation. The more [illegible] among themselves, and refused obedience: they imagined that their number would protect them. Three hundred [illegible] were obstinate in this particular. New ministers were sought for all over the kingdom; and no one was so ignorant or vicious as to be rejected. The people, who loved extremely and respected their former teachers; men remarkable for the severity of their manners, and their fervour in preaching; were inflamed against these intruders, who had obtained their livings under such invidious circumstances, and who took no care, by the regularity of their manners, to soften the prejudices entertained against them. Even most of those who retained their livings by compliance, fell under the imputation of hypocrisy, either by their showing a disgust to the new model of ecclesiastical government, which they had acknowledged; or, on the other hand, by declaring that their former abhorrence to presbytery and the covenant had been the result of violence and necessity. And as Middleton and the new ministry indulged themselves in great riot and disorder, to which the nation had been little accustomed, an opinion universally prevailed, that any form of religion, offered by such hands, must be profane and impious.

The people, notwithstanding their discontents, were resolved to give no handle against them, by the least symptom of mutiny or sedition: but this submissive disposition, instead of procuring a mitigation of the rigours, was made use of as an argument for continuing the same measures, which, by their vigour, it was pretended, had produced so prompt an obedience. The king, however, was disgusted with the violence of Middleton; and he made Rothes commissioner in his place. This nobleman was already president of the council; and soon after was made lord-keeper and treasurer. Lauderdale still continued secretary of state, and commonly resided at London.

Affairs remained in a peaceable state, till the severe law was made in England against conventicles.* The Scottish parliament imitated that violence, by passing a like act. A kind of high commission court was appointed by the privy-council, for executing this rigorous law, and for the direction of ecclesiastical affairs. But even this court, illegal as it might be deemed, was preferable to the method next adopted. Military force was let loose by the council. Wherever the people had generally forsaken their churches, the guards were quartered throughout the country. Sir James Turner commanded them, a man whose natural ferocity of temper was often inflamed by the use of strong liquors. He went about, and received from the clergy lists of those who absented themselves from church, or were supposed to frequent conventicles. Without any proof or legal conviction, he demanded a fine from them, and quartered soldiers on the supposed delinquents, till he received payment. As an insurrection was dreaded during the Dutch war, new forces were levied, and intrusted to the command of Dalziel and Drummond; two officers, who had served the king during the civil wars, and had afterwards engaged in the service of Russia, where they had increased the native cruelty of their disposition. A full career was given to their tyranny by the Scottish ministry. Representations were made to the king against these enormities. He seemed touched with the state of the country; and besides giving orders, that the ecclesiastical commission should be discontinued, he signified his opinion, that another way of proceeding was necessary for his service.

This lenity of the king's came too late to remedy the disorders. The people, inflamed with bigotry, and irritated by ill usage, rose in arms. They were instigated by Guthry, Semple, and other preachers. They surprised Turner in Dumfries, and resolved to have put him to death; but finding, that his orders, which fell into their hands, were more violent than his execution of them, they spared his life. At Laneric, after many prayers, they renewed the covenant, and published their manifesto; in which they professed all submission to the king: they desired only the re-establishment of presbytery [illegible] As

many gentlemen of their party had been confined on suspicion, Wallace and Learmont, two officers, who had served, but in no high rank, were intrusted by the people with the command. Their force never exceeded two thousand men; and though the country in general bore them favour, men's spirits were so subdued, that the rebels could expect no further accession of numbers. Dalziel took the field to oppose their progress. Their number was now diminished to eight hundred; and these, having advanced near Edinburgh, attempted to find their way back into the west by Pentland Hills. They were attacked by the king's forces.* Finding that they could not escape, they stopped their march. Their clergy endeavoured to infuse courage into them. After singing some psalms, the rebels turned on the enemy; and being assisted by the advantage of the ground, they received the first charge very resolutely. But that was all the action: immediately they fell into disorder, and fled for their lives. About forty were killed on the spot, and a hundred and thirty taken prisoners. The rest, favoured by the night, and by the weariness, and even by the pity of the king's troops, made their escape.

The oppressions which these people had suffered, the delusions under which they laboured, and their inoffensive behaviour during the insurrection, made them the objects of compassion. Yet were the king's ministers, particularly Sharpe, resolved to take severe vengeance. Ten were hanged on one gibbet at Edinburgh: thirty-five before their own doors in different places. These criminals might all have saved their lives, if they would have renounced the covenant. The executions were going on, when the king put a stop to them. He said, that blood enough had already been shed, and he wrote a letter to the privy-council, in which he ordered that such of the prisoners as should simply promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations. This letter was brought by Burnet, archbishop of Glasgow; but not being immediately delivered to the council by Sharpe, the president, one Maccail, had in the interval been put to the torture, under which he expired. He seemed to die in an ecstasy of joy. "Farewell sun, moon, and stars; farewell world and time; farewell weak and frail body; welcome eternity, welcome angels and saints, welcome Saviour of the world, and welcome God, the Judge of all!" Such were his last words; and these animated speeches he uttered with an accent and manner, which struck all the bystanders with astonishment.

AFFAIRS OF IRELAND.

The settlement of Ireland, after the Restoration, was a work of greater difficulty than that of England, or even of Scotland. Not only the power, during the former usurpations, had there been vested in the king's enemies: the whole property, in a manner, of the kingdom had also been changed; and it became necessary to redress, but with as little violence as possible, many grievous hardships and iniquities, which were there complained of.

The Irish catholics had in 1648 concluded a treaty with Ormond, the king's lieutenant, in which they had stipulated pardon for their past rebellion, and had engaged, under certain conditions, to assist the royal cause; and though the violence of the priests and the bigotry of the people had prevented, in a great measure, the execution of this treaty; yet were there many, who having strictly, at the hazard of their lives, adhered to it, seemed on that account well entitled to reap the fruits of their loyalty. Cromwell having, without distinction, expelled all the native Irish from the three provinces of Munster, Leinster, and Ulster, had confined them to Connaught and the county of Clare; and among those who had thus been forfeited, were many whose innocence was altogether unquestionable. Several protestants likewise, and Ormond among the rest had all along opposed the Irish rebellion; yet having afterwards embraced the king's cause against the parliament, they were all of them attainted by Cromwell. And there were many officers who had, from the commencement of the insurrection, served in Ireland, and who, because they would not desert the king, had been refused all their arrears by the English commonwealth.

To all these unhappy sufferers some justice seemed to be due: but the difficulty was to find the means of redressing such great and extensive iniquities. Almost all the valuable parts of Ireland had been measured out and divided, either to the adventurers, who had lent money to the parliament for the suppression of the Irish rebellion, or to the soldiers, who had received land in lieu of their arrears. These could not be dispossessed, because they were the most powerful and only armed part of Ireland; because it was requisite to favour them, in order to support the protestant and English interest in that kingdom; and because they had generally, with seeming zeal and alacrity, concurred in the king's restoration. The king, therefore, issued a proclamation, in which he promised to maintain their settlement, and at the same time engaged to give redress to innocent sufferers. There was a quantity of land as yet undivided in Ireland; and from this and some other funds, it was thought possible for the king to fulfil both these engagements.

A court of claims was erected, consisting altogether of English commissioners, who had no connexion with any of the parties, into which Ireland was divided. Before these were laid four thousand claims of persons craving restitution on account of their innocence; and the commissioners had found leisure to examine only six hundred. It already appeared, that, if all these were to be restored, the funds, whence the adventurers and soldiers must get reprisals, would fall short of giving them any tolerable satisfaction. A great alarm and anxiety seized all ranks of men: the hopes and fears of every party were excited: these eagerly grasped at recovering their paternal inheritance: those were resolute to maintain their new acquisitions.

The duke of Ormond was created lord-lieutenant; being the only person, whose prudence and equity could compose such jarring interests. A parliament was assembled at Dublin; and as the lower house was almost entirely chosen by the soldiers and adventurers, who still kept possession, it was extremely favourable to that interest. The house of peers showed greater impartiality.

An insurrection was projected, together with a surprisal of the castle of Dublin, by some of the disbanded soldiers; but this design was happily defeated by the vigilance of Ormond. Some of the criminals were punished. Blood, the most desperate of them, escaped into England.

But affairs could not long remain in the confusion and uncertainty into which they had fallen. All parties seemed willing to abate somewhat of their pretensions, in order to attain some stability; and Ormond interposed his authority for that purpose. The soldiers and adventurers agreed to relinquish a third of their possessions; and as they had purchased their lands at very low prices, they had reason to think themselves favoured by this composition. All those, who had been attainted on account of their adhering to the king, were restored; and some of the innocent Irish. It was a hard situation, that a man was obliged to prove himself innocent in order to recover possession of the estate which he and his ancestors had ever enjoyed: but the hardship was augmented, by the difficult conditions annexed to this proof. If the person had ever lived in the quarters of the rebels, he was not admitted to plead his innocence; and he was, for that reason alone, supposed to have been a rebel. The heinous guilt of the Irish nation made men the more readily overlook any iniquity, which might fall on individuals,

* 28th of November, 1666.

and it was considered, that, though it be always the interest of all good government to prevent injustice, it is not always possible to remedy it, after it has had long course, and has been attended with great successes.

Ireland began to attain a state of some composure when it was disturbed by a violent act, passed by the English parliament, which prohibited the importation of Irish cattle into England. Ormond remonstrated strongly against this law. He said, that the present trade, carried on between England and Ireland, was extremely to the advantage of the former kingdom, which received only provisions or rude materials, in return for every species of manufacture: that if the cattle of Ireland were prohibited, the inhabitants of that island had no other commodity, by which they could pay England for their importations, and must have recourse to other nations for a supply: that the industrious inhabitants of England, if deprived of Irish provisions, which made living cheap, would be obliged to augment the price of labour, and thereby render their manufactures too dear to be exported to foreign markets: that the indolent inhabitants of Ireland, finding provisions fall almost to nothing, would never be induced to labour, but would perpetuate to all generations their native sloth and barbarism: that by cutting off almost entirely the trade between the kingdoms, all the natural bands of union were dissolved, and nothing remained to keep the Irish in their duty but force and violence: and that, by reducing that kingdom to extreme poverty, it would be even rendered incapable of maintaining that military power, by which, during its well-grounded discontents, it must necessarily be retained in subjection.

The king was so much convinced of the justness of these reasons, that he used all his interest to oppose the bill, and he openly declared, that he could not give his assent to it with a safe conscience. But the commons were resolute in their purpose. Some of the rents of England had fallen of late years, which had been ascribed entirely to the importation of Irish cattle: several intrigues had contributed to inflame that prejudice, particularly those of Buckingham and Ashley, who were desirous of giving Ormond disturbance in his government: and the spirit of tyranny, of which nations are as susceptible as individuals, had extremely animated the English to exert their superiority over their dependent state. No affair could be conducted with greater violence than this was by the commons. They even went so far in the preamble of the bill as to declare the importation of Irish cattle to be a *nuisance*. By this expression they gave scope to their passion, and at the same time barred the king's prerogative, by which he might think himself entitled to dispense with a law so full of injustice and bad policy. The lords expunged the word: but as the king was sensible that no supply would be given by the commons, unless they were gratified in their prejudices, he was obliged both to employ his interest with the peers for making the bill pass, and to give the royal assent to it. He could not, however, forbear expressing his displeasure at the jealousy entertained against him, and at the intention which the commons discovered of retrenching his prerogative.

This law brought great distress for some time upon the Irish; but it has occasioned their applying with greater industry to manufactures, and has proved in the issue beneficial to that kingdom.

CHAPTER LXV.

A Parliament — The Cabal — their Characters — their Counsels — Alliance with France — A Parliament — Conventicle Act — Lord's Cause — Duke declares for Catholics — Exchequer Shut — Declaration of Indulgence — Attack of the Smyrna Fleet — War against Holland — Weakness of the States — Battle of Solebay — Success of Tyrel — Progress of the French — Consternation of the Dutch — Prince of Orange Stadholder — Massacre of the De Witts — Good Conduct of the Prince — A Parliament — Declaration of Grievances — Test — Duke of York's Marriage — Duke declares himself a Catholic — Parliament prorogued — Meeting of Parliament — Peace with Holland — Character of Clarendon — Cause of his Fall — Prosecution of Lord Clarendon — Dissolution of Cabal — Character of Arlington — Of Buckingham — Of Ashley — Of Lauderdale — Of Lord Keeper Bridgeman — A Parliament — Persecution of Nonconformists — Conventicle Act — Five Mile Act — Test — Character of Duke of York — Of Duke of Monmouth — Of Prince of Orange — Of Princess Mary — Of Duke of Ormond — Of Earl of Essex — Of Earl of Shaftesbury — Of Lord Russel — Of Algernon Sidney — Of Lord Halifax — Of Sir William Temple — Of Sir Harry Vane — Of Lord Clifford — Of Lord Hollis — Of Sir Thomas Clifford — Of Sir Thomas Osborne — Of Sir Edward Seymour — Of Sir Robert Howard — A Parliament — Popish Plot — Its Rise — Its Progress — Its Influence — Its Extinction — Trial of Coleman — A Parliament — Persecution of Roman Catholics.

SINCE the Restoration, England had attained a situation which had never been experienced in any former period of her government, and which seemed the only one that could fully ensure, at once, her tranquillity and her liberty: the king was in continual want of supply from the parliament; and he seemed willing to accommodate himself to that dependent situation. Instead of reviving those claims of prerogative, so strenuously insisted on by his predecessors, Charles had strictly confined himself within the limits of law, and had courted, by every art of popularity, the affections of his subjects. Even the severities, however blameable, which he had exercised against nonconformists, are to be considered as expedients by which he strove to ingratiate himself with that party which predominated in parliament. But notwithstanding these promising appearances, there were many circumstances which kept the government from resting steadily on that bottom on which it was placed. The crown having lost almost all its ancient demesnes relied entirely on voluntary grants of the people; and the commons, not fully accustomed to this new situation, were not yet disposed to supply with sufficient liberality the necessities of the crown. They imitated too strictly the example of their predecessors in a rigid frugality of public money; and neither sufficiently considered the indigent condition of their prince, nor the general state of Europe; where every nation, by its increase both of magnificence and force, had made great additions to all public expenses. Some considerable sums, indeed, were bestowed on Charles; and the patriots of that age, tenacious of ancient maxims, loudly upbraided the commons with prodigality: but if we may judge by the example of a later period, when the government has become more regular, and the harmony of its parts has been more happily adjusted, the parliaments of this reign seem rather to have merited a contrary reproach.

The natural consequence of the poverty of the crown was, besides feeble, irregular transactions in foreign affairs, a continual uncertainty in its domestic administration. No one could answer, with any tolerable assurance, for the measures of the house of commons. Few of the members were attached to the court by any other band than that of inclination. Royalists indeed in their principles, but inexperienced in business, they lay exposed to every rumour or insinuation; and were driven by momentary gusts or currents, no less than the populace themselves. Even the attempts made to gain an ascendant over them by offices, and, as it is believed, by bribes and pensions, were apt to operate in a manner contrary to what was intended by the ministers. The novelty of the practice conveyed a general, and indeed a just alarm; while, at the same time, the poverty of the crown rendered this influence very limited and precarious.

The character of Charles was ill fitted to remedy those defects in the constitution. He acted in the administration of public affairs as if government were a pastime, rather than a serious occupation; and by the uncertainty of his conduct, he lost that authority which could alone bestow constancy on the fluctuating resolutions of the parliament. His expenses too, which sometimes perhaps exceeded the proper bounds, were directed more by inclination than by policy; and while they increased his dependence on the parliament, they were not calculated fully to satisfy either the interested or disinterested part of that assembly.

A PARLIAMENT. *February* 8.

The parliament met, after a long adjournment; and the king promised himself everything from the attachment of the commons. All his late measures had been calculated to acquire the good-will of his people; and

above all, the triple league, it was hoped, would be able to efface all the disagreeable impressions left by the unhappy conclusion of the Dutch war. But a new attempt made by the court, and a laudable one too, lost him, for a time, the effect of all these endeavours. Buckingham, who was in great favour with the king, and carried on many intrigues among the commons, had also endeavoured to support connexions with the nonconformists; and he now formed a scheme, in concert with the lord-keeper, sir Orlando Bridgeman, and the chief justice, sir Matthew Hale, two worthy patriots, to put an end to those severities under which these religionists had so long laboured. It was proposed to reconcile the presbyterians by a comprehension, and to grant a toleration to the independents and other sectaries. Favour seems not, by this scheme, as by others embraced during the present reign, to have been intended the catholics: yet were the zealous commons so disgusted, that they could not be prevailed on even to give the king thanks for the triple league, however laudable that measure was then, and has ever since been esteemed. They immediately voted an address for a proclamation against conventicles. Their request was complied with; but as the king still dropped some hints of his desire to reconcile his protestant subjects, the commons passed a very unusual vote, that no man should bring into the house any bill of that nature. The king in vain reiterated his solicitations for supply; represented the necessity of equipping a fleet; and even offered, that the money which they should grant should be collected and issued for that purpose by commissioners appointed by the house. Instead of complying, the commons voted an inquiry into all the miscarriages during the late war; the slackening of sail after the duke's victory from false orders delivered by Brounker, the miscarriage at Berghen, the division of the fleet under prince Rupert and Albemarle, the disgrace at Chatham. Brounker was expelled the house, and ordered to be impeached. Commissioner Pet, who had neglected orders issued for the security of Chatham, met with the same fate. These impeachments were never prosecuted. The house at length, having been indulged in all their prejudices, were prevailed with to vote the king three hundred and ten thousand pounds, by an imposition on wine and other liquors; after which they were adjourned.

Public business, besides being retarded by the disgust of the commons against the tolerating maxims of the court, met with obstructions this session from a quarrel between the two houses. Skinner, a rich merchant in London, having suffered some injuries from the East India Company, laid the matter by petition before the house of lords, by whom he was relieved in costs and damages to the amount of five thousand pounds. The commons voted, that the lords, in taking cognizance of this affair, originally, without any appeal from inferior courts, had acted in a manner not agreeable to the laws of the land, and tending to deprive the subject of the right, ease, and benefit due to him by these laws; and that Skinner, in prosecuting the suit after this manner, had infringed the privileges of the commons: for which offence they ordered him to be taken into custody. Some conferences ensued between the houses; where the lords were tenacious of their right of judicature, and maintained that the method in which they had exercised it was quite regular. The commons rose into a great ferment; and went so far as to vote, that "whoever should be aiding or assisting in putting in execution the order or sentence of the house of lords, in the case of Skinner against the East India Company, should be deemed a betrayer of the rights and liberties of the commons of England, and an infringer of the privileges of the house of commons." They rightly judged, that it would not be easy, after this vote, to find any one who would venture to incur their indignation. The proceedings indeed of the lords seem in this case to have been unusual, and without precedent.

1669. The king's necessities obliged him again to assemble the parliament, (19th October,) who showed some disposition to relieve him. The price, however, which he must pay for this indulgence, was his yielding to new laws against conventicles. His complaisance in this particular contributed more to gain the commons than all the pompous pretences of supporting the triple alliance, that popular measure by which he expected to make such advantage. The quarrel between the two houses was revived; and as the commons had voted only four hundred thousand pounds, with which the king was not satisfied, he thought proper, before they had carried their vote into a law, to prorogue them. (11th December) The only business finished this short session, was the receiving of the report of the committee appointed for examining the public accounts. On the first inspection of this report, there appears a great sum, no less than a million and a half, unaccounted for; and the natural inference is, that the king had much abused the trust reposed in him by parliament. But a more accurate inspection of particulars serves, in a great measure, to remove this imputation. The king indeed went so far as to tell the parliament from the throne, "That he had fully informed himself of that matter, and did affirm, that no part of those moneys which they had given him had been diverted to other uses, but, on the contrary, besides all those supplies, a very great sum had been raised out of his standing revenue and credit, and a very great debt contracted; and all for the war." Though artificial pretences have often been employed by kings in their speeches to parliament, and by none more than Charles, it is somewhat difficult to suspect him of a direct lie and falsehood. He must have had some reasons, and perhaps not unplausible ones, for this affirmation, of which all his hearers, as they had the accounts lying before them, were at that time competent judges. [*See note* 6 X, *at the end of this Vol.*]

The method which all parliaments had hitherto followed, was to vote a particular sum for the supply, without any distinction, or any appropriation to particular services. So long as the demands of the crown were small and casual, no great inconveniences arose from this practice. But as all the measures of government were now changed, it must be confessed, that, if the king made a just application of public money, this inaccurate method of proceeding, by exposing him to suspicion, was prejudicial to him. If he were inclined to act otherwise, it was equally hurtful to the people. For these reasons, a contrary practice, during all the late reigns, has constantly been followed by the commons.

1670. When the parliament met (14th February) after the prorogation, they entered anew upon the business of supply, and granted the king an additional duty, during eight years, of twelve pounds on each tun of Spanish wine imported, eight on each tun of French. A law also passed empowering him to sell the fee-farm rents; the last remains of the demesnes, by which the ancient kings of England had been supported. By this expedient, he obtained some supply for his present necessities, but left the crown, if possible, still more dependent than before. How much money might be raised by these sales, is uncertain; but it could not be near one million eight hundred thousand pounds, the sum assigned by some writers.*

The act against conventicles passed, and received the royal assent. It bears the appearance of mitigating the former persecuting laws; but, if we may judge by the spirit, which had broken out almost every session during this parliament, it was not intended as any favour to the nonconformists. Experience probably had taught, that laws over rigid and severe could not be executed. By this act the hearer in a conventicle (that is, in a dissenting assembly, where more than five were present, besides the family) was fined five shillings

* Mr. Carte, in his Vindication of the Answer to the Bystander, p. 99, says that the sale of the fee-farm rents would not yield above one hundred thousand pounds, and his reasons appear well founded.

for the first offence, ten for the second; the preacher twenty pounds for the first offence, forty for the second. The person in whose house the conventicle met was fined a like sum with the preacher. One clause is remarkable; that, if any dispute should arise with regard to the interpretation of any part of the act, the judges should always explain the doubt in the sense least favourable to conventicles, it being the intention of parliament entirely to suppress them. Such was the zeal of the commons, that they violated the plainest and most established maxims of civil policy, which require, that, in all criminal prosecutions, favour should always be given to the prisoner.

The affair of Skinner still remained a ground of quarrel between the two houses; but the king prevailed with the peers to accept of the expedient proposed by the commons, that a general razure should be made of all the transactions with regard to that disputed question.

Some attempts were made by the king to effect a union between England and Scotland; though they were too feeble to remove all the difficulties which obstructed that useful and important undertaking. Commissioners were appointed to meet in order to regulate the conditions: but the design, chiefly by the intrigues of Lauderdale, soon after came to nothing.

The king, about this time, began frequently to attend the debates of the house of peers. He said, that they amused him, and that he found them no less entertaining than a play. But deeper designs were suspected. As he seemed to interest himself extremely in the cause of lord Roos, who had obtained a divorce from his wife on the accusation of adultery, and applied to parliament for leave to marry again, people imagined, that Charles intended to make a precedent of the case, and that some other pretence would be found for getting rid of the queen. Many proposals to this purpose, it is said, were made him by Buckingham: but the king, how little scrupulous soever in some respects, was incapable of any action harsh or barbarous; and he always rejected every scheme of this nature. A suspicion, however, of such intentions, it was observed, had, at this time, begotten a coldness between the two royal brothers.

We now come to a period when the king's counsels, which had hitherto, in the main, been good, though negligent and fluctuating, became, during some time, remarkably bad, or even criminal; and, breeding incurable jealousies in all men, were followed by such consequences as had almost terminated in the ruin both of prince and people. Happily the same negligence still attended him; and, as it had lessened the influence of the good, it also diminished the effect of the bad measures which he embraced.

THE CABAL.

It was remarked, that the committee of council established for foreign affairs was entirely changed; and that prince Rupert, the duke of Ormond, secretary Trevor, and lord-keeper Bridgeman, men in whose honour the nation had great confidence, were never called to any deliberations. The whole secret was intrusted to five persons, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. These men were known by the appellation of the Cabal, a word which the initial letters of their names happened to compose. Never was there a more dangerous ministry in England, nor one more noted for pernicious counsels.

THEIR CHARACTERS.

Lord Ashley, soon after known by the name of earl of Shaftesbury, was one of the most remarkable characters of the age, and the chief spring of all the succeeding movements. During his early youth, he had engaged in the late king's party; but being disgusted with some measures of prince Maurice, he soon deserted to the parliament. He insinuated himself into the confidence of Cromwell; and as he had great influence with the presbyterians, he was serviceable in supporting with his party the authority of that usurper. He employed the same credit in promoting the Restoration; and on that account both deserved and acquired favour with the king. In all his changes, he still maintained the character of never betraying those friends whom he deserted; and whichever party he joined, his great capacity and singular talents soon gained him their confidence, and enabled him to take the lead among them. No station could satisfy his ambition, no fatigues were insuperable to his industry. Well acquainted with the blind attachment of faction, he surmounted all sense of shame: and relying on the subtlety of his contrivance, he was not startled with enterprises the most hazardous and most criminal. His talents, both of public speaking and private insinuation, shone out in an eminent degree; and amidst all his furious passions, he possessed a sound judgment of business, and still more of men. Though fitted by nature for beginning and pushing the greatest undertakings, he was never able to conduct any to a happy period; and his eminent abilities, by reason of his insatiable desires, were equally dangerous to himself, to the prince, and to the people.

The duke of Buckingham possessed all the advantages which a graceful person, a high rank, a splendid fortune, and a lively wit, could bestow; but by his wild conduct, unrestrained either by prudence or principle, he found means to render himself in the end odious and even insignificant. The least interest could make him abandon his honour; the smallest pleasure could seduce him from his interest: the most frivolous caprice was sufficient to counterbalance his pleasure. By his want of secrecy and constancy, he destroyed his character in public life; by his contempt of order and economy, he dissipated his private fortune; by riot and debauchery, he ruined his health; and he remained at last as incapable of doing hurt, as he had ever been little desirous of doing good, to mankind.

The earl, soon after created duke of Lauderdale, was not defective in natural, and still less in acquired talents; but neither was his address graceful, nor his understanding just. His principles, or more properly speaking his prejudices, were obstinate, but unable to restrain his ambition: his ambition was still less dangerous than the tyranny and violence of his temper. An implacable enemy, but a lukewarm friend; insolent to his inferiors, but abject to his superiors; though in his whole character and deportment he was almost diametrically opposite to the king, he had the fortune, beyond any other minister, to maintain, during the greater part of his reign, an ascendant over him.

The talents of parliamentary eloquence and intrigue had raised sir Thomas Clifford; and his daring impetuous spirit gave him weight in the king's councils. Of the whole cabal, Arlington was the least dangerous, either by his vices or his talents. His judgment was sound, though his capacity was but moderate; and his intentions were good, though he wanted courage and integrity to persevere in them. Together with Temple and Bridgeman, he had been a greater promoter of the triple league; but he threw himself, with equal alacrity, into opposite measures, when he found them agreeable to his master. Clifford and he were secretly catholics: Shaftesbury, though addicted to astrology, was reckoned a deist: Buckingham had too little reflection to embrace any steady principles: Lauderdale had long been a bigoted and furious presbyterian; and the opinions of that sect still kept possession of his mind, how little soever they appeared in his conduct.

THEIR COUNSELS.

The dark counsels of the cabal, though from the first they gave anxiety to all men of reflection, were not thoroughly known but by the event. Such seem to

have been the views which they, in concurrence with some catholic courtiers, who had the ear of their sovereign, suggested to the king and the duke, and which these princes too greedily embraced. They said, that the parliament, though the spirit of party, for the present, attached them to the crown, were still more attached to those powers and privileges which their predecessors had usurped from the sovereign: that after the first flow of kindness was spent, they had discovered evident symptoms of discontent; and would be sure to turn against the king all the authority which they had retained, and still more those pretensions which it was easy for them in a moment to revive: that they not only kept the king in dependence by means of his precarious revenue, but had never discovered a suitable generosity, even in those temporary supplies which they granted him: that it was high time for the prince to rouse himself from his lethargy, and to recover that authority which his predecessors, during so many ages, had peaceably enjoyed: that the great error or misfortune of his father was the not having formed any close connexion with foreign princes, who, on the breaking out of the rebellion, might have found their interest in supporting him: that the present alliances, being entered into with so many weaker potentates, who themselves stood in need of the king's protection, could never serve to maintain, much less augment, the royal authority: that the French monarch alone, so generous a prince, and by blood so nearly allied to the king, would be found both able and willing, if gratified in his ambition, to defend the common cause of kings against usurping subjects: that a war, undertaken against Holland by the united force of two such mighty potentates, would prove an easy enterprise, and would serve all the purposes which were aimed at: that, under pretence of that war, it would not be difficult to levy a military force, without which, during the prevalence of republican principles among his subjects, the king would vainly expect to defend his prerogative; that his naval power might be maintained, partly by the supplies, which, on other pretences, would previously be obtained from parliament; partly by subsidies from France; partly by captures which might easily be made on that opulent republic: that, in such a situation, attempts to recover the lost authority of the crown would be attended with success; nor would any malcontents dare to resist a prince fortified by so powerful an alliance; or if they did, they would only draw more certain ruin on themselves and on their cause: and that, by subduing the States, a great step would be made towards a reformation of the government; since it was apparent, that that republic, by its fame and grandeur, fortified, in his factious subjects, their attachment to what they vainly termed their civil and religious liberties.

These suggestions happened fatally to concur with all the inclinations and prejudices of the king; his desire of more extensive authority, his propensity to the catholic religion, his avidity for money. He seems likewise, from the very beginning of his reign, to have entertained great jealousy of his own subjects, and, on that account, a desire of fortifying himself by an intimate alliance with France. So early as 1664, he had offered the French monarch to allow him, without opposition, to conquer Flanders, provided that prince would engage to furnish him with ten thousand infantry, and a suitable number of cavalry, in case of any rebellion in England. As no dangerous symptoms at that time appeared, we are left to conjecture, from this incident, what opinion Charles had conceived of the factious disposition of his people.

Even during the time when the triple alliance was the most zealously cultivated, the king never seems to have been entirely cordial in those salutary measures, but still to have cast a longing eye towards the French alliance. Clifford, who had much of his confidence, said imprudently, "Notwithstanding all this joy, we must have a second war with Holland." The succession of the emperor to that alliance had been refused by England on frivolous pretences. And many unfriendly cavils were raised against the States with regard to Surinam and the conduct of the East-India company. [See note 6 Y, at the end of this Vol.] But about April, 1669, the strongest symptoms appeared of those fatal measures which were afterwards more openly pursued.

De Wit, at that time, came to Temple, and told him, that he paid him a visit as a friend, not as a minister. The occasion was, to acquaint him with a conversation which he had lately had with Puffendorf, the Swedish agent, who had passed by the Hague in the way from Paris to his own country. The French ministers, Puffendorf said, had taken much pains to persuade him, that the Swedes would very ill find their account in those measures which they had lately embraced: that Spain would fail them in all her promises of subsidies: nor would Holland alone be able to support them: that England would certainly fail them, and had already adopted counsels directly opposite to those which by the triple league she had bound herself to pursue: and that the resolution was not the less fixed and certain, because the secret was as yet communicated to very few, either in the French or English court. When Puffendorf seemed incredulous, Turenne showed him a letter from Colbert de Crossy, the French minister at London; in which, after mentioning the success of his negociations, and the favourable disposition of the chief ministers there, he added, "And I have at last made them sensible of the full extent of his majesty's bounty." From this incident it appears, that the infamous practice of selling themselves to foreign princes; a practice which, notwithstanding the malignity of the vulgar, is certainly rare among men in high office, had not been scrupled by Charles's ministers, who even obtained their master's consent to this dishonourable corruption.

ALLIANCE WITH FRANCE. *May* 16.

But while all men of penetration, both abroad and at home, were alarmed with these incidents, the visit which the king received from his sister, the duchess of Orleans, was the foundation of still stronger suspicions. Louis, knowing the address and insinuation of that amiable princess, and the great influence which she had gained over her brother, had engaged her to employ all her good offices, in order to detach Charles from the triple league, which he knew had fixed such unsurmountable barriers to his ambition; and he now sent her to put the last hand to the plan of their conjunct operations. That he might the better cover this negociation, he pretended to visit his frontiers, particularly the great works which he had undertaken at Dunkirk; and he carried the queen and the whole court along with him. While he remained on the opposite shore, the duchess of Orleans went over to England; and Charles met her at Dover, where they passed ten days together in great mirth and festivity. By her artifices and caresses, she prevailed on Charles to relinquish the most settled maxims of honour and policy, and to finish his engagements with Louis for the destruction of Holland; as well as for the subsequent change of religion in England.

But Louis well knew Charles's character, and the usual fluctuation of his councils. In order to fix him in the French interests, he resolved to bind him by the ties of pleasure, the only ones which with him were irresistible; and he made him a present of a French mistress, by whose means he hoped for the future to govern him. The duchess of Orleans brought with her a young lady of the name of Querouaille, whom the king carried to London, and soon after created duchess of Portsmouth. He was extremely attached to her, [illegible] and she proved [illegible] her native country.

The satisfaction which Charles reaped from his new alliance received a great check by the death of his sister, and still more by those melancholy circumstances which attended it. Her death was sudden, after a few days illness; and she was seized with the malady upon drinking a glass of succory water. Strong suspicions of poison arose in the court of France, and were spread all over Europe; and as her husband had discovered many symptoms of jealousy and discontent on account of her conduct, he was universally believed to be the author of the crime. Charles himself, during some time, was entirely convinced of his guilt; but upon receiving the attestation of physicians, who, on opening her body, found no foundation for the general rumour, he was, or pretended to be, satisfied. The duke of Orleans, indeed, did never, in any other circumstance of his life, betray such dispositions as might lead him to so criminal an action; and a lady, it is said, drank the remains of the same glass, without feeling any inconvenience. The sudden death of princes is commonly accompanied with these dismal surmises; and therefore less weight is in this case to be laid on the suspicions of the public.

Charles, instead of breaking with France upon this incident, took advantage of it to send over Buckingham, under pretence of condoling with the duke of Orleans, but in reality to concert further measures for the projected war. Never ambassador received greater caresses. The more destructive the present measures were to the interests of England, the more natural was it for Louis to load with civilities, and even with favours, those whom he could engage to promote them.

The journey of Buckingham augmented the suspicions in Holland, which every circumstance tended still further to confirm. Louis made a sudden irruption into Lorraine; and though he missed seizing the duke himself, who had no surmise of the danger, and who narrowly escaped, he was soon able, without resistance, to make himself master of the whole country. The French monarch was so far unhappy, that though the most tempting opportunities offered themselves, he had not commonly so much as the pretence of equity and justice to cover his ambitious measures. This acquisition of Lorraine ought to have excited the jealousy of the contracting powers in the triple league, as much as an invasion of Flanders itself; yet did Charles turn a deaf ear to all remonstrances made him upon that subject.

But what tended chiefly to open the eyes of de Wit, and the States, with regard to the measures of England, was the sudden recall of sir William Temple. This minister had so firmly established his character of honour and integrity, that he was believed incapable even of obeying his master's commands, in promoting measures which he esteemed pernicious to his country; and so long as he remained in employment, de Wit thought himself assured of the fidelity of England. Charles was so sensible of this prepossession, that he ordered Temple to leave his family at the Hague, and pretended, that that minister would immediately return, after having conferred with the king about some business, where his negociation had met with obstructions. De Wit made the Dutch resident inform the English court, that he should consider the recall of Temple as an express declaration of a change of measures in England; and should even know what interpretation to put upon any delay of his return.

A PARLIAMENT. *October* 24.

While these measures were secretly in agitation, the parliament met, according to adjournment. The king made a short speech; and left the business to be enlarged upon by the keeper. That minister much insisted on the king's great want of supply; the mighty increase of the naval power of France, now triple to what it was before the last war with Holland; the decay of the English navy; the necessity of fitting out next year a fleet of fifty sail; the obligations which the king lay under by several treaties to exert himself for the common good of Christendom. Among other treaties, he mentioned the triple alliance, and the defensive league with the States.

The artifice succeeded. The house of commons, entirely satisfied with the king's measures, voted him considerable supplies. A land-tax for a year was imposed of a shilling a pound; two shillings a pound on two-thirds of the salaries of offices; fifteen shillings on every hundred pounds of bankers' money and stock; an additional excise upon beer for six years, and certain impositions upon law proceedings for nine years. The parliament had never before been in a more liberal humour; and never surely was it less merited by the counsels of the king and of his ministers.*

The commons passed another bill, for laying a duty on tobacco, Scotch salt, glasses, and some other commodities. Against this bill the merchants of London appeared by petition before the house of lords. The lords entered into their reasons, and began to make amendments on the bill sent up by the commons. This attempt was highly resented by the lower house, as an encroachment on the right, which they pretended to possess alone, of granting money to the crown. Many remonstrances passed between the two houses; and by their altercations the king was obliged to prorogue the parliament, (22nd April, 1671,) and he thereby lost the money which was intended him. This is the last time that the peers have revived any pretensions of that nature. Ever since, the privilege of the commons, in all other places, except in the house of peers, has passed for uncontroverted.

There was a private affair, which, during this session, disgusted the house of commons, and required some pains to accommodate it. The usual method of those who opposed the court in the money bills was, if they failed in the main vote, as to the extent of the supply, to levy the money upon such funds as they expected would be unacceptable, or would prove deficient. It was proposed to lay an imposition upon playhouses: the courtiers objected, that the players were the king's servants, and a part of his pleasure. Sir John Coventry, a gentleman of the country party, asked, "whether the king's pleasure lay among the male or the female players?" This stroke of satire was aimed at Charles, who, besides his mistresses of higher quality, entertained at that time two actresses, Davis and Nell Gwin. The king received not the raillery with the good humour which might have been expected. It was said, that this being the first time that respect to majesty had been publicly violated, it was necessary, by some severe chastisement, to make Coventry an example to all who might incline to tread in his footsteps. Sands, Obrian, and some other officers of the guards, were ordered to way-lay him, and to set a mark upon him. He defended himself with bravery, and after wounding several of the assailants, was disarmed with some

* This year, on the 3rd of January, died George Monk, duke of Albemarle, at Newhall in Essex, after a languishing illness, and in the sixty-third year of his age. He left a great estate of £15,000 a year in land, and £60,000 in money, acquired by the bounty of the king, and increased by his own frugality in his last years. Bishop Burnet, who, agreeably to his own factious spirit, treats this illustrious personage with great malignity, reproaches him with avarice; but as he appears not to have been in the least tainted with rapacity, his frugal conduct may more candidly be imputed to the habits acquired in early life, while he was possessed of a very narrow fortune. It is indeed a singular proof of the strange power of faction, that any malignity should pursue the memory of a nobleman, the tenor of whose life was so unexceptionable, and who, by restoring the ancient, and legal, and free government to three kingdoms plunged in the most destructive anarchy, may safely be said to be the subject in these islands, who, since the beginning of time, rendered the most durable and most essential services to his native country. The means also, by which he achieved his great undertakings, were almost entirely unexceptionable. His temporary dissimulation, being absolutely necessary, could scarcely be blamable. He had received no trust from that mongrel, pretended, usurping parliament, whom he dethroned; therefore, could betray none: he even refused to carry his dissimulation so far as to take the oath of abjuration against the king. I confess, however, that the Rev. Dr. Douglas has shown me, from the Clarendon papers, an original letter of his to sir Arthur Hazlerig, containing very earnest, and certainly false, protestations, of his zeal for a commonwealth. It is to be lamented that so worthy a man, and of such plain manners, should ever have found it necessary to carry his dissimulation to such a height. His panegyric, &c. Hume's History.

difficulty. They cut his nose to the bone, in order, as they said, to teach him what respect he owed to the king. The commons were inflamed by this indignity offered to one of their members, on account of words spoken in the house. They passed a law, which made it capital to maim any person; and they enacted, that those criminals, who had assaulted Coventry, should be incapable of receiving a pardon from the crown.

BLOOD'S CRIMES.

There was another private affair transacted about this time, by which the king was as much exposed to the imputation of a capricious lenity, as he was here blamed for unnecessary severity. Blood, a disbanded officer of the protector's, had been engaged in the conspiracy for raising an insurrection in Ireland; and on account of this crime he himself had been attainted, and some of his accomplices capitally punished. The daring villain meditated revenge upon Ormond, the lord-lieutenant. Having by artifice drawn off the duke's footmen, he attacked his coach in the night-time, as it drove along St. James's-street in London; and he made himself master of his person. He might here have finished the crime, had he not meditated refinements in his vengeance: he was resolved to hang the duke at Tyburn; and for that purpose bound him, and mounted him on horseback behind one of his companions. They were advanced a good way into the fields; when the duke, making efforts for his liberty, threw himself to the ground, and brought down with him the assassin, to whom he was fastened; they were struggling together in the mire, when Ormond's servants, whom the alarm had reached, came and saved him. Blood and his companions, firing their pistols in a hurry at the duke, rode off, and saved themselves by means of the darkness.

Buckingham was at first, with some appearances of reason, suspected to be the author of this attempt. His profligate character, and his enmity against Ormond, exposed him to that imputation. Ossory soon after came to court; and seeing Buckingham stand by the king, his colour rose, and he could not forbear expressing himself to this purpose: "My lord, I know well that you are at the bottom of this late attempt upon my father: but I give you warning; if by any means he come to a violent end, I shall not be at a loss to know the author: I shall consider you as the assassin: I shall treat you as such; and wherever I meet you, I shall pistol you, though you stood behind the king's chair; and I tell it you in his majesty's presence, that you may be sure I shall not fail of performance." If there was here any indecorum, it was easily excused in a generous youth, when his father's life was exposed to danger.

A little after, Blood formed a design of carrying off the crown and regalia from the Tower; a design to which he was prompted, as well by the surprising boldness of the enterprise, as by the views of profit. He was near succeeding. He had bound and wounded Edwards, the keeper of the jewel-office, and had gotten out of the Tower with his prey; but was overtaken and seized, with some of his associates. One of them was known to have been concerned in the attempt upon Ormond; and Blood was immediately concluded to be the ringleader. When questioned, he frankly avowed the enterprise; but refused to tell his accomplices. "The fear of death," he said, "should never engage him either to deny a guilt, or betray a friend." All these extraordinary circumstances made him the general subject of conversation; and the king was moved, by an idle curiosity, to see and speak with a person so noted for his courage and his crimes. Blood might now esteem himself secure of pardon; and he wanted not address to improve the opportunity. He told Charles, that he had been engaged, with others, in a design to kill him with a carabine above Battersea, where his majesty often went to bathe; that the cause of this resolution was the severity exercised over the consciences of the godly, in restraining the liberty of their religious assemblies; that when he had taken his stand among the reeds, full of these bloody resolutions, he found his heart checked with an awe of majesty; and he not only relented himself, but diverted his associates from their purpose: that he had long ago brought himself to an entire indifference about life, which he now gave for lost; yet could he not forbear warning the king of the danger which might attend his execution: that his associates had bound themselves by the strictest oaths to revenge the death of any of the confederacy: and that no precaution or power could secure any one from the effects of their desperate resolutions.

Whether these considerations excited fear or admiration in the king, they confirmed his resolution of granting a pardon to Blood; but he thought it a point of decency first to obtain the duke of Ormond's consent. Arlington came to Ormond in the king's name, and desired that he would not prosecute Blood, for reasons which he was commanded to give him. The duke replied, that his majesty's commands were the only reason that could be given; and being sufficient, he might therefore spare the rest. Charles carried his kindness to Blood still further: he granted him an estate of five hundred pounds a year in Ireland; he encouraged his attendance about his person; he showed him great countenance, and many applied to him for promoting their pretensions at court. And while old Edwards, who had bravely ventured his life, and had been wounded, in defending the crown and regalia, was forgotten and neglected, this man, who deserved only to be stared at, and detested as a monster, became a kind of favourite.

DUKE DECLARES HIMSELF CATHOLIC.

Errors of this nature in private life have often as bad an influence as miscarriages in which the public is more immediately concerned. Another incident happened this year, which infused a general displeasure, and still greater apprehensions, into all men. The duchess of York died; and in her last sickness, she made open profession of the Romish religion, and finished her life in that communion. This put an end to that thin disguise which the duke had hitherto worn; and he now openly declared his conversion to the church of Rome. Unaccountable terrors of popery, ever since the accession of the house of Stuart, had prevailed throughout the nation; but these had formerly been found so groundless, and had been employed to so many bad purposes, that surmises of this nature were likely to meet with the less credit among all men of sense; and nothing but the duke's imprudent bigotry could have convinced the whole nation of his change of religion. Popery, which had hitherto been only a hideous spectre, was now become a real ground of terror; being openly and zealously embraced by the heir to the crown, a prince of industry and enterprise; while the king himself was not entirely free from like suspicions.

It is probable that the new alliance with France inspired the duke with the courage to make open profession of his religion, and rendered him more careless of the affections and esteem of the English. This alliance became every day more apparent. Temple was declared to be no longer ambassador to the States; and Downing, whom the Dutch regarded as the inveterate enemy of their republic, was sent over in his stead. A ground of quarrel was sought by means of a yacht dispatched for lady Temple. The captain sailed through the Dutch fleet, which lay on their own coasts; and he had orders to make them strike, to fire on them, and to persevere till they should return his fire. The Dutch admiral, Van Ghent, surprised at this bravado, came on board the yacht, and expressed his willingness to pay respect to the British flag, according to former practice: but that a fleet on their own coasts should strike to a single vessel, and that not a ship of war,

was, he said, such an innovation, that he durst not, without express orders, agree to it. The captain, thinking it dangerous, as well as absurd, to renew firing in the midst of the Dutch fleet, continued his course; and, for that neglect of orders, was committed to the Tower.

This incident, however, furnished Downing with a new article to increase those vain pretences, on which it was purposed to ground the intended rupture. The English court delayed several months before they complained; lest, if they had demanded satisfaction more early, the Dutch might have had time to grant it. Even when Downing delivered his memorial, he was bound by his instructions not to accept of any satisfaction after a certain number of days; a very imperious manner of negociating, and impracticable in Holland, where the forms of the republic render delays absolutely unavoidable. An answer, however, though refused by Downing, was sent over to London; with an ambassador extraordinary, who had orders to use every expedient that might give satisfaction to the court of England. That court replied, that the answer of the Hollanders was ambiguous and obscure; but they would not specify the articles or expressions which were liable to that objection. The Dutch ambassador desired the English ministry to draw the answer in what terms they pleased, and he engaged to sign it. The English ministry replied, that it was not their business to draw papers for the Dutch. The ambassador brought them the draught of an article, and asked them whether it were satisfactory: the English answered that, when he had signed and delivered it, they would tell him their mind concerning it. The Dutchman resolved to sign it at a venture; and on his demanding a new audience, an hour was appointed for that purpose; but when he attended, the English refused to enter upon business, and told him, that the season for negociating was now past.*

1672. Long and frequent prorogations were made of the parliament; lest the houses should declare themselves with vigour against counsels so opposite to the inclination as well as interests of the public. Could we suppose that Charles, in his alliance against Holland, really meant the good of his people, that measure must pass for an extraordinary, nay, a romantic strain of patriotism, which could lead him, in spite of all difficulties, and even in spite of themselves, to seek the welfare of the nation. But every step, which he took in this affair, became a proof, to all men of penetration, that the present war was intended against the religion and liberties of his own subjects, even more than against the Dutch themselves. He now acted in everything, as if he were already an absolute monarch, and was never more to lie under the control of national assemblies.

The long prorogations of parliament, if they freed the king from the importunate remonstrances of that assembly, were, however, attended with this inconvenience, that no money could be procured to carry on the military preparations against Holland. Under pretence of maintaining the triple league, which at that very time he had firmly resolved to break, Charles had obtained a large supply from the commons; but this money was soon exhausted by debts and expenses. France had stipulated to pay two hundred thousand pounds a year during the war; but that supply was inconsiderable, compared to the immense charge of the English navy. It seemed as yet premature to venture on levying money without consent of parliament; since the power of taxing themselves was the privilege of which the English were, with reason, particularly jealous. Some other resource must be fallen on. The king had declared, that the staff of treasurer was ready for any one that could find an expedient for supplying the present necessities. Shaftesbury dropped a hint to Clifford, which the latter immediately seized, and carried to the king, who granted him the promised reward, together with a peerage. This expedient was the shutting up of the exchequer, and the retaining of all the payments which should be made into it.

EXCHEQUER SHUT. *January* 2.

It had been usual for the bankers to carry their money to the exchequer, and to advance it upon security of the funds, by which they were afterwards reimbursed, when the money was levied on the public. The bankers, by this traffic, got eight, sometimes ten, per cent. for sums which either had been consigned to them without interest, or which they had borrowed at six per cent.—profits, which they dearly paid for by this egregious breach of public faith. The measure was so suddenly taken, that none had warning of the danger. A general confusion prevailed in the city, followed by the ruin of many. The bankers stopped payment; the merchants could answer no bills; distrust took place everywhere, with a stagnation of commerce, by which the public was universally affected. And men, full of dismal apprehension, asked each other, what must be the scope of those mysterious counsels, whence the parliament and all men of honour were excluded, and which commenced by the forfeiture of public credit, and an open violation of the most solemn engagements, both foreign and domestic.

DECLARATION OF INDULGENCE.

Another measure of the court contains something laudable, when considered in itself; but if we reflect on the motive whence it proceeded, as well as the time when it was embraced, it will furnish a strong proof of the arbitrary and dangerous counsels pursued at present by the king and his ministry. Charles resolved to make use of his supreme power in ecclesiastical matters; a power, he said, which was not only inherent in him, but which had been recognised by several acts of parliament. By virtue of this authority, he issued a proclamation, (the 15th of March,) suspending the penal laws enacted against all nonconformists or recusants whatsoever; and granting to the protestant dissenters the public exercise of their religion, to the catholics the exercise of it in private houses. A fruitless experiment of this kind, opposed by the parliament, and retracted by the king, had already been made a few years after the Restoration; but Charles expected, that the parliament, whenever it should meet, would now be tamed to greater submission, and would no longer dare to control his measures. Meanwhile the dissenters, the most inveterate enemies of the court, were mollified by these indulgent maxims: and the catholics, under their shelter, enjoyed more liberty than the laws had hitherto allowed them.

At the same time, the act of navigation was suspended by royal will and pleasure: a measure, which, though a stretch of prerogative, seemed useful to commerce, while all the seamen were employed on board the royal navy. A like suspension had been granted, during the first Dutch war, and was not much remarked; because men had at that time entertained less jealousy of the crown. A proclamation was also issued, containing rigorous clauses in favour of pressing: another full of menaces against those who presumed to speak undutifully of his majesty's measures, and even against those who heard such discourse, unless they informed in due time against the offenders: another against importing or vending any sort of painted earthenware, "except those of China, upon pain of being grievously fined, and suffering the utmost punishment, which might be lawfully inflicted upon contemners of his majesty's royal authority." An army had been levied; and it was

* This year, on the 12th of November, died, in his retreat, and in the 60th year of his age, Thomas Lord Fairfax, who performed many great actions, without being a memorable personage, and allowed himself to be carried into many criminal enterprises, with the best and most upright intentions. His daughter and heir was married to George Villiers, duke of Buckingham.

found, that discipline could not be enforced without the exercise of martial law, which was therefore established by order of council, though contrary to the Petition of Right. All these acts of power, how little important soever in themselves, savoured strongly of arbitrary government, and were nowise suitable to that legal administration, which the parliament, after such violent convulsions and civil wars, had hoped to have established in the kingdom.

It may be worth remarking, that the lord-keeper refused to affix the great seal to the declaration for suspending the penal laws; and was for that reason, though under other pretences, removed from his office. Shaftesbury was made chancellor in his place; and thus another member of the Cabal received the reward of his counsels.

ATTACK OF THE SMYRNA FLEET.

Foreign transactions kept pace with these domestic occurrences. An attempt, before the declaration of war, was made on the Dutch Smyrna fleet (March 13) by sir Robert Holmes. This fleet consisted of seventy sail, valued at a million and a half; and the hopes of seizing so rich a prey had been a great motive for engaging Charles in the present war, and he had considered that capture as a principal resource of supporting his military enterprises. Holmes, with nine frigates and three yachts, had orders to go on this command; and he passed Sprague in the Channel, who was returning with a squadron from a cruise in the Mediterranean. Sprague informed him of the near approach of the Hollanders: and had not Holmes, from a desire of engrossing the honour and profit of the enterprise, kept the secret of his orders, the conjunction of these squadrons had rendered the success infallible. When Holmes approached the Dutch, he put on an amicable appearance, and invited the admiral Van Ness, who commanded the convoy, to come on board of him: one of his captains gave a like insidious invitation to the rear-admiral. But these officers were on their guard. They had received an intimation of the hostile intentions of the English, and had already put all the ships of war and merchantmen in an excellent posture of defence. Three times were they valiantly assailed by the English; and as often did they valiantly defend themselves. In the third attack one of the Dutch ships of war was taken; and three or four of their most inconsiderable merchantmen fell into the enemies' hands. The rest, fighting with skill and courage, continued their course; and, favoured by a mist, got safe into their own harbours. This attempt is denominated perfidious and piratical by the Dutch writers, and even by many of the English. It merits at least the appellation of irregular; and, as it had been attended with bad success, it brought double shame upon the contrivers. The English ministry endeavoured to apologize for the action, by pretending that it was a casual rencounter, arising from the obstinacy of the Dutch, in refusing the honours of the flag: but the contrary was so well known, that even Holmes himself had not the assurance to persist in this asseveration.

WAR DECLARED WITH HOLLAND.

Till this incident the States, notwithstanding all the menaces and preparations of the English, never believed them thoroughly in earnest; and had always expected that the affair would terminate, either in some demands of money, or in some proposals for the advancement of the prince of Orange. The French themselves had never much reckoned on assistance from England; and scarcely could believe that their ambitious projects would, contrary to every maxim of honour and policy, be forwarded by that power which was most interested, and most able to oppose them. But Charles was too far advanced to retreat. He immediately (17th March) issued a declaration of war against the Dutch; and surely reasons more false and frivolous never were employed to justify a flagrant violation of treaty. Some complaints are there made of injuries done to the East-India Company, which yet that company disavowed: the detention of some English in Surinam is mentioned; though it appears that these persons had voluntarily remained there: the refusal of a Dutch fleet, on their own coasts, to strike to an English yacht, is much aggravated: and, to piece up all these pretensions, some abusive pictures are mentioned, and represented as a ground of quarrel. The Dutch were long at a loss what to make of this article, till it was discovered, that a portrait of Cornelius de Wit, brother to the pensionary, painted by order of certain magistrates of Dort, and hung up in a chamber of the town-house, had given occasion to the complaint. In the perspective of this portrait, the painter had drawn some ships on fire in a harbour. This was construed to be Chatham, where de Wit had really distinguished himself, and had acquired honour; but little did he imagine, that, while the insult itself, committed in open war, had so long been forgiven, the picture of it should draw such severe vengeance upon his country. The conclusion of this manifesto, where the king still professed his resolution of adhering to the triple alliance, was of a piece with the rest of it.

Louis's declaration of war contained more dignity, if undisguised violence and injustice could merit that appellation. He pretended only, that the behaviour of the Hollanders had been such, that it did not consist with his glory any longer to bear it. That monarch's preparations were in great forwardness; and his ambition was flattered with the most promising views of success. Sweden was detached from the triple league: the bishop of Munster was engaged by the payment of subsidies to take part with France: the elector of Cologne had entered into the same alliance; and having consigned Bonne and other towns into the hands of Louis, magazines were there erected; and it was from that quarter that France purposed to invade the United Provinces. The standing force of that kingdom amounted to a hundred and eighty thousand men; and with more than half of this great army was the French king now approaching to the Dutch frontiers. The order, economy, and industry of Colbert, equally subservient to the ambition of the prince, and happiness of the people, furnished unexhausted treasures: these employed by the unrelenting vigilance of Louvois, supplied every military preparation, and facilitated all the enterprises of the army; Condé, Turenne, seconded by Luxembourg, Crequi, and the most renowned generals of the age, conducted this army, and by their conduct and reputation inspired courage into every one. The monarch himself, surrounded with a brave nobility, animated his troops by the prospect of reward, or, what was more valued, by the hopes of his approbation. The fatigues of war gave no interruption to gaiety: its dangers furnished matter for glory: and in no enterprise did the genius of that gallant and polite people ever break out with more distinguished lustre.

Though de Wit's intelligence in foreign courts was not equal to the vigilance of his domestic administration, he had, long before, received many surmises of this fatal confederacy; but he prepared not for defence so early, or with such industry, as the danger required. A union of England with France was evidently, he saw, destructive to the interests of the former kingdom; and therefore overlooking, or ignorant of, the humours and secret views of Charles, he concluded it impossible, that such pernicious projects could ever really be carried into execution. Secure in this fallacious reasoning, he allowed the republic to remain too long in that defenceless situation, into which many concurring accidents had conspired to throw her.

WEAKNESS OF THE STATES.

By a continued and successful application to com-

merce, the people were become unwarlike, and confided entirely for their defence in that mercenary army which they maintained. After the treaty of Westphalia, the States, trusting to their peace with Spain, and their alliance with France, had broken a great part of this army, and did not support with sufficient vigilance the discipline of the troops which remained. When the aristocratic party prevailed, it was thought prudent to dismiss many of the old experienced officers, who were devoted to the house of Orange; and their place was supplied by raw youths, the sons or kinsmen of burgomasters, by whose interest the party was supported. These new officers, relying on the credit of their friends and family, neglected their military duty; and some of them, it is said, were even allowed to serve by deputies, to whom they assigned a small part of their pay. During the war with England, all the forces of that nation had been disbanded: Louis's invasion of Flanders, followed by the triple league, occasioned the dismission of the French regiments: and the place of these troops, which had ever had a chief share in the honour and fortune of all the wars in the Low Countries, had not been supplied by any new levies.

De Wit, sensible of this dangerous situation, and alarmed by the reports which came from all quarters, exerted himself to supply those defects, to which it was not easy of a sudden to provide a suitable remedy. But every proposal, which he could make, met with opposition from the Orange party, now become extremely formidable. The long and uncontrolled administration of this statesman had begotten envy: the present incidents roused up his enemies and opponents, who ascribed to his misconduct alone the bad situation of the republic: and, above all, the popular affection to the young prince, which had so long been held in violent constraint, and had thence acquired new accession of force, began to display itself, and to threaten the commonwealth with some great convulsion. William III., prince of Orange, was in the twenty-second year of his age, and gave strong indications of those great qualities, by which his life was afterwards so much distinguished. De Wit himself, by giving him an excellent education, and instructing him in all the principles of government and sound policy, had generously contributed to make his rival formidable. Dreading the precarious situation of his own party, he was always resolved, he said, by conveying to the prince the knowledge of affairs, to render him capable of serving his country, if any future emergence should ever throw the administration into his hands. The conduct of William had hitherto been extremely laudable. Notwithstanding his powerful alliances with England and Brandenburgh, he had expressed his resolution of depending entirely on the States for his advancement; and the whole tenor of his behaviour suited extremely the genius of that people. Silent and thoughtful; given to hear and to inquire; of a sound and steady understanding; firm in what he once resolved, or once denied; strongly intent on business, little on pleasure: by these virtues he engaged the attention of all men. And the people, sensible that they owed their liberty, and very existence, to his family, and remembering that his great uncle, Maurice, had been able, even in more early youth, to defend them against the exorbitant power of Spain, were desirous of raising this prince to all the authority of his ancestors, and hoped, from his valour and conduct alone, to receive protection against those imminent dangers with which they were at present threatened.

While these two powerful factions struggled for superiority, every scheme for defence was opposed, every project retarded. What was determined with difficulty, was executed without vigour. Levies indeed were made, and the army completed to seventy thousand men: the prince was appointed both general and admiral of the commonwealth, and the whole military power was put into his hands. But new troops could not of a sudden acquire discipline and experience: and the partisans of the prince were still unsatisfied, as long as the *perpetual edict*, so it was called, remained in force; by which he was excluded from the stadtholdership, and from all share in the civil administration.

It had always been the maxim of de Wit's party to cultivate naval affairs with extreme care, and to give the fleet a preference above the army, which they represented as the object of an unreasonable partiality in the princes of Orange. The two violent wars, which had of late been waged with England, had exercised the valour, and improved the skill, of the sailors. And, above all, de Ruiter, the greatest sea-commander of the age, was closely connected with the Louvestein party; and every one was disposed with confidence and alacrity to obey him. The equipment of the fleet was therefore hastened by de Wit; in hopes that by striking at first a successful blow, he might inspire courage into the dismayed States, and support his own declining authority. He seems to have been, in a peculiar manner, incensed against the English; and he resolved to take revenge on them for their conduct, of which, he thought, he himself and his country had such reason to complain. By the offer of a close alliance for mutual defence, they had seduced the republic to quit the alliance of France; but no sooner had she embraced these measures, than they formed leagues for her destruction with that very power, which they had treacherously engaged her to offend. In the midst of full peace, nay, during an intimate union, they attacked her commerce, her only means of subsistence; and, moved by shameful rapacity, had invaded that property, which, from a reliance on their faith, they had hoped to find unprotected and defenceless. Contrary to their own manifest interest, as well as to their honour, they still retained a malignant resentment for her successful conclusion of the former war; a war which had, at first, sprung from their own wanton insolence and ambition. To repress so dangerous an enemy, would, de Wit imagined, give peculiar pleasure and contribute to the future security of his country, whose prosperity was so much the object of general envy.

BATTLE OF SOLEBAY. *May* 28.

Actuated by like motives and views, de Ruiter put to sea with a formidable fleet, consisting of ninety-one ships of war and forty-four fireships. Cornelius de Wit was on board, as deputy from the States. They sailed in quest of the English, who were under the command of the duke of York, and who had already joined the French under mareschal d'Etrées. The combined fleets lay at Solebay in a very negligent posture; and Sandwich, being an experienced officer, had given the duke warning of the danger; but received, it is said, such an answer as intimated that there was more of caution than of courage in his apprehensions. Upon the appearance of the enemy, every one ran to his post with precipitation, and many ships were obliged to cut their cables, in order to be in readiness. Sandwich commanded the van; and though determined to conquer or to perish, he so tempered his courage with prudence, that the whole fleet was visibly indebted to him for its safety. He hastened out of the bay, where it had been easy for de Ruiter with his fireships to have destroyed the combined fleets, which were crowded together; and by this wise measure he gave time to the duke of York, who commanded the main body, and to mareschal d'Etrées, admiral of the rear, to disengage themselves. He himself meanwhile rushed into battle with the Hollanders; and by presenting himself to every danger, had drawn upon him all the bravest of the enemy. He killed Van Ghent, a Dutch admiral, and beat off his ship: he sunk another ship, which ventured to lay him aboard; he sunk three fireships, which endeavoured to grapple with him: and though his vessel was torn in pieces with shot, and of a thousand men she contained, near six hundred were

laid dead upon the deck, he continued still to thunder with all his artillery in the midst of the enemy. But another fireship, more fortunate than the preceding, having laid hold of his vessel, her destruction was now inevitable. Warned by sir Edward Haddock, his captain, he refused to make his escape, and bravely embraced death as a shelter from that ignominy, which a rash expression of the duke's, he thought, had thrown upon him.

During this fierce engagement with Sandwich, de Ruiter remained not inactive. He attacked the duke of York, and fought him with such fury for above two hours, that of two and thirty actions, in which that admiral had been engaged, he declared this combat to be the most obstinately disputed. The duke's ship was so shattered, that he was obliged to leave her, and remove his flag to another. His squadron was overpowered with numbers; till sir Joseph Jordan, who had succeeded to Sandwich's command, came to his assistance; and the fight, being more equally balanced, was continued till night, when the Dutch retired, and were not followed by the English. The loss sustained by the fleets of the two maritime powers was nearly equal, if it did not rather fall more heavy on the English. The French suffered very little, because they had scarcely been engaged in the action; and as this backwardness is not their national character, it was concluded that they had received secret orders to spare their ships, while the Dutch and English should weaken each other by their mutual animosity. Almost all the other actions during the present war tended to confirm this suspicion.

It might be deemed honourable for the Dutch to have fought with some advantage the combined fleets of two such powerful nations; but nothing less than a complete victory could serve the purpose of de Wit, or save his country from those calamities which from every quarter threatened to overwhelm her. He had expected that the French would make their attack on the side of Maestricht, which was well fortified, and provided with a good garrison; but Louis, taking advantage of his alliance with Cologne, resolved to invade the enemy on that frontier, which he knew to be more feeble and defenceless. The armies of that elector, and those of Munster, appeared on the other side of the Rhine, and divided the force and attention of the States. The Dutch troops, too weak to defend so extensive a frontier, were scattered into so many towns, that no considerable body remained in the field; and a strong garrison was scarcely to be found in any fortress. Louis passed the Meuse at Viset; and laying siege to Orsoi, a town of the elector of Brandenburgh, but garrisoned by the Dutch, he carried it in three days. He divided his army, and invested at once Burik, Wesel, Emerik, and Rhimberg, four places regularly fortified, and not unprovided with troops: in a few days all these places were surrendered. A general astonishment had seized the Hollanders, from the combination of such powerful princes against the republic; and nowhere was resistance made, suitable to the ancient glory or present greatness of the state. Governors without experience commanded troops without discipline; and despair had universally extinguished that sense of honour, by which alone men, in such dangerous extremities, can be animated to a valorous defence.

Louis advanced to the banks of the Rhine, (2nd June,) which he prepared to pass. To all the other calamities of the Dutch was added the extreme drought of the season, by which the greatest rivers were much diminished, and in some places rendered fordable. The French cavalry, animated by the presence of their prince, full of impetuous courage, but ranged in exact order, flung themselves into the river: the infantry passed in boats; a few regiments of Dutch appeared on the other side, who were unable to make resistance. And thus was executed, without danger, but not without glory, the passage of the Rhine; so much celebrated at that time, by the flattery of the French courtiers, and transmitted to posterity by the more durable flattery of their poets.

Each success added courage to the conquerors, and struck the vanquished with dismay. The prince of Orange, though prudent beyond his age, was but newly advanced to the command, unacquainted with the army, unknown to them, and all men, by reason of the violent factions which prevailed, were uncertain of the authority on which they must depend. It was expected that the fort of Skink, famous for the sieges which it had formerly sustained, would make some resistance; but it yielded to Turenne in a few days. The same general made himself master of Arnheim, Knotzembourg, and Nimeguen, as soon as he appeared before them. Doesbourg at the same time opened its gates to Louis: soon after, Harderwic, Amersfort, Campen, Rhenen, Viane, Elberg, Zwol, Cuilemberg, Wageninguen, Lochem, Woerden, fell into the enemies' hands, Groll and Deventer surrendered to the mareschal Luxembourg, who commanded the troops of Munster. And every hour brought to the States news of the rapid progress of the French, and of the cowardly defence of their own garrisons.

The prince of Orange, with his small and discouraged army, retired into the province of Holland; where he expected, from the natural strength of the country, since all human art and courage failed, to be able to make some resistance. The town and province of Utrecht sent deputies, and surrendered themselves to Louis. Naerden, a place within three leagues of Amsterdam, was seized by the marquis of Rochfort; and had he pushed on to Muyden, he had easily gotten possession of it. Fourteen stragglers of his army having appeared before the gates of that town, the magistrates sent them the keys; but a servant-maid, who was alone in the castle, having raised the drawbridge, kept them from taking possession of that fortress. The magistrates afterwards, finding the party so weak, made them drunk, and took the keys from them. Muyden is so near to Amsterdam, that its cannon may infest the ships which enter that city.

Louis with a splendid court made a solemn entry into Utrecht, (25th June,) full of glory, because everywhere attended with success; though more owing to the cowardice and misconduct of his enemies, than to his own valour or prudence. Three provinces were already in his hands, Guelderland, Overyssel, and Utrecht; Groninghen was threatened; Friezeland was exposed: the only difficulty lay in Holland and Zealand; and the monarch deliberated concerning the proper measures for reducing them. Condé and Turenne exhorted him to dismantle all the towns which he had taken, except a few; and fortifying his main army by the garrisons, put himself in condition of pushing his conquests. Louvois, hoping that the other provinces, weak and dismayed, would prove an easy prey, advised him to keep possession of places which might afterwards serve to retain the people in subjection. His counsel was followed; though it was found, soon after, to have been the most impolitic.

CONSTERNATION OF THE DUTCH.

Meanwhile the people, throughout the republic, instead of collecting a noble indignation against the haughty conqueror, discharged their rage upon their own unhappy minister, on whose prudence and integrity every one formerly bestowed the merited applause; the bad condition of the armies was laid to his charge: the ill choice of governors was ascribed to his partiality: as instances of cowardice multiplied, treachery was suspected; and his former connexions with France being remembered, the populace believed, that he and his partisans had now combined to betray them to their most mortal enemy. The prince of Orange, notwithstanding his youth and inexperience, was looked on as the only saviour of the state; and men were

violently driven by their fears into his party, to which they had always been led by favour and inclination.

Amsterdam alone seemed to retain some courage: and by forming a regular plan of defence, endeavoured to infuse spirit into the other cities. The magistrates obliged the burgesses to keep a strict watch: the populace, whom want of employment might engage to mutiny, were maintained by regular pay, and armed for the defence of the public. Some ships, which lay useless in the harbour, were refitted, and stationed to guard the city: and the sluices being opened, the neighbouring country, without regard to the damage sustained, was laid under water. All the provinces followed the example, and scrupled not, in this extremity, to restore to the sea those fertile fields, which with great art and expense had been won from it.

The States were assembled, to consider whether any means were left to save the remains of their lately flourishing, and now distressed, commonwealth. Though they were surrounded with waters, which barred all access to the enemy, their deliberations were not conducted with that tranquillity, which could alone suggest measures proper to extricate them from their present difficulties. The nobles gave their vote, that, provided their religion, liberty, and sovereignty could be saved, everything else, should, without scruple, be sacrificed to the conqueror. Eleven towns concurred in the same sentiments. Amsterdam singly declared against all treaty with insolent and triumphant enemies: but, notwithstanding that opposition, ambassadors were dispatched to implore the pity of the two combined monarchs. It was resolved to sacrifice to Louis, Maestricht, and all the frontier towns which lay without the bounds of the seven provinces; and to pay him a large sum for the charges of the war.

Louis deliberated with his ministers Louvois and Pomponne, concerning the measures which he should embrace in the present emergence; and fortunately for Europe, he still preferred the violent counsels of the former. He offered to evacuate his conquests, on condition that all duties lately imposed on the commodities of France should be taken off. That the public exercise of the Romish religion should be permitted in the United Provinces; the churches shared with the catholics; and their priests maintained by appointments from the States: that all the frontier towns of the republic should be yielded to him, together with Nimeguen, Skink, Knotzembourg, and that part of Guelderland which lay on the other side of the Rhine: as likewise the isle of Bommel, that of Voorn, the fortress of St. Andrew, those of Louvestein and Crevecœur: that the States should pay him the sum of twenty millions of livres for the charges of the war: that they should every year send him a solemn embassy, and present him with a golden medal as an acknowledgment that they owed to him the preservation of that liberty which, by the assistance of his predecessors, they had formerly acquired: and that they should give entire satisfaction to the king of England: and he allowed them but ten days for the acceptance of these demands.

The ambassadors sent to London met with still worse reception: no minister was allowed to treat with them; and they were retained in a kind of confinement. But, notwithstanding this rigorous conduct of the court, the presence of the Dutch ambassadors excited the sentiments of tender compassion, and even indignation, among the people in general, especially among those who could foresee the aim and result of those dangerous counsels. The two most powerful monarchs, they said, in Europe, the one by land, the other by sea, have, contrary to the faith of solemn treaties, combined to exterminate an illustrious republic: what a dismal prospect does their success afford to the neighbours of the one, and to the subjects of the other! Charles had formed the triple league, in order to restrain the power of France—a sure proof that he does not now err from ignorance. He had courted and obtained the applauses of his people by that wise measure: as he now adopts contrary counsels, he must surely expect by their means to render himself independent of his people, whose sentiments are become so indifferent to him. During the entire submission of the nation, and dutiful behaviour of the parliament, dangerous projects, without provocation, are formed to reduce them to subjection; and all the foreign interests of the people are sacrificed in order the more surely to bereave them of their domestic liberties. Lest any instance of freedom should remain within their view, the United Provinces, the real barrier of England, must be abandoned to the most dangerous enemy of England: and by an universal combination of tyranny against laws and liberty, all mankind, who have retained, in any degree, their precious, though hitherto precarious, birthrights, are for ever to submit to slavery and injustice.

Though the fear of giving umbrage to his confederate had engaged Charles to treat the Dutch ambassadors with such rigour, he was not altogether without uneasiness, on account of the rapid and unexpected progress of the French arms. Were Holland entirely conquered, its whole commerce and naval force, he perceived, must become an accession to France; the Spanish Low Countries must soon follow; and Louis, now independent of his ally, would no longer think it his interest to support him against his discontented subjects. Charles, though he never carried his attention to very distant consequences, could not but foresee these obvious events; and though incapable of envy or jealousy, he was touched with anxiety, when he found everything yield to the French arms, while such vigorous resistance was made to his own. He soon dismissed the Dutch ambassadors, lest they should cabal among his subjects, who bore them great favour: but he sent over Buckingham and Arlington, and soon after lord Halifax, to negociate anew with the French king in the present prosperous situation of that monarch's affairs.

These ministers passed through Holland; and as they were supposed to bring peace to the distressed republic, they were everywhere received with the loudest acclamations. "God bless the king of England! God bless the prince of Orange! Confusion to the States!" This was everywhere the cry of the populace. The ambassadors had several conferences with the States and the prince of Orange; but made no reasonable advances towards an accommodation. They went to Utrecht, where they renewed the league with Louis, and agreed that neither of the kings should make peace with Holland but by common consent. They next gave in their pretensions, of which the following are the principal articles: that the Dutch should give up the honour of the flag, without the least reserve or limitation: nor should whole fleets, even on the coast of Holland, refuse to strike or lower their topsails to the smallest ship carrying the British flag: that all persons guilty of treason against the king, or of writing seditious libels, should, on complaint, be banished for ever the dominions of the States: that the Dutch should pay the king a million sterling towards the charges of the war, together with ten thousand pounds a year, for permission to fish on the British seas: that they should share the Indian trade with the English: that the prince of Orange and his descendants should enjoy the sovereignty of the United Provinces; at least, that they should be invested with the dignities of stadtholder, admiral, and general, in as ample a manner as had ever been enjoyed by any of his ancestors: and that the isle of Walcheren, the city and castle of Sluis, together with the isles of Cadsant, Goree, and Vorne, should be put into the king's hands, as a security for the performance of articles.

The terms proposed by Louis bereaved the republic of all security against any invasion by land from France: those demanded by Charles exposed them equally to an invasion by sea from England: and when both were united, they appeared absolutely intolerable,

and reduced the Hollanders, who saw no means of defence, to the utmost despair.

What extremely augmented their distress, were the violent factions with which they continued to be everywhere agitated. De Wit, too pertinacious in defence of his own system of liberty, while the very being of the commonwealth was threatened, still persevered in opposing the repeal of the perpetual edict, now become the object of horror to the Dutch populace. Their rage at last broke all bounds, and bore everything before it. They rose in an insurrection at Dort, (30th June,) and by force constrained their burgomasters to sign the repeal, so much demanded. This proved a signal of a general revolt throughout all the provinces.

PRINCE OF ORANGE STADTHOLDER.

At Amsterdam, the Hague, Middlebourg, Rotterdam, the people flew to arms, and, trampling under foot the authority of their magistrates, obliged them to submit to the prince of Orange. They expelled from their office such as displeased them: they required the prince to appoint others in their place; and agreeably to the proceedings of the populace in all ages, provided they might wreak their vengeance on their superiors, they expressed great indifference for the protection of their civil liberties. The superior talents and virtues of de Wit made him, on this occasion, the chief object of envy, and exposed him to the utmost rage of popular prejudice. Four assassins, actuated by no other motive than mistaken zeal, had assaulted him in the streets, and after giving him many wounds, had left him for dead. One of them was punished: the others were never questioned for the crime. His brother, Cornelius, who had behaved with prudence and courage on board the fleet, was obliged by sickness to come ashore; and he was now confined to his house at Dort. Some assassins broke in upon him; and it was with the utmost difficulty that his family and servants could repel their violence. At Amsterdam, the house of the brave de Ruiter, the sole resource of the distressed commonwealth, was surrounded by the enraged populace; and his wife and children were for some time exposed to the most imminent danger.

One Tichelaer, a barber, a man noted for infamy, accused Cornelius de Wit of endeavouring by bribes to engage him in the design of poisoning the prince of Orange. The accusation, though attended with the most improbable, and even absurd circumstances, was greedily received by the credulous multitude; and Cornelius was cited before a court of judicature. The judges, either blinded by the same prejudices, or not daring to oppose the popular torrent, condemned him to suffer the question. This man, who had bravely served his country in war, and who had been invested with the highest dignities, was delivered into the hands of the executioner, and torn in pieces by the most inhuman torments. Amidst the severe agonies which he endured, he still made protestations of his innocence, and frequently repeated an ode of Horace, which contained sentiments suited to his deplorable condition:—

"Justum et tenacem propositi virum," &c.*

* Which may be thus translated—

"The man, whose mind in virtue's bent,
Pursues some great, but good intent,
With unrelenting will,
Storms heaven in the angry crowd;
Nor can their clamours, fierce and loud,
His steadfast purpose chill.

Not the red tyrant's fiercer threat,
Nor storms, that from their dark retreat
The lawless surges wake,
Not Jove's great bolt that shakes the pole,
The firmer purpose of his soul
With all its power can shake.

Should Nature's frame in ruins fall,
And Chaos o'er the sinking ball
Resume primeval sway,
His courage chance and fate defies,
Nor fears the wreck of earth and skies
Obstruct its destin'd way."—*Bankhead.*

MASSACRE OF THE DE WITS.

The judges, however, condemned him to lose his offices, and to be banished the commonwealth. The pensionary, who had not been terrified from performing the part of a kind brother and faithful friend during this prosecution, resolved not to desert him on account of the unmerited infamy which was endeavoured to be thrown upon him. He came to his brother's prison, determined to accompany him to the place of his exile. The signal was given to the populace. They rose in arms: they broke open the doors of the prison; they pulled out the two brothers; and a thousand hands vied who should first be imbrued in their blood. Even their death did not satiate the brutal rage of the multitude. They exercised on the dead bodies of those virtuous citizens, indignities too shocking to be recited: and till tired with their own fury, they permitted not the friends of the deceased to approach, or to bestow on them the honours of a funeral, silent and unattended.

GOOD CONDUCT OF THE PRINCE.

The massacre of the de Wits put an end for the time to the remains of their party; and all men, from fear, inclination, or prudence, concurred in expressing the most implicit obedience to the prince of Orange. The republic, though half subdued by foreign force, and as yet dismayed by its misfortunes, was now firmly united under one leader, and began to collect the remains of its pristine vigour. William, worthy of that heroic family from which he sprang, adopted sentiments becoming the head of a brave and free people. He bent all his efforts against the public enemy: he sought not against his country any advantages which might be dangerous to civil liberty. Those intolerable conditions demanded by their insolent enemies, he exhorted the States to reject with scorn; and by his advice they put an end to negociations, which served only to break the courage of their fellow-citizens, and delay the assistance of their allies. He showed them, that the numbers, and riches of the people, aided by the advantages of situation, would still be sufficient, if they abandoned not themselves to despair, to resist, at least retard, the progress of their enemies, and preserve the remaining provinces, till the other nations of Europe, sensible of the common danger, could come to their relief. He represented, that, as envy at their opulence and liberty had produced this mighty combination against them, they would in vain expect by concessions to satisfy foes, whose pretensions were as little bounded by moderation as by justice. He exhorted them to remember the generous valour of their ancestors, who, yet in the infancy of the state, preferred liberty to every human consideration; and rousing their spirits to an obstinate defence, repelled all the power, riches, and military discipline of Spain. And he professed himself willing to tread in the steps of his illustrious predecessors; and hoped that, as they had honoured him with the same affection which their ancestors paid to the former princes of Orange, they would second his efforts with the same constancy and manly fortitude.

The spirit of the young prince infused itself into his hearers. Those who lately entertained thoughts of yielding their necks to subjection were now bravely determined to resist the haughty victor, and to defend those last remains of their native soil, of which neither the irruptions of Louis, nor the inundation of waters, had as yet bereaved them. Should even the ground fail them on which they might combat, they were still resolved not to yield the generous strife; but, flying to their settlements in the Indies, erect a new empire in those remote regions, and preserve alive, even in the climates of slavery, that liberty of which Europe was become unworthy. Already they concerted measures for executing this extraordinary resolution; and found that the vessels contained in their harbours could

transmit above two hundred thousand inhabitants to the East Indies.

The combined princes, finding at last some appearance of opposition, bent all their efforts to seduce the prince of Orange, on whose valour and conduct the fate of the commonwealth entirely depended. The sovereignty of the province of Holland was offered him, and the protection of England and France, to ensure him as well against the invasion of foreign enemies, as the insurrection of his subjects. All proposals were generously rejected; and the prince declared his resolution to retire into Germany, and to pass his life in hunting on his lands there, rather than abandon the liberty of his country, or betray the trust reposed in him. When Buckingham urged the inevitable destruction which hung over the United Provinces, and asked him, whether he did not see that the commonwealth was ruined? "There is one certain means," replied the prince, "by which I can be sure never to see my country's ruin: I will die in the last ditch."

The people in Holland had been much incited to espouse the prince's party, by the hopes that the king of England, pleased with his nephew's elevation, would abandon those dangerous engagements into which he had entered, and would afford his protection to the distressed republic. But all these hopes were soon found to be fallacious. Charles still persisted in his alliance with France; and the combined fleets approached the coast of Holland, with an English army on board, commanded by count Schomberg. It is pretended that an unusual tide carried them off the coast; and that Providence thus interposed, in an extraordinary manner, to save the republic from the imminent danger to which it was exposed. Very tempestuous weather, it is certain, prevailed all the rest of the season; and the combined fleets either were blown to a distance, or durst not approach a coast which might prove fatal to them. Louis, finding that his enemies gathered courage behind their inundations, and that no further success was likely for the present to attend his arms, had retired to Versailles.

The other nations of Europe regarded the subjection of Holland as the forerunner of their own slavery, and retained no hopes of defending themselves, should such a mighty accession be made to the already exorbitant power of France. The emperor, though he lay at a distance, and was naturally slow in his undertakings, began to put himself in motion; Brandenburgh showed a disposition to support the States; Spain had sent some forces to their assistance; and by the present efforts of the prince of Orange, and the prospect of relief from their allies, a different face of affairs began already to appear. Groninghen was the first place that stopped the progress of the enemy; the bishop of Munster was repulsed from before that town, and obliged to raise the siege with loss and dishonour. Naerden was attempted by the prince of Orange; but mareschal Luxemburgh, breaking in upon his intrenchments with a sudden irruption, obliged him to abandon the enterprise.

A PARLIAMENT. *February* 4, 1673.

There was no ally on whom the Dutch more relied for assistance than the parliament of England, which the king's necessities at last obliged him to assemble. The eyes of all men, both abroad and at home, were fixed on this session, which met after prorogations continued for near two years. It was evident how much the king dreaded the assembling of his parliament; and the discontents universally excited by the bold measures entered into, both in foreign and domestic administration, had given but too just foundation for his apprehensions.

The king, however, in his speech, addressed them with all the appearance of cordiality and confidence. He said, that he would have assembled them sooner, had he not been desirous to allow them leisure for attending their private affairs, as well as to give his people respite from taxes and impositions: that since their last meeting, he had been forced into a war, not only just but necessary; necessary both for the honour and interest of the nation: that in order to have peace at home, while he had war abroad, he had issued his declaration of indulgence to dissenters, and had found many good effects result from that measure: that he heard of some exceptions which had been taken to this exercise of power; but he would tell them plainly, that he was resolved to stick to his declaration; and would be much offended at any contradiction: and that though a rumour had been spread, as if the new-levied army had been intended to control law and property, he regarded that jealousy as so frivolous, that he was resolved to augment his forces next spring, and did not doubt but they would consider the necessity of them in their supplies. The rest of the business he left to the chancellor.

The chancellor enlarged on the same topics, and added many extraordinary positions of his own. He told them, that the Hollanders were the common enemies of all monarchies, especially that of England, their only competitor for commerce and naval power, and the sole obstacle to their views of attaining an universal empire, as extensive as that of ancient Rome: that, even during their present distress and danger, they were so intoxicated with these ambitious projects, as to slight all treaty, nay, to refuse all cessation of hostilities: that the king, in entering on this war, did no more than prosecute those maxims which had engaged the parliament to advise and approve of the last; and he might therefore safely say, that *it was their war:* that the States being the eternal enemies of England, both by interest and inclination, the parliament had wisely judged it necessary to extirpate them, and had laid it down as an eternal maxim, that "delenda est Carthago," this hostile government by all means is to be subverted: and that though the Dutch pretended to have assurances that the parliament would furnish no supplies to the king, he was confident that this hope, in which they extremely trusted, would soon fail them.

Before the commons entered upon business, there lay before them an affair, which discovered, beyond a possibility of doubt, the arbitrary projects of the king; and the measures taken upon it proved that the house was not at present in a disposition to submit to them. It had been the constant undisputed practice, ever since the parliament in 1604, for the house, in case of any vacancy, to issue out writs for new elections; and the chancellor, who, before that time, had had some precedents in his favour, had ever afterwards abstained from all exercise of that authority. This indeed was one of the first steps which the commons had taken in establishing and guarding their privileges; and nothing could be more requisite than this precaution, in order to prevent the clandestine issuing of writs, and to ensure a fair and free election. No one but so desperate a minister as Shaftesbury, who had entered into a regular plan for reducing the people to subjection, could have entertained thoughts of breaking in upon a practice so reasonable and so well established, or could have hoped to succeed in so bold an enterprise. Several members had taken their seats upon irregular writs issued by the chancellor; but the house was no sooner assembled, and the speaker placed in the chair, than a motion was made against them; and the members themselves had the modesty to withdraw. Their election was declared null; and new writs in the usual form were issued by the speaker.

The next step taken by the commons had the appearance of some more complaisance; but in reality proceeded from the same spirit of liberty and independence. They entered a resolution, that, in order to supply his majesty's extraordinary occasions, for that was the expression employed, they would grant eighteen months' assessment, at the rate of 70,000

pounds a month, amounting in the whole to 1,260,000 pounds. Though unwilling to come to a violent breach with the king, they would not express the least approbation of the war; and they gave him the prospect of this supply, only that they might have permission to proceed peaceably in the redress of the other grievances, of which they had such reason to complain.

No grievance was more alarming, both on account of the secret views from which it proceeded, and the consequences which might attend it, than the declaration of indulgence. A remonstrance was immediately framed against that exercise of prerogative. The king defended his measure. The commons persisted in their opposition to it; and they represented, that such a practice, if admitted, might tend to interrupt the free course of the laws, and alter the legislative power, which had always been acknowledged to reside in the king and the two houses. All men were in expectation with regard to the issue of this extraordinary affair. The king seemed engaged in honour to support his measure; and in order to prevent all opposition, he had positively declared that he would support it. The commons were obliged to persevere, not only because it was dishonourable to be foiled, where they could plead such strong reasons, but also because, if the king prevailed in his pretensions, an end seemed to be put to all the legal limitations of the constitution.

It is evident that Charles was now come to that delicate crisis which he ought at first to have foreseen, when he embraced those desperate counsels; and his resolutions in such an event, ought long ago to have been entirely fixed and determined. Besides his usual guards, he had an army encamped at Blackheath, under the command of mareschal Schomberg, a foreigner; and many of the officers were of the catholic religion. His ally, the French king, he might expect, would second him, if force became requisite for restraining his discontented subjects, and supporting the measures which, by common consent, they had agreed to pursue. But the king was startled, when he approached so dangerous a precipice, as that which lay before him. Were violence once offered, there could be no return, he saw, to mutual confidence and trust with his people; the perils attending foreign succours, especially from so mighty a prince, were sufficiently apparent; and the success which his own arms had met with in the war, was not so great as to increase his authority, or terrify the malcontents from opposition. The desire of power, likewise, which had engaged Charles in these precipitate measures, had less proceeded, we may observe, from ambition, than from love of ease. Strict limitations of the constitution rendered the conduct of business complicated and troublesome; and it was impossible for him without much contrivance and intrigue, to procure the money necessary for his pleasures, or even for the regular support of government. When the prospect, therefore, of such dangerous opposition presented itself, the same love of ease inclined him to retract what it seemed so difficult to maintain; and his turn of mind, naturally pliant and careless, made him find little objection to a measure which a more haughty prince would have embraced with the utmost reluctance. That he might yield with the better grace, he asked the opinion of the house of peers, who advised him to comply with the commons. Accordingly the king sent for the declaration, and with his own hands broke the seals. The commons expressed the utmost satisfaction with this measure, and the most entire duty to his majesty. Charles assured them that he would willingly pass any law offered him, which might tend to give them satisfaction in all their just grievances.

Shaftesbury, when he found the king recede at once from so capital a point, which he had publicly declared his resolution to maintain, concluded that all schemes for enlarging royal authority were vanished, and that Charles was utterly incapable of pursuing such difficult and such hazardous measures. The parliament, he foresaw, might push their inquiries into those counsels, which were so generally odious; and the king from the same facility of disposition, might abandon his ministers to their vengeance. He resolved, therefore, to make his peace in time with that party which was likely to predominate, and to atone for all his violences in favour of monarchy, by like violences in opposition to it. Never turn was more sudden, or less calculated to save appearances. Immediately, he entered into all the cabals of the country party; and discovered to them, perhaps magnified, the arbitrary designs of the court, in which he himself had borne so deep a share. He was received with open arms by that party, who stood in need of so able a leader; and no questions were asked with regard to his late apostacy. The various factions into which the nation had been divided, and the many sudden revolutions to which the public had been exposed, had tended much to debauch the minds of men, and to destroy the sense of honour and decorum in their public conduct.

But the parliament, though satisfied with the king's compliance, had not lost all those apprehensions, to which the measures of the court had given so much foundation. A law passed for imposing a test on all who should enjoy any public office. Besides taking the oaths of allegiance and supremacy, and receiving the sacrament in the established church; they were obliged to abjure all belief in the doctrine of transubstantiation. As the dissenters had seconded the efforts of the commons against the king's declaration of indulgence, and seemed resolute to accept of no toleration in an illegal manner, they had acquired great favour with the parliament; and a project was adopted to unite the whole protestant interest against the common enemy, who now began to appear formidable. A bill passed the commons for the ease and relief of the protestant nonconformists; but met with some difficulties, at least delays, in the house of peers.

The resolution for supply was carried into a law; as a recompense to the king for his concessions. An act, likewise, of general pardon and indemnity was passed, which screened the ministers from all further inquiry. The parliament probably thought, that the best method of reclaiming the criminals was to show them that their case was not desperate. Even the remonstrance, which the commons voted, of their grievances, may be regarded as a proof, that their anger was, for the time, somewhat appeased. None of the capital points are there touched on; the breach of the triple league, the French alliance, or the shutting up of the exchequer. The sole grievances mentioned are, an arbitrary imposition on coals for providing convoys, the exercise of martial law, the quartering and pressing of soldiers; and they prayed, that, after the conclusion of the war, the whole army should be disbanded. The king gave them a gracious, though an evasive answer. When business was finished, the two houses adjourned themselves.

Though the king had receded from his declaration of indulgence, (29th March,) and thereby had tacitly relinquished the dispensing power, he was still resolved, notwithstanding his bad success, both at home and abroad, to persevere in his alliance with France, and in the Dutch war, and consequently in all those secret views, whatever they were, which depended on those fatal measures. The money, granted by parliament, sufficed to equip a fleet, of which prince Rupert was declared admiral; for the duke was set aside by the test. Sir Edward Sprague and the earl of Ossory commanded under the prince. A French squadron joined them, commanded by d'Etrées. The combined fleets set sail towards the coast of Holland, (28th May,) and found the enemy, lying at anchor, within the sands at Schonvelt. There is a natural confusion attending seafights, even beyond other military transactions, derived from the precarious operations of winds and tides, as well as from the smoke and darkness in which every-

thing is there involved. No wonder, therefore, that accounts of those battles are apt to contain uncertainties and contradictions; especially when delivered by writers of the hostile nations, who take pleasure in exalting the advantages of their own countrymen, and depressing those of the enemy. All we can say with certainty of this battle is, that both sides boasted of the victory; and we may thence infer, that the event was not decisive. The Dutch, being near home, retired into their harbours. In a week they were refitted, and presented themselves again to the combined fleets. A new action ensued, (4th June,) not more decisive than the foregoing. It was not fought with great obstinacy on either side; but whether the Dutch or the allies first retired, seems to be a matter of uncertainty. The loss in the former of these actions fell chiefly on the French, whom the English, diffident of their intentions, took care to place under their own squadrons; and they thereby exposed them to all the fire of the enemy. There seems not to have been a ship lost on either side in the second engagement.

It was sufficient glory to de Ruiter, that, with a fleet much inferior to the combined squadrons of France and England, he could fight them without any notable disadvantage; and it was sufficient victory, that he could defeat the project of a descent in Zealand, which, had it taken place, had endangered, in the present circumstances, the total overthrow of the Dutch commonwealth. Prince Rupert was also suspected not to favour the king's projects for subduing Holland, or enlarging his authority at home; and from these motives, he was thought not to have pressed so hard on the enemy, as his well-known valour gave reason to expect. It is indeed remarkable, that, during this war, though the English, with their allies, much-overmatched the Hollanders, they were not able to gain any advantage over them; while, in the former war, though often overborne by numbers, they still exerted themselves with the greatest courage, and always acquired great renown, sometimes even signal victories. But they were disgusted at the present measures, which they deemed pernicious to their country; they were not satisfied in the justice of the quarrel; and they entertained a perpetual jealousy of their confederates, whom, had they been permitted, they would with much more pleasure have destroyed, than even the enemy themselves.

If prince Rupert was not favourable to the designs of the court, he enjoyed as little favour from the court, at least from the duke, who, though he could no longer command the fleet, still possessed the chief authority in the admiralty. The prince complained of a total want of everything, powder, shot, provisions, beer, and even water: and he went into harbour, that he might refit his ships, and supply their numerous necessities. After some weeks he was refitted, and he again put to sea. The hostile fleets met at the mouth of the Texel, and fought the last battle (11th August) which, during the course of so many years, these neighbouring maritime powers have disputed with each other. De Ruiter, and under him Tromp, commanded the Dutch in this action, as in the two former: for the prince of Orange had reconciled these gallant rivals: and they retained nothing of their former animosity, except that emulation, which made them exert themselves with more distinguished bravery against the enemies of their country. Brankert was opposed to d'Etrées, de Ruiter to prince Rupert, Tromp to Sprague. It is to be remarked, that in all actions these brave admirals last mentioned had still selected each other, as the only antagonists worthy each other's valour; and no decisive advantage had as yet been gained by either of them. They fought in this battle as if there were no mean between death and victory.

D'Etrées and all the French squadron, except rear-admiral Martel, kept at a distance, and Brankert, instead of attacking them bore down to the assistance of de Ruiter, who was engaged in furious combat with prince Rupert. On no occasion did the prince acquire more deserved honour: his conduct, as well as valour, shone out with signal lustre. Having disengaged his squadron from the numerous enemies with whom he was everywhere surrounded, and having joined sir John Chichley, his rear-admiral, who had been separated from him, he made haste to the relief of Sprague, who was hard pressed by Tromp's squadron. The Royal Prince, in which Sprague first engaged, was so disabled, that he was obliged to hoist his flag on board the St. George; while Tromp was, for a like reason, obliged to quit his ship, the Golden Lion, and go on board the Comet. The fight was renewed with the utmost fury by these valorous rivals, and by the rear-admirals, their seconds. Ossory, rear-admiral to Sprague, was preparing to board Tromp, when he saw the St. George terribly torn, and in a manner disabled. Sprague was leaving her, in order to hoist his flag on board a third ship, and return to the charge, when a shot, which had passed through the St. George, took his boat, and sunk her. The admiral was drowned, to the great regret of Tromp himself, who bestowed on his valour the deserved praises.

Prince Rupert found affairs in this dangerous situation, and saw most of the ships in Sprague's squadron disabled from fight. The engagement, however, was renewed, and became very close and bloody. The prince threw the enemy into disorder. To increase it, he sent among them two fireships; and at the same time made a signal to the French to bear down; which, if they had done, a decisive victory must have ensued. But the prince, when he saw that they neglected the signal, and observed that most of his ships were in no condition to keep the sea long, wisely provided for their safety by making easy sail towards the English coast. The victory in this battle was as doubtful as in all the actions fought during the present war.

The turn which the affairs of the Hollanders took by land was more favourable. The prince of Orange besieged and took Naerden; and from this success gave his country reason to hope for still more prosperous enterprises. Montecuculi, who commanded the Imperialists on the Upper Rhine, deceived, by the most artful conduct, the vigilance and penetration of Turenne, and making a sudden march, sat down before Bonne. The prince of Orange's conduct was no less masterly; while he eluded all the French generals, and leaving them behind him, joined his army to that of the Imperialists. Bonne was taken in a few days: several other places in the electorate of Cologne fell into the hands of the allies: and the communication being thus cut off between France and the United Provinces, Louis was obliged to recall his forces, and to abandon all his conquests, with greater rapidity than he had at first made them. The taking of Maestricht was the only advantage which he gained this campaign.

CONGRESS OF COLOGNE.

A congress was opened at Cologne, under the mediation of Sweden; but with small hopes of success. The demands of the two kings were such as must have reduced the Hollanders to perpetual servitude. In proportion as the affairs of the States rose, the kings sunk in their demands; but the States still sunk lower in their offers; and it was found impossible for the parties ever to agree on any conditions. After the French evacuated Holland, the congress broke up; and the seizure of prince William of Frustenburg by the Imperialists afforded the French and English a good pretence for leaving Cologne. The Dutch ambassadors, in their memorials, expressed all the haughtiness and disdain, so natural to a free state, which had met with such unmerited ill-usage.

A PARLIAMENT. *October* 20.

The parliament of England was now assembled, and

discovered much greater symptoms of ill humour than had appeared in the last session. They had seen for some time a negociation of marriage carried on between the duke of York and the archduchess of Inspruc, a catholic of the Austrian family; and they had made no opposition. But when that negociation failed, and the duke applied to a princess of the house of Modena, then in close alliance with France; this circumstance, joined to so many other grounds of discontent, raised the commons into a flame, and they remonstrated with the greatest zeal against the intended marriage. The king told them, that their remonstrance came too late; and that the marriage was already agreed on, and even celebrated by proxy. The commons still insisted: and proceeding to the examination of the other parts of government, they voted the standing army a grievance, and declared, that they would grant no more supply, unless it appeared, that the Dutch were so obstinate as to refuse all reasonable conditions of peace. To cut short these disagreeable attacks, the king resolved to prorogue the parliament; (4th November;) and with that intention he came unexpectedly into the house of peers, and sent the usher to summon the commons. It happened that the speaker and the usher nearly met at the door of the house; but the speaker being within, some of the members suddenly shut the door, and cried, "To the chair, to the chair;" while others cried, "The black rod is at the door." The speaker was hurried to the chair; and the following motions were instantly made: that the alliance with France is a grievance; that the evil counsellors about the king are a grievance; that the duke of Lauderdale is a grievance, and not fit to be trusted or employed. There was a general cry, "To the question, to the question;" but the usher knocking violently at the door, the speaker leaped from the chair, and the house rose in great confusion.

During the interval, Shaftesbury, whose intrigues with the malcontent party were now become notorious, was dismissed from the office of chancellor; and the great seal was given to sir Heneage Finch, by the title of lord-keeper. The test had incapacitated Clifford; and the white staff was conferred on sir Thomas Osborne, soon after created earl of Danby, a minister of abilities, who had risen by his parliamentary talents. Clifford retired into the country and soon after died.

1674. The parliament had been prorogued, in order to give the duke leisure to finish his marriage; but the king's necessities soon obliged him again to assemble them: and by some popular acts he paved the way for the session. (7th February.) But all his efforts were in vain. The disgust of the commons was fixed in foundations too deep to be easily removed. They began with applications for a general fast; by which they intimated, that the nation was in a very calamitous condition; they addressed against the king's guards, which they represented as dangerous to liberty, and even as illegal, since they never had yet received the sanction of parliament: they took some steps towards establishing a new and more rigorous test against popery: and, what chiefly alarmed the court, they made an attack on the members of the Cabal, to whose pernicious counsels they imputed all their present grievances. Clifford was dead: Shaftesbury had made his peace with the country party, and was become their leader: Buckingham was endeavouring to imitate Shaftesbury; but his intentions were as yet known to very few. A motion was therefore made in the house of commons for his impeachment: he desired to be heard at the bar; but expressed himself in so confused and ambiguous a manner, as gave little satisfaction. He was required to answer precisely to certain queries, which they proposed to him. These regarded all the articles of misconduct above mentioned; and among the rest, the following query seems remarkable:—"By whose advice was the army brought up to overawe the debates and resolutions of the house of commons?" This shows to what length the suspicions of the house were at that time carried. Buckingham, in all his answers, endeavoured to exculpate himself, and to load Arlington. He succeeded not in the former intention: the commons voted an address for his removal. But Arlington, who was on many accounts obnoxious to the house, was attacked. Articles were drawn up against him, though the impeachment was never prosecuted.

PEACE WITH HOLLAND.

The king plainly saw that he could expect no supply from the commons for carrying on a war so odious to them. He resolved therefore to make a separate peace with the Dutch, on the terms which they had proposed through the channel of the Spanish ambassador. With a cordiality which, in the present disposition on both sides, was probably but affected, but which was obliging, he asked advice of the parliament. The parliament unanimously concurred, both in thanks for this gracious condescension, and in their advice for peace. Peace was accordingly concluded. The honour of the flag was yielded to the Dutch, in the most extensive terms: a regulation of trade was agreed to: all possessions were restored to the same condition as before the war: the English planters in Surinam were allowed to remove at pleasure: and the States agreed to pay to the king the sum of eight hundred thousand patacoons, near three hundred thousand pounds. Four days after the parliament was prorogued, the peace was proclaimed in London, (28th February,) to the great joy of the people. Spain had declared that she could no longer remain neuter, if hostilities were continued against Holland: and a sensible decay of trade was foreseen, in case a rupture should ensue with that kingdom. The prospect of this loss contributed very much to increase the national aversion to the present war, and to enliven the joy for its conclusion.

There was in the French service a great body of English, to the number of ten thousand men, who had acquired honour in every action, and had greatly contributed to the successes of Louis. These troops, Charles said, he was bound by treaty not to recall; but he obliged himself to the States by a secret article, not to allow them to be recruited. His partiality to France prevented a strict execution of this engagement.

CHAPTER LXVI.

Schemes of the Cabal.—Remonstrance of Sir William Temple.—Campaign of 1674.—A Parliament.—Passive Obedience.—A Parliament.—Campaign of 1675.—Congress of Nimeguen.—Campaign of 1676.—Uncertain Conduct of the King.—A Parliament.—Campaign of 1677.—Parliament's Distrust of the King.—Marriage of the Prince of Orange with the Lady Mary.—Plans of Peace.—Negociations.—Campaign of 1678.—Negociations.—Peace of Nimeguen.—State of Affairs in Scotland.

SCHEMES OF THE CABAL.

IF we consider the projects of the famous Cabal, it will appear hard to determine, whether the end which those ministers pursued were more blamable and pernicious, or the means, by which they were to effect it, more impolitic and imprudent. Though they might talk only of recovering or fixing the king's authority, their intention could be no other than that of making him absolute: since it was not possible to regain or maintain, in opposition to the people, any of those powers of the crown abolished by late law or custom, without subduing the people, and rendering the royal prerogative entirely uncontrollable. Against such a scheme, they might foresee, that every part of the nation would declare themselves, not only the old parliamentary faction, which though they kept not in a body, were still numerous; but even the

greatest royalists, who were indeed attached to monarchy, but resolved to see it limited and restrained by law. It had appeared, that the present parliament, though elected during the greatest prevalence of the royal party, was yet tenacious of popular privileges, and retained a considerable jealousy of the crown, even before they had received any just ground of suspicion. The guards, therefore, together with a small army, new levied, and undisciplined, and composed too of Englishmen, were almost the only domestic resources which the king could depend on in the prosecution of these dangerous counsels.

The assistance of the French king was, no doubt, deemed by the Cabal a considerable support in the schemes which they were forming; but it is not easily conceived that they could imagine themselves capable of directing and employing an associate of so domineering a character. They ought justly to have suspected that it would be the sole intention of Louis, as it evidently was his interest, to raise incurable jealousies between the king and his people; and that he saw how much a steady uniform government in this island, whether free or absolute, would form invincible barriers to his ambition. Should his assistance be demanded; if he sent a small supply, it would serve only to enrage the people, and render the breach altogether irreparable; if he furnished a great force, sufficient to subdue the nation, there was little reason to trust his generosity, with regard to the use which he would make of this advantage.

In all its other parts, the plan of the Cabal, it must be confessed, appears equally absurd and incongruous. If the war with Holland were attended with great success, and involved the subjection of the republic; such an accession of force must fall to Louis, not to Charles; and what hopes afterwards of resisting by the greatest unanimity so mighty a monarch! How dangerous, or rather how ruinous, to depend upon his assistance against domestic discontents! If the Dutch, by their own vigour, and the assistance of allies, were able to defend themselves, and could bring the war to an equality, the French arms would be so employed abroad, that no considerable re-enforcement could thence be expected to second the king's enterprises in England. And might not the project of overawing or subduing the people be esteemed, of itself, sufficiently odious, without the aggravation of sacrificing that State, which they regarded as their best ally, and with which, on many accounts, they were desirous of maintaining the greatest concord and strictest confederacy?

Whatever views likewise might be entertained of promoting, by these measures, the catholic religion, they could only tend to render all the other schemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is established, is better fitted than the protestant for supporting an absolute monarchy; but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more detested than even slavery itself?

It must be allowed, that the difficulties, and even inconsistencies, attending the schemes of the Cabal, are so numerous and obvious, that one feels at first an inclination to deny the reality of those schemes, and to suppose them entirely the chimeras of calumny and faction. But the utter impossibility of accounting, by any other hypothesis, for those strange measures embraced by the court, as well as for the numerous circumstances which accompanied them, obliges us to acknowledge (though there remains no direct evidence of it)* that a formal plan was laid for changing the religion, and subverting the constitution of England, and that the king and the ministry were in reality conspirators against the people. What is most probable in human affairs is not always true; and a very minute circumstance, overlooked in our speculations, serves often to explain events, which may seem the most surprising and unaccountable. Though the king possessed penetration and a sound judgment, his capacity was chiefly fitted for smaller matters, and the ordinary occurrences of life; nor had he application enough to carry his view to distant consequences, or digest and adjust any plan of political operations. As he scarcely ever thought twice on any one subject, every appearance of advantage was apt to seduce him; and when he found his way obstructed by unlooked-for difficulties, he readily turned aside into the first path, where he expected more to gratify the natural indolence of his disposition. To this versatility or pliancy of genius, he himself was inclined to trust: and he thought, that after trying an experiment for enlarging his authority, and altering the national religion, he could easily, if it failed, return into the ordinary channel of government. But the suspicions of the people, though they burst not forth at once, were by this attempt rendered altogether incurable; and the more they reflected on the circumstances attending it, the more resentment and jealousy were they apt to entertain. They observed that the king never had any favourite; that he was never governed by his ministers, scarcely even by his mistresses; and that he himself was the chief spring of all public counsels. Whatever appearance, therefore, of a change might be assumed, they still suspected, that the same project was secretly in agitation; and they deemed no precaution too great to secure them against the pernicious consequences of such measures.

The king, sensible of this jealousy, was inclined thenceforth not to trust his people, of whom he had even before entertained a great diffidence; and, though obliged to make a separate peace, he still kept up connexions with the French monarch. He apologized for deserting his ally, by representing to him all the real undissembled difficulties under which he laboured; and Louis, with the greatest complaisance and good humour, admitted the validity of his excuses. The duke likewise, conscious that his principles and conduct had rendered him still more obnoxious to the people, maintained on his own account a separate correspondence with the French court, and entered into particular connexion with Louis, which these princes

* Sir [illegible], the Venetian [illegible] the [illegible] [illegible] [illegible]

dignified with the name of friendship. The duke had only in view to secure his succession, and favour the catholics; and it must be acknowledged, to his praise, that, though his schemes were, in some particulars, dangerous to the people, they gave the king no just ground of jealousy. A dutiful subject and an affectionate brother, he knew no other rule of conduct than obedience, and the same unlimited submission which afterwards, when king, he exacted of his people, he was ever willing, before he ascended the throne, to pay to his sovereign.

REMONSTRANCES OF SIR WILLIAM TEMPLE.

As the king was at peace with all the world, and almost the only prince in Europe placed in that agreeable situation, he thought proper to offer his mediation to the contending powers, in order to compose their differences. France willing to negociate under so favourable a mediator, readily accepted of Charles's offer: but it was apprehended, that, for a like reason, the allies would be inclined to refuse it. In order to give a sanction to his new measures, the king invited Temple from his retreat, and appointed him ambassador to the States. That wise minister, reflecting on the unhappy issue of his former undertakings, and the fatal turn of counsels which had occasioned it, resolved, before he embarked anew, to acquaint himself, as far as possible, with the real intentions of the king, in those popular measures which he seemed again to have adopted. After blaming the dangerous schemes of the Cabal, which Charles was desirous to excuse, he told his majesty very plainly, that he would find it extremely difficult, if not absolutely impossible, to introduce into England the same system of government and religion which were established in France: that the universal bent of the nation was against both; and it required ages to change the genius and sentiments of a people: that many, who were, at the bottom, indifferent in matters of religion, would yet oppose all alterations on that head; because they considered that nothing but force of arms could subdue the reluctance of the people against popery; after which they knew there could be no security for civil liberty: that in France every circumstance had long been adjusted to that system of government, and tended to its establishment and support: that the commonalty, being poor and dispirited, were of no account; the nobility, engaged by the prospect of possession of numerous offices, civil and military, were entirely attached to the court; the ecclesiastics, retained by like motives, added the sanction of religion to the principles of civil policy: that in England, a great part of the landed property belonged either to the yeomanry or middling gentry, the king had few offices to bestow; and could not himself even subsist, much less maintain an army, except by the voluntary supplies of his parliament: that if he had an army on foot, yet if composed of Englishmen, they would never be prevailed on to promote ends which the people so much feared and hated: that the Roman catholics in England were not the hundredth part of the nation, and in Scotland not the two hundredth; and it seemed against all common sense to hope, by one part, to govern ninety-nine, who were of contrary sentiments and dispositions; and that foreign troops, if few, would tend only to inflame hatred and discontent; and how to raise and bring them over at once, or to maintain many, it was very difficult to imagine, To these reasonings Temple added the authority of Gourville, a Frenchman, for whom he knew the king had entertained a great esteem. "A king of England," said Gourville, "who will be *the man of his people*, is the greatest king in the world: but if he will be anything more, he is nothing at all." The king heard, at first, this discourse with some impatience; but being a dexterous dissembler, he seemed moved at last; and laying his hand on Temple's, said, with an appearing cordiality, "And I will be the man of my people."

Temple, when he went abroad, soon found that the scheme of mediating a peace was likely to prove abortive. The allies, beside their jealousy of the king's mediation, expressed a great ardour for the continuance of war. Holland had stipulated with Spain never to come to an accommodation, till all things in Flanders were restored to the condition in which they had been left by the Pyrenean treaty. The emperor had high pretensions in Alsace: and as the greater part of the empire joined in the alliance, it was hoped that France, so much overmatched in force, would soon be obliged to submit to the terms demanded of her. The Dutch, indeed, oppressed by heavy taxes, as well as checked in their commerce, were desirous of peace; and had few or no claims of their own to retard it; but they could not in gratitude, or even in good policy, abandon allies, to whose protection they had so lately been indebted for their safety. The prince of Orange likewise, who had great influence in their counsels, was all on fire for military fame, and was well pleased to be at the head of armies, from which such mighty successes were expected. Under various pretences, he eluded, during the whole campaign, the meeting with Temple; and after the troops were sent into winter-quarters, he told that minister, in his first audience, that till greater impressions were made on France, reasonable terms could not be hoped for: and it were therefore vain to negociate.

CAMPAIGN IN 1674.

The success of the campaign had not answered expectation. The prince of Orange, with a superior army, was opposed in Flanders to the prince of Condé, and had hoped to penetrate into France by that quarter, where the frontier was then very feeble. After long endeavouring, though in vain, to bring Condé to a battle, he rashly exposed, at Seneffe, a wing of his army; and that active prince failed not at once to see and to seize the advantage. But this imprudence of the prince of Orange was amply compensated by his behaviour in that obstinate and bloody action which ensued. He rallied his dismayed troops; he led them to the charge: he pushed the veteran and martial troops of France; and he obliged the prince of Condé, notwithstanding his age and character, to exert greater efforts, and to risk his person more than in any action where, even during the heat of youth he had ever commanded. After sunset, the action was continued by the light of the moon; and it was darkness at last, not the weariness of the combatants, which put an end to the contest, and left the victory undecided. "The prince of Orange," said Condé, with candour and generosity, "has acted, in everything, like an old captain, except venturing his life too like a young soldier." Oudenarde was afterwards invested by the prince of Orange; but he was obliged, by the Imperial and Spanish generals, to raise the siege on the approach of the enemy. He afterwards besieged and took Grave; and at the beginning of winter, the allied armies broke up, with great discontents and complaints on all sides.

The allies were not more successful in other places, Louis, in a few weeks, reconquered Franchecomte. In Alsace, Turenne displayed, against a much superior enemy, all that military skill, which had long rendered him the most renowned captain of his age and nation. By a sudden and forced march, he attacked and beat at Sintzheim the duke of Lorrain and Caprara, general of the Imperialists. Seventy thousand Germans poured into Alsace, and took up their quarters in that province. Turenne, who had retired into Lorrain, returned unexpectedly upon them. He attacked and defeated a body of the enemy at Mulhausen. He chased from Colmar the elector of Brandenburgh, who commanded the German troops. He gained a new advantage at Turkheim. And having dislodged all

the allies, he obliged them to repass the Rhine, full of shame for their multiplied defeats, and still more of anger and complaints against each other.

In England, all these events were considered by the people with great anxiety and concern; though the king and his ministers affected great indifference with regard to them. Considerable alterations were about this time made in the English ministry. Buckingham was dismissed, who had long, by his wit and entertaining humour, possessed the king's favour. Arlington, now chamberlain, and Danby, the treasurer, possessed chiefly the king's confidence. Great hatred and jealousy took place between these ministers; and public affairs were somewhat disturbed by their quarrels. But Danby daily gained ground with his master: and Arlington declined in the same proportion. Danby was a frugal minister; and by his application and industry, he brought the revenue into tolerable order. He endeavoured so to conduct himself as to give offence to no party; and the consequence was, that he was able entirely to please none. He was a declared enemy to the French alliance; but never possessed authority enough to overcome the prepossessions which the king and the duke retained towards it. It must be ascribed to the prevalence of that interest, aided by money remitted from Paris, that the parliament was assembled so late this year; lest they should attempt to engage the king in measures against France, during the ensuing campaign. They met not till the approach of summer.*

A PARLIAMENT, *April* 13, 1675.

Every step taken by the commons discovered that ill-humour and jealousy to which the late open measures of the king, and his present secret attachments, gave but too just foundation. They drew up a new bill against popery, and resolved to insert in it many severe clauses for the detection and prosecution of priests: they presented addresses a second time against Lauderdale; and when the king's answer was not satisfactory, they seemed still determined to persevere in their applications: an accusation was moved against Danby; but upon examining the several articles, it was not found to contain any just reasons of a prosecution; and was therefore dropped: they applied to the king for recalling his troops from the French service; and as he only promised that they should not be recruited, they appeared to be much dissatisfied with the answer: a bill was brought in, making it treason to levy money without authority of parliament: another, vacating the seats of such members as accepted of offices: another, to secure the personal liberty of the subject, and to prevent sending any person prisoner beyond sea.

PASSIVE OBEDIENCE.

That the court party might not be idle during these attacks, a bill for a new test was introduced into the house of peers by the earl of Lindsey. All members of either house, and all who possessed any office, were by this bill required to swear, that it was not lawful, upon any pretence whatsoever, to take arms against the king; that they abhorred the traitorous position of taking arms by his authority against his person, or against those who were commissioned by him; and that they will not at any time endeavour the alteration of the protestant religion, or of the established government either in church or state.

Great opposition was made to the bill; as might be expected, from the present disposition of the nation. During seventeen days, the debates were carried on with much zeal; and all the reason and learning of both parties were displayed on the occasion. The question, indeed, with regard to resistance, was a point which entered into the controversies of the old parties, cavalier and roundhead, as it made an essential part of the present disputes between court and country. Few neuters were found in the nation: but among such as could maintain a calm indifference, there prevailed sentiments wide of those which were adopted by either party. Such persons thought that a general speculative declaration of the legislature, either for or against resistance, were equally impolitic, and could serve to no other purpose than to signalize in their turn the triumph of one faction over another: that the simplicity retained in the ancient laws of England as well as in the laws of every other country, ought still to be preserved, and was best calculated to prevent the extremes on either side: that the absolute exclusion of resistance, in all possible cases, was founded on *false* principles: its express admission might be attended with *dangerous* consequences; and there was no necessity for exposing the public to either inconvenience: that if a choice must necessarily be made in the case, the preference of utility to truth in public institutions was apparent; nor could the supposition of resistance beforehand, and in general terms, be safely admitted in any government: that even in mixed monarchies, where that supposition seemed most requisite, it was yet entirely superfluous; since no man, on the approach of extraordinary necessity, could be at a loss, though not directed by legal declarations, to find the proper remedy: that even those who might at a distance, and by scholastic reasoning, exclude all resistance, would yet hearken to the voice of nature; when evident ruin both to themselves and to the public must attend a strict adherence to their pretended principles: that the question, as it ought thus to be entirely excluded from all determinations of the legislature, was, even among private reasoners, somewhat frivolous, and little better than a dispute of words: that the one party could not pretend that resistance ought ever to become a familiar practice; the other would surely have recourse to it in great extremities: and thus the difference could only turn on the degrees of danger or oppression, which would warrant this irregular remedy; a difference, which, in a general question, it was impossible, by any language, precisely to fix or determine.

There were many other absurdities in this test, particularly that of binding men by oath not to alter the government either in church or state; since all human institutions are liable to abuse, and require continual amendments, which are, in reality, so many alterations. It is not indeed possible to make a law which does not innovate, more or less, in the government. These difficulties produced such obstructions to the bill, that it was carried only by two voices in the house of peers. All the popish lords, headed by the earl of Bristol, voted against it. It was sent down to the house of commons, where it was likely to undergo a scrutiny still more severe.

But a quarrel, which ensued between the two houses, prevented the passing of every bill projected during the present session. One Dr. Shirley, being cast in a lawsuit before chancery against sir John Fag, a member of the house of commons, preferred a petition of appeal to the house of peers. The lords received it, and summoned Fag to appear before them. He complained to the lower house, who espoused his cause. They not only maintained, that no member of their house could be summoned before the peers; they also asserted that the upper house could receive no appeals from any court of equity; a pretension which extremely retrenched the jurisdiction of the peers, and which was contrary to the practice that had prevailed during this whole century. The commons send Shirley to prison; the lords assert their powers. Conferences are tried; but no accommodation ensues. Four lawyers are sent to the Tower by the commons, for transgressing the orders of the house, and pleading in this cause before the peers. The peers denominate this arbitrary com

* This year, on the 25th of March, died Henry Cromwell, second son of the protector, in the 47th year of his age. He had lived unmolested in a private station, ever since the king's restoration, which he rather favoured than opposed.

mitment a breach of the Great Charter, and order the lieutenant of the Tower to release the prisoners: he declines obedience: they apply to the king, and desire him to punish the lieutenant for his contempt. The king summons both houses; exhorts them to unanimity; and informs them that the present quarrel had arisen from the contrivance of his and their enemies, who expected by that means to force a dissolution of the parliament. His advice had no effect: the commons continue as violent as ever; and the king finding that no business could be finished, at last prorogued the parliament. (8th June.)

When the parliament was again assembled (13th October,) there appeared not in any respect a change in the dispositions of either house. The king desired supplies, as well for the building of ships, as for taking off anticipations which lay upon his revenue. He even confessed, that he had not been altogether so frugal as he might have been, and as he resolved to be for the future; though he asserted, that, to his great satisfaction, he had found his expenses by no means so exorbitant as some had represented them. The commons took into consideration the subject of supply. They voted 300,000 pounds for the building of ships; but they appropriated the sum by very strict clauses. They passed a resolution not to grant any supply for taking off the anticipations of the revenue.* This vote was carried in a full house, by a majority of four only: so nearly were the parties balanced. The quarrel was revived, to which Dr. Shirley's cause had given occasion. The proceedings of the commons discovered the same violence as during the last session. A motion was made in the house of peers, but rejected, for addressing the king to dissolve the present parliament. The king contented himself with proroguing them to a very long term. (22nd November.) Whether these quarrels between the houses arose from contrivance or accident was not certainly known. Each party might, according to their different views, esteem themselves either gainers or losers by them. The court might desire to obstruct all attacks from the commons, by giving them other employment. The country party might desire the dissolution of a parliament, which notwithstanding all disgusts, still contained too many royalists ever to serve all the purposes of the malcontents.

Soon after the prorogation, there passed an incident, which in itself is trivial, but tends strongly to mark the genius of the English government, and of Charles's administration, during this period. The liberty of the constitution, and the variety as well as violence of the parties, had begotten a propensity for political conversation; and as the coffee-houses in particular were the scenes where the conduct of the king and the ministry was canvassed with great freedom, a proclamation was issued to suppress these places of rendezvous. Such an act of power, during former reigns, would have been grounded entirely on the prerogative; and before the accession of the house of Stuart, no scruple would have been entertained with regard to that exercise of authority. But Charles, finding doubts to arise upon his proclamation, had recourse to the judges, who supplied him with a chicane, and that too a frivolous one, by which he might justify his proceedings. The law, which settled the excise, enacted, that licences for retailing liquors might be refused to such as could not find security for payment of the duties. But coffee was not a liquor subjected to excise; and even this power of refusing licences was very limited, and could not reasonably be extended beyond the intention of the act. The king, therefore, observing the people to be much dissatisfied, yielded to a petition of the coffeemen, who promised for the future to restrain all seditious discourse in their houses; and the proclamation was recalled.

* Several historians have affirmed, that the commons found this session, upon inquiry, that the king's revenue was 1,000,000 pounds a year, and that the necessary expense was but 700,000 pounds; and have appealed to the Journals for a proof. But there is no the least appearance of this in the Journals; and the fact is impossible.

CAMPAIGN OF 1675.

This campaign proved more fortunate to the confederates than any other during the whole war. The French took the field in Flanders with a numerous army; and Louis himself served as a volunteer under the prince of Condé. But notwithstanding his great preparations, he could gain no advantages but the taking of Huy and Limbourg, places of small consequence. The prince of Orange, with a considerable army, opposed him in all his motions; and neither side was willing, without a visible advantage, to hazard a general action, which might be attended either with the entire loss of Flanders on the one hand, or the invasion of France on the other. Louis, tired of so inactive a campaign, returned to Versailles; and the whole summer passed in the Low Countries without any memorable event.

Turenne commanded on the Upper Rhine, in opposition to his great rival Montecuculi, general of the Imperialists. The object of the latter was to pass the Rhine, to penetrate into Alsace, Lorraine, or Burgundy, and to fix his quarters in these provinces: the aim of the former was to guard the French frontiers, and to disappoint all the schemes of his enemy. The most consummate skill was displayed on both sides; and if any superiority appeared in Turenne's conduct, it was chiefly ascribed to his greater vigour of body, by which he was enabled to inspect all the posts in person, and could on the spot take the justest measures for the execution of his designs. By posting himself on the German side of the Rhine, he not only kept Montecuculi from passing that river; he had also laid his plan in so masterly a manner, that, in a few days, he must have obliged the Germans to decamp, and have gained a considerable advantage over them; when a period was put to his life, by a random shot, which struck him on the breast as he was taking a view of the enemy. The consternation of his army was inexpressible. The French troops, who, a moment before, were assured of victory, now considered themselves as entirely vanquished; and the Germans, who would have been glad to compound for a safe retreat, expected no less than the total destruction of their enemy. But de Lorges, nephew to Turenne, succeeded him in the command, and possessed a great share of the genius and capacity of his predecessor. By his skilful operations, the French were enabled to repass the Rhine, without considerable loss; and this retreat was deemed equally glorious with the greatest victory. The valour of the English troops, who were placed in the rear, greatly contributed to save the French army. They had been seized with the same passion as the native troops of France, for their brave general, and fought with ardour to revenge his death on the Germans. The duke of Marlborough, then captain Churchill, here learned the rudiments of that art, which he afterwards practised with such fatal success against France.

The prince of Condé left the army in Flanders under the command of Luxembourg; and, carrying with him a considerable re-enforcement, succeeded to Turenne's command. He defended Alsace from the Germans, who had passed the Rhine, and invaded that province. He obliged them first to raise the siege of Hagenau, then that of Saberne. He eluded all their attempts to bring him to a battle. And having dexterously prevented them from establishing themselves in Alsace, he forced them, notwithstanding their superiority of numbers, to repass the Rhine, and to take up winter quarters in their own country.

After the death of Turenne, a detachment of the German army was sent to the siege of Treves—an enterprise, in which the Imperialists, the Spaniards, the Palatine, the duke of Lorrain, and many other princes, passionately concurred. The project was well concerted, and executed with vigour. Mareschal Crequi, on the other hand, collected an army, and advanced

with a view of forcing the Germans to raise the siege. They left a detachment to guard their lines; and, under the command of the dukes of Zell and Osnaburgh, marched in quest of the enemy. At Consabric, they fell unexpectedly, and with superior numbers, on Crequi, and put him to rout. He escaped with four attendants only; and throwing himself into Treves, resolved, by a vigorous defence, to make atonement for his former error or misfortune. The garrison was brave, but not abandoned to that total despair by which their governor was actuated. They mutinied against his obstinacy; capitulated for themselves; and because he refused to sign the capitulation, they delivered him a prisoner into the hands of the enemy.

It is remarkable that this defeat, given to Crequi, is almost the only one which the French received at land, from Rocroi to Blenheim, during the course of above sixty years; and these too full of bloody wars against potent and martial enemies: their victories almost equal the number of years during that period. Such was the vigour and good conduct of that monarchy! And such too were the resources and refined policy of the other European nations, by which they were enabled to repair their losses, and still to confine that mighty power nearly within its ancient limits! A fifth part of these victories would have sufficed, in another period, to have given to France the empire of Europe.

The Swedes had been engaged, by the payment of large subsidies, to take part with Louis, and invade the territories of the elector of Brandenburg in Pomerania. That elector, joined by some Imperialists from Silesia, fell upon them with bravery and success. He soon obliged them to evacuate his part of that country, and he pursued them into their own. He had an interview with the king of Denmark, who had now joined the confederates, and resolved to declare war against Sweden. These princes concerted measures for pushing the victory.

To all these misfortunes against foreign enemies were added some domestic insurrections of the common people in Guienne and Britanny. Though soon suppressed, they divided the force and attention of Louis. The only advantage gained by the French was at sea. Messina in Sicily, had revolted; and a fleet under the duke de Vivonne was dispatched to support the rebels. The Dutch had sent a squadron to assist the Spaniards. A battle ensued, where de Ruiter was killed. This event alone was thought equivalent to a victory.

The French, who, twelve years before, had scarcely a ship of war in any of their harbours, had raised themselves, by means of perseverance and policy, to be, in their present force, though not in their resources, the first maritime power in Europe. The Dutch, while in alliance with them against England, had supplied them with several vessels, and had taught them the rudiments of the difficult art of ship-building. The English next, when in alliance with them against Holland, instructed them in the method of fighting their ships, and of preserving order in naval engagements. Louis availed himself of every opportunity to aggrandize his people, while Charles, sunk in indolence and pleasure, neglected all the noble arts of government; or if at any time he roused himself from his lethargy, that industry, by reason of the unhappy projects which he embraced, was often more pernicious to the public than his inactivity itself. He was as anxious to promote the naval power of France, as if the safety of his crown had depended on it; and many of the plans executed in that kingdom were first, it is said, digested and corrected by him.

CONGRESS OF NIMEGUEN. 1676.

The successes of the allies had been considerable the last campaign; but the Spaniards and Imperialists well knew that France was not yet sufficiently broken, nor willing to submit to the terms which they resolved to impose upon her. Though they could not refuse the king's mediation, and Nimeguen, after many difficulties, was at last fixed on as the place of congress; yet, under one pretence or other, they still delayed sending their ambassadors, and no progress was made in the negociation. Lord Berkeley, sir William Temple, and sir Lionel Jenkins, were the English ministers at Nimeguen. The Dutch, who were impatient for peace, soon appeared: Louis, who hoped to divide the allies, and who knew that he himself could neither be seduced nor forced into a disadvantageous peace, sent ambassadors: the Swedes, who hoped to recover by treaty what they had lost by arms, were also forward to negociate. But as these powers could not proceed of themselves to settle terms, the congress, hitherto, served merely as an amusement to the public.

CAMPAIGN OF 1676.

It was by the events of the campaign, not the conferences among the negociators, that the articles of peace were to be determined. The Spanish towns, ill fortified, and worse defended, made but a feeble resistance to Louis; who, by laying up magazines during the winter, was able to take the field early in the spring, before the forage could be found in the open country. In the month of April he laid siege to Condé, and took it by storm in four days. Having sent the duke of Orleans to besiege Bouchaine, a small but important fortress, he posted himself so advantageously with his main army, as to hinder the confederates from relieving it, or fighting without disadvantage. The prince of Orange, in spite of the difficulties of the season, and the want of provisions, came in sight of the French army; but his industry served to no other purpose than to render him spectator of the surrender of Bouchaine. Both armies stood in awe of each other, and were unwilling to hazard an action, which might be attended with the most important consequences. Louis, though he wanted not personal courage, was little enterprising in the field: and being resolved this campaign to rest contented with the advantages which he had so early obtained, he thought proper to intrust his army to mareschal Schomberg, and retired himself to Versailles. After his departure, the prince of Orange laid siege to Maestricht: but meeting with an obstinate resistance, he was obliged, on the approach of Schomberg, who in the mean time had taken Aire, to raise the siege. He was incapable of yielding to adversity, or bending under misfortunes; but he began to foresee, that, by the negligence and errors of his allies, the war in Flanders must necessarily have a very unfortunate issue.

On the Upper Rhine Philipsbourg was taken by the Imperialists. In Pomerania, the Swedes were so unsuccessful against the Danes and Brandenburghers, that they seemed to be losing apace all those possessions, which, with so much valour and good fortune, they had acquired in Germany.

About the beginning of winter, the congress of Nimeguen was pretty full, and the plenipotentiaries of the emperor and Spain, two powers strictly conjoined by blood and alliance, at last appeared. The Dutch had threatened, if they absented themselves any longer, to proceed to a separate treaty with France. In the conferences and negociations, the disposition of the parties became every day more apparent.

1677. The Hollanders, loaded with debts and harassed with taxes, were desirous of putting an end to a war, in which, besides the disadvantages attending all leagues, the weakness of the Spaniards, the divisions and delays of the Germans, prognosticated nothing but disgrace and misfortune. Their commerce languished; and, what gave them still greater anxiety, the commerce of England, by reason of her neutrality, flourished extremely; and they were apprehensive, lest advantages, once lost, would never thoroughly be regained. They had themselves no further motive for continuing the war, than to secure a good frontier to Flanders; but grati-

tude to their allies still engaged them to try whether another campaign might procure a peace, which would give general satisfaction. The prince of Orange, urged by motives of honour, of ambition, and of animosity against France, endeavoured to keep them steady to this resolution.

The Spaniards, not to mention the other incurable weaknesses into which their monarchy was fallen, were distracted with domestic dissensions between the parties of the queen-regent and don John, natural brother to their young sovereign. Though unable of themselves to defend Flanders, they were resolute not to conclude a peace, which would leave it exposed to every assault or inroad; and while they made the most magnificent promises to the States, their real trust was in the protection of England. They saw that, if that small but important territory were once subdued by France, the Hollanders, exposed to so terrible a power, would fall into dependence, and would endeavour, by submissions, to ward off that destruction to which a war, in the heart of their state, must necessarily expose them. They believed that Louis, sensible how much greater advantages he might reap from the alliance than from the subjection of the republic, which must scatter its people and depress its commerce, would be satisfied with very moderate conditions, and would turn his enterprises against his other neighbours. They thought it impossible but the people and parliament of England, foreseeing these obvious consequences, must at last force the king to take part in the affairs of the continent, in which their interests were so deeply concerned. And they trusted, that even the king himself on the approach of so great a danger, must open his eyes, and sacrifice his prejudices in favour of France, to the safety of his own dominions.

UNCERTAIN CONDUCT OF THE KING.

But Charles here found himself entangled in such opposite motives and engagements, as he had not resolution enough to break, or patience to unravel. On the one hand, he always regarded his alliance with France as a sure resource in case of any commotions among his own subjects; and whatever schemes he might still retain for enlarging his authority, or altering the established religion, it was from that quarter alone he could expect assistance. He had actually in secret sold his neutrality to France, and he received remittances of a million of livres a year, which was afterwards increased to two millions; a considerable supply in the present embarrassed state of his revenue. And he dreaded lest the parliament should treat him as they had formerly done his father; and after they had engaged him in a war on the continent, should take advantage of his necessities, and make him purchase supplies by sacrificing his prerogative and abandoning his ministers.

On the other hand, the cries of his people and parliament, seconded by Danby, Arlington, and most of his ministers, incited him to take part with the allies, and to correct the unequal balance of power in Europe. He might apprehend danger from opposing such earnest desires: he might hope for large supplies if he concurred with them: and, however inglorious and indolent his disposition, the renown of acting as arbiter of Europe would probably at intervals rouse him from his lethargy, and move him to support the high character with which he stood invested.

It is worthy of observation, that during this period, the king was, by every one, abroad and at home, by France and by the allies, allowed to be the undisputed arbiter of Europe: and no terms of peace, which he would have prescribed, could have been refused by either party, though France afterwards found means to resist the same alliance, joined with England; yet was she then obliged to make such violent efforts as quite exhausted her; and it was the utmost necessity which pushed her to find resources, far surpassing her own expectations. Charles was sensible, that, so long as the war continued abroad, he should never enjoy ease at home, from the impatience and importunity of his subjects; yet could he not resolve to impose a peace by openly joining himself with either party. Terms advantageous to the allies must lose him the friendship of France: the contrary would enrage his parliament. Between these views, he perpetually fluctuated; and from his conduct, it is observable, that a careless, remiss disposition, agitated by opposite motives, is capable of as great inconsistencies as are incident even to the greatest imbecility and folly.

A PARLIAMENT. *February* 15.

The parliament was assembled; and the king made them a plausible speech, in which he warned them against all differences among themselves: expressed a resolution to do his part for bringing their consultations to a happy issue; and offered his consent to any laws for the further security of their religion, liberty, and property. He then told them of the decayed condition of the navy; and asked money for repairing it: he informed them, that part of his revenue, the additional excise, was soon to expire; and he added these words, —"You may at any time see the yearly established expense of the government, by which it will appear, that the constant and unavoidable charge being paid, there will remain no overplus towards answering those contingencies, which may happen in all kingdoms, and which have been a considerable burden on me this last year."

Before the parliament entered upon business, they were stopped by a doubt concerning the legality of their meeting. It had been enacted, by an old law of Edward III., "That parliaments should be held once every year, or oftener, if need be." The last prorogation had been longer than a year; and being supposed on that account illegal, it was pretended to be equivalent to a dissolution. The consequence seems by no means just; and, besides, a later act, that which repealed the triennial law, had determined, that it was necessary to hold parliaments only once in three years. Such weight, however, was put on this cavil, that Buckingham, Shaftesbury, Salisbury, and Wharton insisted strenuously in the house of peers on the invalidity of the parliament, and the nullity of all its future acts. For such dangerous positions, they were sent to the Tower, there to remain during the pleasure of his majesty and the house. Buckingham, Salisbury, and Wharton, made submissions, and were soon after released. But Shaftesbury, more obstinate in his temper, and desirous of distinguishing himself by his adherence to liberty, sought the remedy of law; and being rejected by the judges, he was, at last, after a twelvemonth's imprisonment, obliged to make the same submissions; upon which he was also released.

The commons at first seemed to proceed with temper. They granted the sum of 586,000 pounds, for building thirty ships: though they strictly appropriated the money to that service. Estimates were given in of the expense; but it was afterwards found that they fell short near 100,000 pounds. They also voted, agreeably to the king's request, the continuance of the additional excise for three years. This excise had been granted for nine years in 1668. Everything seemed to promise a peaceful and an easy session.

CAMPAIGN OF 1677.

But the parliament was roused from this tranquillity by the news received from abroad. The French king had taken the field in the middle of February, and laid siege to Valenciennes, which he carried in a few days by storm. He next invested both Cambray and St. Omers. The prince of Orange, alarmed with his progress, hastily assembled an army, and marched to the relief of St. Omers. He was encountered by the

French, under the duke of Orleans and mareschal Luxembourg. The prince possessed great talents for war; courage, activity, vigilance, patience; but still he was inferior in genius to those consummate generals opposed to him by Louis; and though he always found means to repair his losses, and to make head in a little time against the victors, he was, during his whole life, unsuccessful. By a masterly movement of Luxembourg, he was here defeated, and obliged to retreat to Ypres. Cambray and St. Omers were soon after surrendered to Louis.

This success, derived from such great power and such wise conduct, infused a just terror into the English parliament. They addressed the king, representing the danger to which the kingdom was exposed from the greatness of France, and praying, that his majesty, by such alliances as he should think fit, would both secure his own dominions and the Spanish Netherlands, and thereby quiet the fears of his people. The king, desirous of eluding this application, which he considered as a kind of attack on his measures, replied in general terms, that he would use all means for the preservation of Flanders, consistent with the peace and safety of his kingdoms. This answer was an evasion, or rather a denial. The commons, therefore, thought proper to be more explicit. They entreated him not to defer the entering into such alliances as might attain that great end: and in case war with the French king should be the result of his measures, they promised to grant him all the aids and supplies, which would enable him to support the honour and interest of the nation. The king was also more explicit in his reply. He told them, that the only way to prevent danger, was to put him in a condition to make preparations for their security. This message was understood to be a demand of money. The parliament accordingly empowered the king to borrow on the additional excise 200,000 pounds at seven per cent.—a very small sum indeed; but which they deemed sufficient, with the ordinary revenue, to equip a good squadron, and thereby put the nation in security, till further resolutions should be taken.

But this concession fell far short of the king's expectations. He therefore informed them, that, unless they granted him the sum of 600,000 pounds upon new funds, it would not be possible for him, without exposing the nation to manifest danger, *to speak or act those things*, which would answer the end of their several addresses. The house took this message into consideration: but before they came to any resolution, the king sent for them to Whitehall, where he told them, upon the word of a king, that they should not repent any trust which they would repose in him for the safety of his kingdom; that he would not for any consideration break credit with them, or employ their money to other uses than those for which they intended it; but that he would not hazard either his own safety or theirs, by taking any vigorous measures, or forming new alliances, till he were in a better condition both to defend his subjects and offend his enemies. This speech brought affairs to a short issue. The king required them to trust him with a large sum: he pawned his royal word for their security: they must either run the risk of losing their money, or fail of those alliances which they had projected, and at the same time declare to all the world the highest distrust of their sovereign.

PARLIAMENT'S DISTRUST OF THE KING.

But there were many reasons which determined the house of commons to put no trust in the king. They considered, that the pretence of danger was obviously groundless, while the French were opposed by such powerful alliances on the continent, while the king was master of a good fleet at sea, and while all his subjects were so heartily united in opposition to foreign enemies. That the only justifiable reason, therefore, of Charles's backwardness, was not the apprehension of danger from abroad, but a diffidence, which he might perhaps have entertained of his parliament; lest, after engaging him in foreign alliances for carrying on war, they should take advantage of his necessities, and extort from him concessions dangerous to his royal dignity. That this parliament, by their past conduct, had given no foundation for such suspicions, and were so far from pursuing any sinister ends, that they had granted supplies for the first Dutch war; for maintaining the triple league, though concluded without their advice; even for carrying on the second Dutch war, which was entered into contrary to their opinion, and contrary to the manifest interests of the nation. That, on the other hand, the king had, by former measures, excited very reasonable jealousies in his people; and did with a bad grace require at present their trust and confidence. That he had not scrupled to demand supplies for maintaining the triple league, at the very moment he was concerting measures for breaking it, and had accordingly employed to that purpose the supplies which he had obtained by those delusive pretences. That his union with France, during the war against Holland, must have been founded on projects the most dangerous to his people; and as the same union was still secretly maintained, it might justly be feared that the same projects were not yet entirely abandoned. That he could not seriously intend to prosecute vigorous measures against France; since he had so long remained entirely unconcerned during such obvious dangers; and, till prompted by his parliament, whose proper business it was not to take the lead in those parts of administration, had suspended all his activity. That if he really meant to enter into a cordial union with his people, he would have taken the first step, and have endeavoured, by putting trust in them, to restore that confidence which he himself, by his rash conduct, had first violated. That it was in vain to ask so small a sum as 600,000 pounds, in order to secure him against the future attempts of the parliament; since that sum must soon be exhausted by a war with France, and he must again fall into that dependence, which was become, in some degree, essential to the constitution. That if he would form the necessary alliances, that sum or a greater, would instantly be voted; nor could there be any reason to dread, that the parliament would immediately desert measures, in which they were engaged by their honour, their inclination, and the public interest. That the real ground, therefore, of the king's refusal, was neither apprehension of danger from foreign enemies, nor jealousy of parliamentary encroachments; but a desire of obtaining the money, which he intended, notwithstanding his royal word, to employ to other purposes. And that, by using such dishonourable means to so ignoble an end, he rendered himself still more unworthy the confidence of his people.

The house of commons was now regularly divided into two parties, the court and the country. Some were enlisted in the court-party by offices; nay, a few by bribes secretly given them; a practice first begun by Clifford, a dangerous minister: but great numbers were attached merely by inclination; so far as they esteemed the measures of the court agreeable to the interests of the nation. Private views and faction had likewise drawn several into the country party: but there were also many of that party, who had no other object than the public good. These disinterested members on both sides fluctuated between the factions: and gave the superiority sometimes to the court, sometimes to the opposition. In the present emergence, a general distrust of the king prevailed; and the parliament resolved not to hazard their money, in expectation of alliances, which, they believed, were never intended to be formed. Instead of granting the supply, they voted an address, wherein they "besought his majesty to enter into a league, offensive and defensive, with the states-general of the United Provinces, against the growth and power of the French king, and for the preserva-

tion of the Spanish Netherlands; and to make such other alliances with the confederates as should appear fit and useful to that end." They supported their advice with reasons, and promised speedy and effectual supplies, for preserving his majesty's honour and ensuring the safety of the public. The king pretended the highest anger at this address, which he represented as a dangerous encroachment upon his prerogative. He reproved the commons in severe terms; and ordered them immediately to be adjourned. (8th May.)

It is certain, that this was the critical moment, when the king both might with ease have preserved the balance of power in Europe, which it has since cost this island a great expense of blood and treasure to restore, and might by perseverance have at last regained, in some tolerable measure, after all past errors, the confidence of his people. This opportunity being neglected, the wound became incurable; and notwithstanding *his* momentary appearances of vigour against France and popery, and *their* momentary inclinations to rely on his faith, *he* was still believed to be at bottom engaged in the same interest, and *they* soon relapsed into distrust and jealousy. The secret memoirs of this reign, which have since been published,* prove beyond a doubt that the king had at this time concerted measures with France, and had no intention to enter into war in favour of the allies. He had entertained no view, therefore, even when he pawned his ROYAL WORD to his people, than to procure a grant of money; and he trusted, that, while he eluded their expectations, he could not afterwards want pretences for palliating his conduct.

Negociations meanwhile were carried on between France and Holland, and an eventual treaty was concluded; that is, all their differences were adjusted, provided they could afterwards satisfy their allies on both sides. This work, though in appearance difficult, seemed to be extremely forwarded, by further bad successes on the part of the confederates, and by the great impatience of the Hollanders; when a new event happened, which promised a more prosperous issue to the quarrel with France, and revived the hopes of all the English, who understood the interests of their country.

The king saw with regret the violent discontents which prevailed in the nation, and which seemed every day to augment upon him. Desirous by his natural temper to be easy himself, and to make every body else easy, he sought expedients to appease those murmurs, which, as they were very disagreeable for the present, might in their consequences prove extremely dangerous. He knew that, during the late war with Holland, the malcontents at home had made applications to the prince of Orange; and if he continued still to neglect the prince's interests, and to thwart the inclinations of his own people, he apprehended lest their common complaints should cement a lasting union between them. He saw that the religion of the duke inspired the nation with dismal apprehensions; and though he had obliged his brother to allow the young princesses to be educated in the protestant faith, something further he thought was necessary, in order to satisfy the nation. He entertained, therefore, proposals for marrying the prince of Orange to the lady Mary, the elder princess, and heir apparent to the crown (for the duke had no male issue,) and he hoped, by so tempting an offer, to engage him entirely in his interests. A peace he purposed to make; such as would satisfy France, and still preserve his connexions with that crown; and he intended to sanctify it by the approbation of the prince, whom he found to be extremely revered in England, and respected throughout Europe. All the reasons for this alliance were seconded by the solicitations of Danby, and also of Temple, who was at that time in England: and Charles at last granted permission to the prince, when the campaign should be over, to pay him a visit.

MARRIAGE OF THE PRINCE OF ORANGE WITH THE LADY MARY. *October* 23.

The king very graciously received his nephew at Newmarket. He would have entered immediately upon business; but the prince desired first to be acquainted with the lady Mary: and he declared, that, contrary to the usual sentiments of persons of his rank, he placed a great part of happiness in domestic satisfaction, and would not, upon any consideration of interest or politics, match himself with a person disagreeable to him. He was introduced to the princess, whom he found in the bloom of youth, and extremely amiable both in her person and her behaviour. The king now thought that he had a double tie upon him, and might safely expect his compliance with every proposal: he was surprised to find the prince decline all discourse of business, and refuse to concert any terms for the general peace, till his marriage should be finished. He foresaw, he said, from the situation of affairs, that his allies were likely to have hard terms; and he never would expose himself to the reproach of having sacrificed their interests to promote his own purposes. Charles still believed, notwithstanding the cold, severe manner of the prince, that he would abate of this rigid punctilio of honour; and he protracted the time, hoping, by his own insinuation and address, as well as by the allurements of love and ambition, to win him to compliance. One day, Temple found the prince in very bad humour, repenting that he had ever come to England, and resolute in a few days to leave it: but before he went, the king, he said, must choose the terms on which they should hereafter live together: he was sure it must be like the greatest friends or the greatest enemies: and he desired Temple to inform his master next morning of these intentions. Charles was struck with this menace, and foresaw how the prince's departure would be interpreted by the people. He resolved, therefore, immediately to yield with a good grace; and having paid a compliment to his nephew's honesty, he told Temple, that the marriage was concluded, and desired him to inform the duke of it, as of an affair already resolved on. The duke seemed surprised; but yielded a prompt obedience: which, he said, was his constant maxim to whatever he found to be the king's pleasure. No measure during this reign gave such general satisfaction. All parties strove who should most applaud it. And even Arlington, who had been kept out of the secret, told the prince, "That some things, good in themselves, were spoiled by the manner of doing them, as some things bad were mended by it; but he would confess that this was a thing so good in itself, that the manner of doing it could not spoil it."

This marriage was a great surprise to Louis, who, accustomed to govern everything in the English court, now found so important a step taken, not only without his consent, but without his knowledge or participation. A conjunction of England with the allies, and a vigorous war in opposition to French ambition, were the consequences immediately expected both abroad and at home: but to check these sanguine hopes, the king, a few days after the marriage, prolonged the adjournment of the parliament from the third of December to the fourth of April. This term was too late for granting supplies or making preparations for war; and could be chosen by the king for no other reason, than as an atonement to France for his consent to the marriage. It appears also, that Charles secretly received from Louis the sum of two millions of livres on account of this important service.

* Such as the letters which passed between Danby and Montague, the king's ambassador at Paris. Temple's Memoirs and his Letters. In these last, we see that the king never made any proposals of terms but what were advantageous to France, and the prince of Orange believed them to have always been concerted with the French ambassador.—Vol. i. p. 459.

In our late Lord Dartmouth's Appendix, p. 161, it appears that the king had given him oft, without the participation of his ministers, a secret treaty with France, and had assumed a pension on the promise of his neutrality; a fact, which renders his *royal word*, solemnly given to his subjects, one of the most dishonourable transactions that ever proceeded from a throne.

PLAN OF PEACE.

The king, however, entered into consultations with the prince, together with Danby and Temple, concerning the terms which it would be proper to require of France. After some debate, it was agreed that France should restore Lorrain to the duke; with Tournay, Valenciennes, Condé, Aeth, Charleroi, Courtray, Oudenarde, and Binche, to Spain, in order to form a good frontier for the Low Countries. The prince insisted that Franchecomté should likewise be restored; and Charles thought that, because he had patrimonial estates of great value in that province, and deemed his property more secure in the hands of Spain, he was engaged by such views to be obstinate in that point: but the prince declared, that to procure but one good town to the Spaniards in Flanders, he would willingly relinquish all those possessions. As the king still insisted on the impossibility of wresting Franchecomté from Louis, the prince was obliged to acquiesce.

Notwithstanding this concession to France, the projected peace was favourable to the allies; and it was a sufficient indication of vigour in the king, that he had given his assent to it. He further agreed to send over a minister instantly to Paris, in order to propose these terms. This minister was to enter into no treaty. He was to allow but two days for the acceptance or refusal of the terms: upon the expiration of these, he was presently to return: and in case of refusal, the king promised to enter immediately into the confederacy. To carry so imperious a message, and so little expected from the English court, Temple was the person pitched on, whose declared aversion to the French interest was not likely to make him fail of vigour and promptitude in the execution of his commission.

But Charles next day felt a relenting in this assumed vigour. Instead of Temple he dispatched the earl of Feversham, a creature of the duke's, and a Frenchman by birth: and he said, that the message being harsh in itself, it was needless to aggravate it by a disagreeable messenger. The prince left London; and the king, at his departure, assured him that he never would abate in the least point of the scheme concerted, and would enter into war with Louis, if he rejected it.

NEGOCIATIONS.

Louis received the message with seeming gentleness and complacency. He told Feversham, that the king of England well knew that he might always be master of the peace; but some of the towns in Flanders, it seemed very hard to demand, especially Tournay, upon whose fortification such immense sums had been expended: he would therefore take some short time to consider of an answer. Feversham said, that he was limited to two days' stay: but when that time was elapsed, he was prevailed on to remain some few days longer; and he came away at last without any positive answer. Louis said, that he hoped his brother would not break with him for one or two towns: and with regard to them too, he would send orders to his ambassador at London to treat with the king himself. Charles was softened by the softness of France; and the blow was thus artfully eluded. The French ambassador, Barillon, owned at last, that he had orders to yield all except Tournay, and even to treat about some equivalent for that fortress, if the king absolutely insisted upon it. The prince was gone, who had given spirit to the English court; and the negociation began to draw out into messages and returns from Paris.

By intervals, however, the king could rouse himself, and show still some firmness and resolution. Finding that affairs were not likely to come to any conclusion with France, he summoned, notwithstanding the long adjournment, the parliament on the fifteenth of January —an unusual measure, and capable of giving alarm to the French court. Temple was sent for to the council, and the king told him, that he intended he should go to Holland, in order to form a treaty of alliance with the States; and that the purpose of it should be, like the triple league, to force both France and Spain to accept of the terms proposed. Temple was sorry to find this act of vigour qualified by such a regard to France, and by such an appearance of indifference and neutrality between the parties. He told the king, that the resolution agreed on, was to begin the war in conjunction with all the confederates, in case of no direct and immediate answer from France: that this measure would satisfy the prince, the allies, and the people of England; advantages which could not be expected from such an alliance with Holland alone: that France would be disobliged, and Spain likewise; nor would the Dutch be satisfied with such a faint imitation of the triple league, a measure concerted when they were equally at peace with both parties. For these reasons, Temple declined the employment; and Lawrence Hyde, second son of chancellor Clarendon, was sent in his place.

1678. The prince of Orange could not regard without contempt such symptoms of weakness and vigour conjoined in the English counsels. He was resolved, however, to make the best of a measure which he did not approve; and as Spain secretly consented that her ally should form a league, which was seemingly directed against her as well as France, but which was to fall only on the latter, the States concluded the treaty (6th January) in the terms proposed by the king.

Meanwhile the English parliament met, (28th January,) after some new adjournments; and the king was astonished, that notwithstanding the resolute measures which, he thought, he had taken, great distrust and jealousy and discontent were apt, at intervals, still to prevail among the members. Though in his speech he had allowed that a good peace could no longer be expected from negociation, and assured them that he was resolved to enter into a war for that purpose; the commons did not forbear to insert in their reply several harsh and even unreasonable clauses. Upon his reproving them, they seemed penitent, and voted, that they would assist his majesty in the prosecution of the war. A fleet of ninety sail, an army of thirty thousand men, and a million of money, were also voted. Great difficulties were made by the commons with regard to the army, which the house, judging by past measures, believed to be intended more against the liberties of England than against the progress of the French monarch. To this perilous situation had the king reduced both himself and the nation. In all debates, severe speeches were made, and were received with seeming approbation: the duke and the treasurer began to be apprehensive of impeachments: many motions against the king's ministers were lost by a small majority: the commons appointed a day to consider the state of the kingdom with regard to popery; and they even went so far as to vote, that, how urgent soever the occasion, they would lay no further charge on the people, till secured against the prevalence of the catholic party. In short, the parliament was impatient for war whenever the king seemed averse to it; but grew suspicious of some sinister design as soon as he complied with their requests, and seemed to enter into their measures.

The king was enraged at this last vote: he reproached Temple with his popular notions, as he termed them; and asked him how he thought the house of commons could be trusted for carrying on the war, should it be entered on, when in the very commencement they made such declarations? The uncertainties indeed of Charles's conduct were so multiplied, and the jealousies on both sides so incurable, that even those who approached nearest the scene of action could not determine, whether the king ever seriously meant to enter into a war, or whether, if he did, the house of commons would not have taken advantage of his necessities, and made him purchase supplies by a great sacrifice of his authority.

CAMPAIGN OF 1678.

The king of France knew how to avail himself of all the advantages which these distractions afforded him. By his emissaries, he represented to the Dutch the imprudence of their depending on England; where an indolent king, averse to all war, especially with France, and irresolute in his measures, was actuated only by the uncertain breath of a factious parliament. To the aristocratical party, he remarked the danger of the prince's alliance with the royal family of England, and revived their apprehensions, lest, in imitation of his father, who had been honoured with the same alliance, he should violently attempt to enlarge his authority, and enslave his native country. In order to enforce these motives with further terrors, he himself took the field very early in the spring; and after threatening Luxembourg, Mons, and Namur, he suddenly sat down before Ghent and Ypres, and in a few weeks made himself master of both places. This success gave great alarm to the Hollanders, who were nowise satisfied with the conduct of England, or with the ambiguous treaty lately concluded; and it quickened all their advances towards an accommodation.

Immediately after the parliament had voted the supply, the king began to enlist forces; and such was the ardour of the English for a war with France, that an army of above 20,000 men, to the astonishment of Europe, was completed in a few weeks. Three thousand men, under the duke of Monmouth, were sent over to secure Ostend: some regiments were recalled from the French service; a fleet was fitted out with great diligence; and a quadruple alliance was projected between England, Holland, Spain, and the emperor.

But these vigorous measures received a sudden damp from a passionate address of the lower house; in which they justified all their past proceedings that had given disgust to the king; desired to be acquainted with the measures taken by him; prayed him to dismiss evil counsellors; and named in particular the duke of Lauderdale, on whose removal they strenuously insisted. The king told them, that their address was so extravagant, that he was not willing speedily to give it the answer which it deserved. And he began again to lend an ear to the proposals of Louis, who offered him great sums of money, if he would consent to France making an advantageous peace with the allies.

NEGOCIATIONS.

Temple, though pressed by the king, refused to have any concern in so dishonourable a negociation; but he informs us that the king said, there was one article proposed, which so incensed him, that as long as he lived he should never forget it. Sir William goes no further; but the editor of his works, the famous Dr. Swift, says, that the French, before they would agree to any payment, required as a preliminary, that the king should engage never to keep above 8000 regular troops in Great Britain.* Charles broke into a passion. "Cod's-fish!" said he, his usual oath, "does my brother of France think to serve me thus? Are all his promises to make me absolute master of my people come to this? Or does he think *that* a thing to be done with eight thousand men?"

Van Beverning was the Dutch ambassador at Nimeguen, a man of great authority with the States. He was eager for peace, and was persuaded, that the reluctance of the king and the jealousies of the parliament would for ever disappoint the allies in their hopes of succour from England. Orders were sent him by the States to go to the French king at Ghent, and to concert the terms of a general treaty, as well as procure a present truce for six weeks. The terms agreed on were much worse for the Spaniards than those which had been planned by the king and the prince of Orange. Six towns, some of them of no great importance, were to be restored to them: but Ypres, Condé, Valenciennes, and Tournay, in which consisted the chief strength of their frontier, were to remain with France.

Great murmurs arose in England when it was known that Flanders was to be left in so defenceless a condition. The chief complaints were levelled against the king, who, by his concurrence at first, by his favour afterwards, and by his delays at last, had raised the power of France to such an enormous height, that it threatened the general liberties of Europe. Charles, uneasy under these imputations, dreading the consequence of losing the affections of his subjects, and perhaps disgusted with the secret article proposed by France, began to wish heartily for war, which, he hoped, would have restored him to his ancient popularity.

An opportunity unexpectedly offered itself for his displaying these new dispositions. While the ministers at Nimeguen were concerting the terms of a general treaty, the marquis de Balbaces, the Spanish ambassador, asked the ambassadors of France, at what time France intended to restore the six towns in Flanders. They made no difficulty in declaring that the king their master, being obliged to see an entire restitution made to the Swedes of all they had lost in the war, could not evacuate these towns till that crown had received satisfaction; and that this detention of places was the only means to induce the powers of the north to accept of the peace.

The States immediately gave the king intelligence of a pretension which might be attended with such dangerous consequences. The king was both surprised and angry. He immediately dispatched Temple to concert with the States vigorous measures for opposing France. Temple in six days concluded a treaty, by which Louis was obliged to declare, within sixteen days after the date, that he would presently evacuate the towns; and in case of his refusal, Holland was bound to continue the war, and England to declare immediately against France, in conjunction with the whole confederacy.

All these warlike measures were so ill seconded by the parliament, where even the French ministers were suspected, with reason,* of carrying on some intrigues, that the commons renewed their former jealousies against the king, and voted the army immediately to be disbanded. The king by a message represented the danger of disarming before peace was finally concluded; and he recommended to their consideration, whether he could honourably recall his forces from those towns in Flanders, which were put under his protection, and which had at present no other means of defence. The commons agreed to prolong the term

* To wit, 3000 men for Scotland, and the usual guards and garrisons in England, amounting to near 5000 men.—Sir J. Dalrymple's Appendix, p. 161

* Sir J. Dalrymple, in his Appendix, has given us, from Barillon's despatches, in the secretary's office at Paris, a more particular detail of these intrigues. They were carried on with Lord Russell, Lord Hollis, lord Brandon, the duke of Buckingham, Algernon Sydney, Montague, Bulstrode, col. Titus, sir Edward Harley, sir John Baber, sir Roger Hill, Boscawen, Littleton, Powle, Harbord, Hamilton, sir Thomas Armstrong, Hampden, Herbert, and some others of less note. Of these lord Russell and Lord Hollis alone refused to touch any French money; all the others received presents or bribes from Barillon. But we are to remark, that the party views of these men, and their well-founded jealousies of the king and duke, engaged them, independently of the money, into the same measures that were suggested to them by the French ambassador. The intrigues of France, therefore, with the parliament, were a mighty small engine in the political machine. Those with the king, which have always been known, were of infinitely greater consequence. The sums distributed to all these men, excepting Montague, did not exceed 16,000 pounds in three years; and therefore could have little weight in the two houses, especially when opposed to the influence of the crown. Accordingly we find, in all Barillon's despatches, a great anxiety that the parliament should never be assembled. The conduct of these English patriots was more mean than criminal: and monsieur Courten says, that two hundred thousand livres, employed by the Spaniards and Germans, would have more influence than two millions distributed by France. See Sir J. Dalrymple's Appendix, p. 171. It is amusing to observe the general, and I may say particular, rage excited by the late discovery of this secret negociation; chiefly on account of Algernon Sydney, whom the blind prejudices of party had exalted into a hero. His ingratitude and breach of faith, in applying for the king's pardon, and immediately on his return entering into cabals for rebellion, form a conduct much more criminal than the taking of French gold. Yet the former circumstance was always known, and always disregarded, but everything connected with France is supposed in England to be polluted beyond all possibility of expiation. Even lord Russell, whose conduct in this negociation was only factious, and that in an ordinary degree, is imagined to be dishonoured by the same discovery.

with regard to these forces. Everything indeed in Europe bore the appearance of war. France had positively declared that she would not evacuate the six towns before the requisite cession was made to Sweden; and her honour seemed now engaged to support that declaration. Spain and the empire, disgusted with the terms of peace imposed by Holland, saw with pleasure the prospect of a powerful support from the new resolutions of Charles. Holland itself, encouraged by the prince of Orange and his party, was not displeased to find that the war would be renewed on more equal terms. The allied army, under that prince, was approaching towards Mons, then blockaded by France. A considerable body of English, under the duke of Monmouth, was ready to join him.

Charles usually passed a great part of his time in the women's apartments, particularly those of the duchess of Portsmouth; where, among other gay company, he often met with Barillon, the French ambassador, a man of polite conversation, who was admitted into all the amusements of that inglorious but agreeable monarch. It was the charms of this sauntering, easy life, which during his latter years, attached Charles to his mistresses. By the insinuations of Barillon, and the duchess of Portsmouth, an order was, in an unguarded hour, procured, which instantly changed the face of affairs in Europe. One Du Cros, a French fugitive monk, was sent to Temple, directing him to apply to the Swedish ambassador, and persuade him not to insist on the conditions required by France, but to sacrifice to general peace those interests of Sweden. Du Cros, who had secretly received instructions from Barillon, published everywhere in Holland the commission with which he was intrusted; and all men took the alarm. It was concluded, that Charles's sudden alacrity for war was as suddenly extinguished, and that no steady measures could ever be taken with England. The king afterwards, when he saw Temple, treated this important matter in raillery; and said, laughing, "that the rogue Du Cros had outwitted them all."

The negociations, however, at Nimeguen still continued: and the French ambassadors spun out the time till the morning of the critical day, which, by the late treaty between England and Holland, was to determine whether a sudden peace or a long war were to have place in Christendom. The French ambassadors came then to Van Beverning, and told him, that they had received orders to consent to the evacuation of the towns, and immediately to conclude and sign the peace. Van Beverning might have refused compliance, because it was now impossible to procure the consent and concurrence of Spain; but he had entertained so just an idea of the fluctuations in the English counsels, and was so much alarmed by the late commission given to Du Cros, that he deemed it fortunate for the republic to finish on any terms a dangerous war, where they were likely to be very ill supported. The papers were instantly drawn, and signed by the ministers of France and Holland, between eleven and twelve o'clock at night. (August 1.) By this treaty France secured the possession of Franchecomté, together with Cambray, Aire, St. Omers, Valenciennes, Tournay, Ypres, Bouchaine, Cassel, &c., and restored to Spain only Charleroi, Courtrai, Oudenarde, Aeth, Ghent, and Limbourg.

Next day Temple received an express from England, which brought the ratifications of the treaty lately concluded with the States, together with orders immediately to proceed to the exchange of them. Charles was now returned to his former inclinations for war with France.

Van Beverning was loudly exclaimed against by the ambassadors of the allies at Nimeguen, especially those of Brandenburg and Denmark, whose masters were obliged, by the treaty, to restore all their acquisitions. The ministers of Spain and the emperor were sullen and disgusted; and all men hoped that the states, impetuous and encouraged by continual solicitations from England, would disavow their ambassadors, and renew the war. The prince of Orange even took an extraordinary step in order to engage them to that measure; or perhaps to give vent to his own spleen and resentment. The day after signing the peace at Nimeguen, he attacked the French army at St. Dennis, near Mons; and gained some advantage over Luxembourg, who rested secure on the faith of the treaty, and concluded the war to be finished. The prince knew, at least had reason to believe, that the peace was signed, though it had not been formally notified to him; and he here sacrificed wantonly, without a proper motive, the lives of many brave men on both sides, who fell in this sharp and well-contested action.

Hyde was sent over with a view of persuading the States to disavow Van Beverning; and the king promised that England, if she might depend on Holland, would immediately declare war, and would pursue it, till France were reduced to reasonable conditions. Charles at present went further than words. He hurried on the embarkation of his army for Flanders: and all his preparations wore a hostile appearance. But the States had been too often deceived to trust him any longer. They ratified the treaty signed at Nimeguen: and all the other powers of Europe were at last, after much clamour and many disgusts, obliged to accept of the terms prescribed to them.

PEACE OF NIMEGUEN.

Louis had now reached the height of that glory which ambition can afford. His ministers and negociators appeared as much superior to those of all Europe in the cabinet, as his generals and armies had been experienced in the field. A successful war had been carried on against an alliance, composed of the greatest potentates in Europe. Considerable conquests had been made, and his territories enlarged on every side. An advantageous peace was at last concluded, where he had given the law. The allies were so enraged against each other, that they were not likely to cement soon in any new confederacy. And thus he had, during some years, a real prospect of attaining the monarchy of Europe, and of exceeding the empire of Charlemagne, perhaps equalling that of ancient Rome. Had England continued much longer in the same condition, and under the same government, it is not easy to conceive that he could have failed of his purpose.

In proportion as these circumstances exalted the French, they excited indignation among the English, whose animosity, roused by terror, mounted to a great height against that rival nation. Instead of taking the lead in the affairs of Europe, Charles, they thought, had, contrary to his own honour and interest, acted a part entirely subservient to the common enemy; and in all his measures had either no project at all, or such as was highly criminal and dangerous. While Spain, Holland, the emperor, the princes of Germany, called aloud on England to lead them to victory and to liberty, and conspired to raise her to a station more glorious than she had ever before attained; her king, from mean, pecuniary motives, had secretly sold his alliance to Louis, and was bribed into an interest contrary to that of his people. His active schemes, in conjunction with France, were highly pernicious; his neutrality was equally ignominious; and the jealous, refractory behaviour of the parliament, though in itself dangerous, was the only remedy for so many greater ills, with which the public, from the misguided counsels of the king, was so nearly threatened. Such were the dispositions of men's minds at the conclusion of the peace of Nimeguen: and these dispositions naturally prepared the way for the events which followed.

STATE OF AFFAIRS IN SCOTLAND.

We must now return to the affairs of Scotland, which we left in some disorder, after the suppression of the

insurrection in 1666. The king, who at that time endeavoured to render himself popular in England, adopted like measures in Scotland, and he intrusted the government into the hands chiefly of Tweddale and sir Robert Murray, men of prudence and moderation. These ministers made it their principal object to compose the religious differences, which ran high, and for which scarcely any modern nation but the Dutch had as yet found the proper remedy. As rigour and restraint had failed of success in Scotland, a scheme of *comprehension* was tried; by which it was intended to diminish greatly the authority of bishops, to abolish their negative voice in the ecclesiastical courts, and to leave them little more than the right of precedency among the presbyters. But the presbyterian zealots entertained great jealousy against this scheme. They remembered that, by such gradual steps, king James had endeavoured to introduce episcopacy. Should the ears and eyes of men be once reconciled to the name and habit of bishops, the whole power of the function they dreaded would soon follow: the least communication with unlawful and antichristian institutions, they esteemed dangerous and criminal: "Touch not, taste not, handle not:" this cry went out amongst them: and the king's ministers at last perceived that they should prostitute the dignity of government, by making advances to which the malcontents were determined not to correspond.

The next project adopted was that of *indulgence*. In prosecution of this scheme, the most popular of the expelled preachers, without requiring any terms of submission to the established religion, were settled in vacant churches; and small salaries of about twenty pounds a year were offered to the rest, till they should otherwise be provided for. These last refused the king's bounty, which they considered as the wages of a criminal silence. Even the former soon repented their compliance. The people, who had been accustomed to hear them rail against their superiors, and preach to the times, as they termed it, deemed their sermons languid and spiritless, when deprived of these ornaments. Their usual gifts, they thought, had left them, on account of their submission, which was stigmatised as erastianism. They gave them the appellation, not of ministers of Christ, but of "the king's curates," as the clergy of the established church were commonly denominated "the bishop's curates." The preachers themselves returned in a little time to their former practices, by which they hoped to regain their former dominion over the minds of men. The conventicles multiplied daily in the west: the clergy of the established church were insulted: the laws were neglected: the covenanters even met daily in arms at their places of worship: and though they usually dispersed themselves after divine service, yet the government took a just alarm at seeing men, who were so entirely governed by their seditious teachers, dare to set authority at defiance, and during a time of full peace, to put themselves in a military posture.

There was here, it is apparent, in the political body, a disease dangerous and inveterate; and the government had tried every remedy, but the true one, to allay and correct it. An unlimited *toleration*, after sects have diffused themselves, and are strongly rooted, is the only expedient which can allay their fervour, and make the civil union acquire a superiority above religious distinctions. But as the operations of this regimen are commonly gradual, and at first imperceptible, vulgar politicians are apt, for that reason, to have recourse to more hasty and more dangerous remedies. It is observable too, that these nonconformists, in Scotland, neither offered nor demanded toleration; but laid claim to an entire superiority, and to the exercise of extreme rigour against their adversaries. The covenant, which they idolized, was a persecuting, as well as a seditious band of confederacy; and the government, instead of treating them like madmen, who should be soothed, and flattered, and deceived into tranquillity, thought themselves entitled to a rigid obedience, and were too apt, from a mistaken policy, to retaliate upon the dissenters, who had erred from the spirit of enthusiasm.

Amidst these disturbances, a new parliament was assembled at Edinburgh;* and Lauderdale was sent down commissioner. The zealous presbyterians, who were the chief patrons of liberty, were too obnoxious to resist, with any success, the measures of government; and in parliament the tide still ran strongly in favour of monarchy. The commissioner had such influence as to get two acts passed, which were of great consequence to the ecclesiastical and civil liberties of the kingdom. By the one, it was declared, that the settling of all things with regard to the external government of the church was a right of the crown: that whatever related to ecclesiastical meetings, matters, and persons, was to be ordered according to such directions as the king should send to his privy council: and that these, being published by them, should have the force of laws. The other act regarded the militia, which the king, by his own authority, had two years before established, instead of the army which was disbanded. By this act the militia was settled, to the number of 22,000 men, who were to be constantly armed and regularly disciplined. And it was further enacted, that these troops should be held in readiness to march into England, Ireland, or any part of the king's dominions, for any cause in which his majesty's authority, power, or greatness, was concerned; on receiving orders, not from the king himself, but from the privy-council of Scotland.

Lauderdale boasted extremely of his services in procuring these two laws. The king by the former was rendered absolute master of the church, and might legally, by his edict, re-establish, if he thought proper, the catholic religion in Scotland. By the latter, he saw a powerful force ready at his call: he had even the advantage of being able to disguise his orders under the name of the privy-council; and in case of failure in his enterprises, could by such a pretence apologise for his conduct to the parliament of England. But in proportion as these laws were agreeable to the king, they gave alarm to the English commons, and were the chief cause of the redoubled attacks which they made upon Lauderdale. These attacks, however, served only to fortify him in his interest with the king; and though it is probable that the militia of Scotland, during the divided state of that kingdom, would, if matters had come to extremities, have been of little service against England; yet did Charles regard the credit of it as a considerable support to his authority: and Lauderdale, by degrees, became the prime, or rather sole minister for Scotland. The natural indolence of the king disposed him to place entire confidence in a man who had so far extended the royal prerogative, and who was still disposed to render it absolutely uncontrollable.

In a subsequent session of the same parliament† a severe law was enacted against conventicles. Ruinous fines were imposed both on the preachers and hearers, even if the meetings had been in houses; but field-conventicles were subjected to the penalty of death, and confiscation of goods: four hundred marks, Scotch, were offered as a reward to those who should seize the criminals; and they were indemnified for any slaughter which they might commit in the execution of such an undertaking.

And as it was found difficult to get evidence against these conventicles, however numerous, it was enacted by another law, that whoever, being required by the council, refused to give information upon oath, should be punished by arbitrary fines, by imprisonment, or by banishment to the plantations. Thus all persecution naturally, or rather necessarily, adopts the iniquities, as well as rigours of the inquisition. What a considerable part of the society consider as their duty and honour, and even many of the opposite party are apt to

* Oct. 19th, 1669. † July 28th 1670.

regard with compassion and indulgence, can by no other expedient be subjected to such severe penalties as the natural sentiments of mankind appropriate only to the greatest crimes.

Though Lauderdale found this ready compliance in the parliament, a party was formed against him, of which duke Hamilton was the head. This nobleman, with Tweddale, and others, went to London and applied to the king, who during the present depression, and insignificance of parliament, was alone able to correct the abuses of Lauderdale's administration. But even their complaints to him might be dangerous; and all approaches of truth to the throne were barred by the ridiculous law against leasing-making; a law which seems to have been extorted by the ancient nobles, in order to protect their own tyranny, oppression, and injustice. Great precautions, therefore, were used by the Scottish malcontents, in their representations to the king; but no redress was obtained. Charles loaded them with caresses and continued Lauderdale in his authority.

A very bad, at least a severe use was made of this authority. The privy-council dispossessed twelve gentlemen or noblemen of their houses;* which were converted into so many garrisons, established for the suppression of conventicles. The nation, it was pretended, was really, on account of these religious assemblies, in a state of war: and by the ancient law, the king, in such an emergency, was empowered to place a garrison in any house where he should judge it expedient.

It were endless to recount every act of violence and arbitrary authority exercised during Lauderdale's administration. All the lawyers were put from the bar, nay, banished by the king's order, twelve miles from the capital, and by that means the whole justice of the kingdom was suspended for a year; till these lawyers were brought to declare it as their opinion, that all appeals to parliament were illegal. A letter was procured from the king, for expelling twelve of the chief magistrates of Edinburgh, and declaring them incapable of all public office, though their only crime had been their want of compliance with Lauderdale. The boroughs of Scotland have a privilege of meeting once a year by their deputies, in order to consider the state of trade, and make bye-laws for its regulation; in this convention a petition was voted, complaining of some late acts, which obstructed commerce, and praying the king that he would empower his commissioner, in the next session of parliament, to give his assent for repealing them. For this presumption, as it was called, several of the members were fined and imprisoned. One More, a member of parliament, having moved in the house, that, in imitation of the English parliament, no bill should pass except after three readings, he was, for this pretended offence, immediately sent to prison by the commissioner.

The private deportment of Lauderdale was as insolent and provoking as his public administration was violent and tyrannical. Justice likewise was universally perverted by faction and interest: and from the great rapacity of that duke, and still more of his duchess, all offices and favours were openly put to sale. No one was allowed to approach the throne who was not dependent on him; and no remedy could be hoped for or obtained against his manifold oppressions. The case of Mitchel shows that this minister was as much destitute of truth and honour, as of lenity and justice.

Mitchel was a desperate fanatic, and had entertained a resolution of assassinating Sharpe, archbishop of Saint Andrews, who, by his former apostacy and subsequent rigour, had rendered himself extremely odious to the covenanters. In the year 1668, Mitchel fired a pistol at the primate, as he was sitting in his coach; but the bishop of Orkney, stepping into the coach, happened to stretch out his arm, which intercepted the ball, and was much shattered by it. This happened in the principal street of the city; but so generally was the archbishop hated, that the assassin was allowed peaceably to walk off; and having turned a street or two, and thrown off a wig which disguised him, he immediately appeared in public, and remained altogether unsuspected. Some years after, Sharpe remarked one, who seemed to eye him very eagerly; and being still anxious lest an attempt of assassination should be renewed, he ordered the man to be seized and examined. Two loaded pistols were found upon him; and as he was now concluded to be the author of the former attempt, Sharpe promised, that, if he would confess his guilt he should be dismissed without any punishment. Mitchel (for the conjecture was just) was so credulous as to believe him: but was immediately produced before the council by the faithless primate. The council, having no proof against him, but hoping to involve the whole body of covenanters in this odious crime, solemnly renewed the promise of pardon, if he would make a full discovery; and it was a great disappointment to them, when they found, upon his confession, that only one person, who was now dead, had been acquainted with his bloody purpose. Mitchel was then carried before a court of judicature, and required to renew his confession; but being apprehensive, lest, though a pardon for life had been promised him, other corporal punishment might still be inflicted, he refused compliance, and was sent back to prison. He was next examined before the council, under pretence of his being concerned in the insurrection at Pentland; and though no proof appeared against him, he was put to the question, and, contrary to the most obvious principles of equity, was urged to accuse himself. He endured the torture with singular resolution, and continued obstinate in the denial of a crime of which, it is believed, he really was not guilty. Instead of obtaining his liberty, he was sent to the Bass, a very high rock, surrounded by the sea; at this time converted into a state prison, and full of the unhappy covenanters. He there remained in great misery, loaded with irons, till the year 1677, when it was resolved, by some new examples, to strike fresh terror into the persecuted, but still obstinate enthusiasts. Mitchel was then brought before a court of judicature, and put upon his trial, for an attempt to assassinate an archbishop and a privy-counsellor. His former confession was pleaded against him, and was proved by the testimony of the duke of Lauderdale, lord-commissioner, lord Hatton, his brother, the earl of Rothes, and the primate himself. Mitchel, besides maintaining that the privy-council was no court of judicature, and that a confession before them was not judicial, asserted that he had been engaged to make that confession by a solemn promise of pardon. The four privy-counsellors denied upon oath that any such promise had ever been given. The prisoner then desired that the council-books might be produced in court; and even offered a copy of that day's proceedings to be read; but the privy-counsellors maintained, that, after they had made oath, no further proof could be admitted; and that the books of council contained the king's secrets, which were on no account to be divulged. They were not probably aware, when they swore, that the clerk, having engrossed the promise of pardon in the narrative of Mitchel's confession, the whole minute had been signed by the chancellor, and that the proofs of their perjury were by that means committed to record. Though the prisoner was condemned, Lauderdale was still inclined to pardon him; but the unrelenting primate rigorously insisted upon his execution; and said, that if assassins remained unpunished, his life must be exposed to perpetual danger. Mitchel was accordingly executed at Edinburgh in January, 1678. Such a complication of cruelty and treachery shows the character of those ministers to whom the king had, at this time, intrusted the government of Scotland.

Lauderdale's administration, besides the iniquities arising from the violence of his temper, and the still greater iniquities inseparable from all projects of per-

* In 1675.



secution, was attended with other circumstances, which engaged him in severe and arbitrary measures. An absolute government was to be introduced, which on its commencement is often most rigorous; and tyranny was still obliged, for want of military power, to cover itself under an appearance of law; a situation which rendered it extremely awkward in its motions, and, by provoking opposition, extended the violence of its oppressions.

The rigours exercised against conventicles, instead of breaking the spirit of the fanatics, had tended only, as is usual, to render them more obstinate, to increase the fervour of their zeal; to link them more closely together, and to inflame them against the established hierarchy.

The commonalty, almost everywhere in the south, particularly in the western counties, frequented conventicles without reserve; and the gentry, though they themselves commonly abstained from these illegal places of worship, connived at this irregularity in their inferiors. In order to interest the former on the side of the persecutors, a bond or contract was, by order of the privy-council, tendered to the landlords in the west, by which they were to engage for the good behaviour of their tenants; and in case any tenant frequented a conventicle, the landlord was to subject himself to the same fine as could by law be exacted from the delinquent. It was ridiculous to give sanction to laws by voluntary contracts: it was iniquitous to make one man answerable for the conduct of another: it was illegal to impose such hard conditions upon men who had nowise offended. For these reasons, the greater part of the gentry refused to sign these bonds; and Lauderdale, enraged at this opposition, endeavoured to break their spirit by expedients which were still more unusual and more arbitrary.

The law enacted against conventicles, had called them seminaries of rebellion. This expression, which was nothing but a flourish of rhetoric, Lauderdale and the privy-council were willing to understand in a literal sense; and because the western counties abounded in conventicles, though otherwise in profound peace, they pretended that these counties were in a state of actual war and rebellion. They made therefore an agreement with some highland chieftains to call out their clans, to the number of 8000 men: to these they joined the guards, and the militia of Angus: and they sent the whole to live at free quarters upon the lands of such as had refused the bonds illegally required of them. The obnoxious counties were the most populous and most industrious in Scotland. The highlanders were the people the most disorderly and the least civilized. It is easy to imagine the havoc and destruction which ensued. A multitude, not accustomed to discipline, averse to the restraint of laws, trained up in rapine and violence, were let loose amidst those whom they were taught to regard as enemies to their prince and to their religion. Nothing escaped their ravenous hands: by menaces, by violence, and sometimes by tortures, men were obliged to discover their concealed wealth. Neither age, nor sex, nor innocence, afforded protection, and the gentry, finding that even those who had been most compliant, and who had subscribed the bonds, were equally exposed to the rapacity of those barbarians, confirmed themselves still more in the resolution of refusing them. The voice of the nation was raised against this enormous outrage; and after two months' free quarter, the highlanders were sent back to their hills, loaded with the spoils and execrations of the west.

Those who had been engaged to subscribe the bonds, could find no security but by turning out such tenants as they suspected of an inclination to conventicles, and thereby depopulating their estates. To increase the misery of these unhappy farmers, the council enacted, that none should be received anywhere, or allowed a habitation, who brought not a certificate of his conformity from the parish minister. That the obstinate and refractory might not escape further persecution, a new device was fallen upon. By the law of Scotland, any man, who should go before a magistrate, and swear that he thought himself in danger from another, might obtain a writ of *law-burrows*, as it is called; by which the latter was bound, under the penalty of imprisonment and outlawry, to find security for his good behaviour. Lauderdale entertained the absurd notion of making the king sue out writs of law-burrows against his subjects. On this pretence, the refusers of the bonds were summoned to appear before the council, and were required to bind themselves, under the penalty of two years' rent, neither to frequent conventicles themselves, nor allow their family and tenants to be present at those unlawful assemblies. Thus chicanery was joined to tyranny; and the majesty of the king, instead of being exalted, was in reality prostituted; as if he were obliged to seek the same security which one neighbour might require of another.

It was an old law, but seldom executed, that a man, who was accused of any crime, and did not appear, in order to stand his trial, might be *intercommuned*, that is, he might be publicly outlawed; and whoever afterwards, either on account of business, relation, nay, charity, had the least intercourse with him, was subjected to the same penalties as could by law be inflicted on the criminal himself. Several writs of intercommuning were now issued against the hearers and preachers in conventicles; and by this severe and even absurd law, crimes and guilt went on multiplying in a geometrical proportion. Where laws themselves are so violent, it is no wonder that an administration should be tyrannical.

Lest the cry of an oppressed people should reach the throne, the council forbade, under severe penalties, all noblemen or gentlemen of landed property to leave the kingdom—a severe edict, especially where the sovereign himself resided in a foreign country. Notwithstanding this act of council, Cassils first, afterwards Hamilton and Tweddale, went to London, and laid their complaints before the king. These violent proceedings of Lauderdale were opposite to the natural temper of Charles; and he immediately issued orders for discontinuing the bonds and the writs of law-burrows. But as he was commonly little touched with what lay at a distance, he entertained not the proper indignation against those who had abused his authority: even while he retracted these oppressive measures, he was prevailed with to avow and praise them, in a letter which he wrote to the privy-council. This proof of confidence might fortify the hands of the ministry; but the king ran a manifest risk of losing the affections of his subjects, by not permitting, even those who were desirous of it, to distinguish between him and their oppressors.

It is reported, that Charles, after a full hearing of the debates concerning Scottish affairs, said, "I perceive, that Lauderdale has been guilty of many bad things against the people of Scotland; but I cannot find that he has acted anything contrary to my interest"—a sentiment unworthy of a sovereign!

During the absence of Hamilton and the other discontented lords, the king allowed Lauderdale to summon a convention of estates at Edinburgh. This assembly, besides granting some money, bestowed applause on all Lauderdale's administration, and in their addresses to the king expressed the highest contentment and satisfaction. But these instances of complaisance had the contrary effect in England from what was expected by the contrivers of them. All men there concluded, that in Scotland, the very voice of liberty was totally suppressed; and that, by the prevalence of tyranny, grievances were so rivetted, that it was become dangerous even to mention them, or complain to the prince, who alone was able to redress them. From the slavery of the neighbouring kingdom, they inferred the arbitrary disposition of the king; and from the violence with which sovereign power was

there exercised, they apprehended the miseries which might ensue to themselves upon their loss of liberty. If persecution, it was asked, by a protestant church could be carried to such extremes, what might be dreaded from the prevalence of popery, which had ever, in all ages, made open profession of exterminating by fire and sword every opposite sect or communion? And if the first approaches towards unlimited authority were so tyrannical, how dismal its final establishment; when all dread of opposition should at last be removed by mercenary armies, and all sense of shame by long and inveterate habit?

CHAPTER LXVII.

The Popish Plot—Oates's Narrative and Character—Coleman's Letters—Godfrey's Murder—General Consternation—The Parliament—Zeal of the Parliament—Bedloe's Narrative—Accusation of Danby—His Impeachment—Dissolution of the Long Parliament—Its Character—Trial of Coleman—of Ireland—New Elections—Duke of Monmouth—Duke of York retires to Brussels—New Parliament—Danby's Impeachment—Popish Plot—New Council—Limitations on a Popish Successor—Bill of Exclusion—Habeas Corpus Bill—Prorogation and Dissolution of the Parliament—Trial and Execution of the five Jesuits and of Langhorne—Wakeman acquitted—State of Affairs in Scotland—Battle of Bothwell Bridge.

THE POPISH PLOT.

THE English nation, ever since the fatal league with France, had entertained violent jealousies against the court; and the subsequent measures adopted by the king, had tended more to increase than cure the general prejudices. Some mysterious design was still suspected in every enterprise and profession: arbitrary power and popery were apprehended as the scope of all projects: each breath or rumour made the people start with anxiety: their enemies, they thought, were in their very bosom, and had gotten possession of their sovereign's confidence. While in this timorous, jealous disposition, the cry of a *plot* all on a sudden struck their ears: they were wakened from their slumber; and like men affrightened and in the dark, took every figure for a spectre. The terror of each man became the source of terror to another. And an universal panic being diffused, reason and argument, and common sense and common humanity, lost all influence over them. From this disposition of men's minds we are to account for the progress of the POPISH PLOT, and the credit given to it; an event which would otherwise appear prodigious, and altogether inexplicable.

On the 12th of August, one Kirby, a chemist, accosted the king, as he was walking in the park: "Sir," said he, "keep within the company: your enemies have a design upon your life; and you may be shot in this very walk." Being asked the reason of these strange speeches, he said, that two men, called Grove and Pickering, had engaged to shoot the king, and sir George Wakeman, the queen's physician, to poison him. This intelligence, he added, had been communicated to him by doctor Tongue; whom, if permitted, he would introduce to his majesty. Tongue was a divine of the church of England; a man active, restless, full of projects, void of understanding. He brought papers to the king, which contained information of a plot, and were digested into forty-three articles. The king, not having leisure to peruse them, sent them to the treasurer, Danby, and ordered the two informers to lay the business before that minister. Tongue confessed to Danby, that he himself had not drawn the papers, that they had been secretly thrust under his door, and that, though he suspected, he did not certainly know, who was the author. After a few days, he returned, and told the treasurer, that his suspicions, he found, were just; and that the author of the intelligence, whom he had met twice or thrice in the street, had acknowledged the whole matter; and had given him a more particular account of the conspiracy, but desired that his name might be concealed, being apprehensive lest the papists should murder him.

The information was renewed with regard to Grove's and Pickering's intentions of shooting the king; and Tongue even pretended, that, at a particular time, they were to set out for Windsor with that intention. Orders were given for arresting them, as soon as they should appear in that place; but though this alarm was more than once renewed, some frivolous reasons were still found by Tongue for their having delayed the journey. And the king concluded, both from these evasions, and from the mysterious, artificial manner of communicating the intelligence, that the whole was an imposture.

Tongue came next to the treasurer, and told him that a packet of letters, written by jesuits concerned in the plot, was that night to be put into the post-house for Windsor, directed to Bennifield, a jesuit, confessor to the duke. When this intelligence was conveyed to the king, he replied, that the packet mentioned had a few hours before been brought to the duke by Bennifield; who said, that he suspected some bad design upon him, that the letters seemed to contain matters of a dangerous import, and that he knew them not to be the handwriting of the persons whose names were subscribed to them. This incident still further confirmed the king in his incredulity.

The matter had probably slept for ever, had it not been for the anxiety of the duke, who, hearing that priests and jesuits, and even his own confessor, had been accused, was desirous that a thorough inquiry should be made by the council into the pretended conspiracy. Kirby and Tongue were inquired after, and were now found to be living in close connexion with Titus Oates, the person who was said to have conveyed the first intelligence to Tongue. Oates affirmed, that he had fallen under suspicion with the jesuits: that he had received three blows with a stick, and a box on the ear from the provincial of that order, for revealing their conspiracy: and that overhearing them speak of their intentions to punish him more severely, he had withdrawn, and concealed himself. This man, in whose breast was lodged a secret, involving the fate of kings and kingdoms, was allowed to remain in such necessity, that Kirby was obliged to supply him with daily bread; and it was a joyful surprise to him, when he heard that the council was at last disposed to take some notice of his intelligence. But as he expected more encouragement from the public than from the king or his ministers, he thought proper, before he was presented to the council, to go with his two companions to sir Edmondsbury Godfrey, a noted and active justice of peace, and to give evidence before him of all the articles of the conspiracy.

OATES'S NARRATIVE.

The wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpose. The pope, he said, on examining the matter in the congregation *de propaganda*, had found himself entitled to the possession of England and Ireland on account of the heresy of prince and people, and had accordingly assumed the sovereignty of these kingdoms. The supreme power he had thought proper to delegate to the society of jesuits; and de Oliva, general of that order, in consequence of the papal grant, had exerted every act of regal authority, and particularly had supplied, by commissions under the seal of the society, all the chief offices, both civil and military. Lord Arundel was created chancellor, lord Powis treasurer, sir William Godolphin privy-seal, Coleman secretary of state, Langhorne attorney-general, lord Bellasis general of the papal army, lord Peters lieutenant-general, lord Stafford paymaster; and inferior commissions, signed by the provincial of the jesuits, were distributed all over England. All the dignities too of the church were filled,

and many of them with Spaniards and other foreigners. The provincial had held a consult of the jesuits under his authority; where the king, whom they opprobriously called the Black Bastard, was solemnly tried and condemned as a heretic; and a resolution taken to put him to death. Father le Shee (for so this great plotter and informer called father la Chaise, the noted confessor of the French king) had consigned in London ten thousand pounds to be paid to any man who should merit it by this assassination. A Spanish provincial had expressed like liberality: the prior of the Benedictines was willing to go the length of six thousand; the Dominicans approved of the action; but pleaded poverty. Ten thousand pounds had been offered to sir George Wakeman, the queen's physician, who demanded fifteen thousand, as a reward for so great a service; his demand was complied with; and five thousand had been paid him by advance. Lest this means should fail, four Irish ruffians had been hired by the jesuits, at the rate of twenty guineas a-piece, to stab the king at Windsor; and Coleman, secretary to the late duchess of York, had given the messenger, who carried them orders, a guinea to quicken his diligence. Grove and Pickering were also employed to shoot the king with silver bullets: the former was to receive the sum of fifteen hundred pounds; the latter, being a pious man, was to be rewarded with thirty thousand masses, which, estimating masses at a shilling a-piece, amounted to a like value. Pickering would have executed his purpose, had not the flint at one time dropped out of his pistol, at another time the priming. Coniers, the jesuit, had bought a knife at the price of ten shillings, which he thought was not dear, considering the purpose for which he intended it, to wit, stabbing the king. Letters of subscription were circulated among the catholics all over England to raise a sum for the same purpose. No less than fifty jesuits had met in May last, at the White-horse tavern, where it was unanimously agreed to put the king to death. This synod did afterwards, for more convenience, divide themselves into many lesser cabals or companies; and Oates was employed to carry notes and letters from one to another, all tending to the same end, of murdering the king. He even carried from one company to another, a paper, in which they formally expressed their resolution of executing that deed; and it was regularly subscribed by all of them. A wager of a hundred pounds was laid, and stakes made, that the king should eat no more Christmas pies. It short, it was determined, to use the expression of a jesuit, that if he would not become R. C. (Roman Catholic) he should no longer be C. R. (Charles Rex.) The great fire of London had been the work of the jesuits, who had employed eighty or eighty-six persons for that purpose, and had expended seven hundred fireballs; but they had a good return for their money: for they had been able to pilfer goods from the fire to the amount of fourteen thousand pounds: the jesuits had also raised another fire on St. Margaret's-Hill, whence they had stolen goods to the value of two thousand pounds: another at Southwark: and it was determined in like manner to burn all the chief cities in England. A paper model was already framed for the firing of London; the stations were regularly marked out, where the several fires were to commence; and the whole plan of operations was so concerted, that precautions were taken by the jesuits to vary their measures, according to the variation of the wind. Fireballs were familiarly called among them Texbury mustard-pills; and were said to contain a notable biting sauce. In the great fire, it had been determined to murder the king; but he had displayed such diligence and humanity in extinguishing the flames, that even the jesuits relented, and spared his life. Besides these assassinations and fires; insurrections, rebellions, and massacres, were projected by that religious order in all the three kingdoms. There were twenty thousand catholics in London, who would rise in four and twenty hours, or less; and Jennison, a jesuit, said that they might easily cut the throats of a hundred thousand protestants. Eight thousand catholics had agreed to take arms in Scotland. Ormond was to be murdered by four jesuits; a general massacre of the Irish protestants was concerted; and forty thousand black bills were already provided for that purpose. Coleman had remitted two hundred thousand pounds to promote the rebellion in Ireland; and the French king was to land a great army in that island. Poole, who wrote the Synopsis, was particularly marked out for assassination; as was also Dr. Stillingfleet, a controversional writer against the papists. Burnet tells us, that Oates paid him the same compliment. After all this havock, the crown was to be offered to the duke, but on the following conditions: that he received it as a gift from the pope; that he confirm all the papal commissions for offices and employments; that he ratify all past transactions, by pardoning the incendiaries, and the murderers of his brother and of the people; and that he consent to the utter extirpation of the protestant religion. If he refuse these conditions, he himself was immediately to be poisoned or assassinated. *To pot James must go;* according to the expression ascribed by Oates to the jesuits.

Oates, the informer of this dreadful plot, was himself the most infamous of mankind. He was the son of an anabaptist preacher, chaplain to colonel Pride; but having taken orders in the church, he had been settled in a small living by the duke of Norfolk. He had been indicted for perjury; and by some means had escaped. He was afterwards a chaplain on board the fleet; whence he had been dismissed on complaint of some unnatural practices, not fit to be named. He then became a convert to the catholics; but he afterwards boasted, that his conversion was a mere pretence, in order to get into their secrets, and to betray them. He was sent over to the jesuits' college at St. Omers, and though above thirty years of age, he there lived some time among the students. He was dispatched on an errand to Spain; and thence returned to St. Omers; where the jesuits, heartily tired of their convert, at last dismissed him from their seminary. It is likely, that, from resentment of this usage, as well as from want and indigence, he was induced, in combination with Tongue, to contrive that plot of which he accused the catholics.

This abandoned man, when examined before the council, betrayed his impostures in such a manner, as would have utterly discredited the most consistent story, and the most reputable evidence. While in Spain, he had been carried, he said, to don John, who promised great assistance to the execution of the catholic designs. The king asked him, what sort of a man don John was? he answered, a tall lean man; directly contrary to truth, as the king well knew. He totally mistook the situation of the jesuits' college at Paris. Though he pretended great intimacies with Coleman, he knew him not, when placed very near him; and had no other excuse than that his sight was bad in candle-light. He fell into like mistakes with regard to Wakeman.

Notwithstanding these objections, great attention was paid to Oates's evidence; and the plot became very soon the subject of conversation, and even the object of terror to the people. The violent animosity, which had been excited against the catholics in general, made the public swallow the grossest absurdities when they accompanied an accusation of those religionists: and the more diabolical any contrivance appeared, the better it suited the tremendous idea entertained of a jesuit. Danby likewise, who stood in opposition to the French and catholic interest at court, was willing to encourage every story which might serve to discredit that party. By his suggestion, when a warrant was signed for arresting Coleman, there was inserted a clause for seizing his papers; a circumstance attended with the most important consequences.

COLEMAN'S LETTERS.

Coleman, partly on his own account, partly by orders from the duke, had been engaged in a correspondence with father la Chaise, with the pope's nuncio at Brussels, and with other catholics abroad; and being himself a fiery zealot, busy and sanguine, the expressions in his letters often betrayed great violence and indiscretion. His correspondence, during the years 1674, 1675, and part of 1676, was seized, and contained many extraordinary passages. In particular, he said to la Chaise, "We have here a mighty work upon our hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy, which has a long time domineered over a great part of this northern world. There were never such hopes of success, since the days of queen Mary, as now in our days. God has given us a prince," meaning the duke, "who is become (may I say, a miracle) zealous of being the author and instrument of so glorious a work; but the opposition we are sure to meet with is also like to be great: so that it imports us to get all the aid and assistance we can." In another letter, he said, "I can scarce believe myself awake, or the thing real, when I think of a prince in such an age as we live in, converted to such a degree of zeal and piety, as not to regard anything in the world in comparison of God Almighty's glory, the salvation of his own soul, and the conversion of our poor kingdom." In other passages the interests of the crown of England, those of the French king, and those of the catholic religion, are spoken of as inseparable. The duke is also said to have connected his interests unalterably with those of Louis. The king himself, he affirms, is always inclined to favour the catholics, when he may do it without hazard. 'Money," Coleman adds, "cannot fail of persuading the king to anything. There is nothing it cannot make him do, were it ever so much to his prejudice. It has such an absolute power over him, that he cannot resist it. Logic, built upon money, has in our court more powerful charms than any other sort of argument." For these reasons, he proposed to father la Chaise, that the French king should remit the sum of 300,000 pounds, on condition that the parliament be dissolved; a measure to which, he affirmed, the king was of himself sufficiently inclined, were it not for his hopes of obtaining money from that assembly. The parliament, he said, had already constrained the king to make peace with Holland, contrary to the interests of the catholic religion, and of his most Christian majesty: and if they should meet again, they would surely engage him further, even to the making of war against France. It appears also from the same letters, that the assembling of the parliament so late as April in the year 1675, had been procured by the intrigues of the catholic and French party, who thereby intended to show the Dutch and their confederates, that they could expect no assistance from England.

When the contents of these letters were publicly known, they diffused the panic, with which the nation began already to be seized on account of the popish plot. Men reasoned more from their fears and their passions than from the evidence before them. It is certain, that the restless and enterprising spirit of the catholic church, particularly of the jesuits, merits attention, and is, in some degree, dangerous to every other communion. Such zeal of proselytism actuates that sect, that its missionaries have penetrated into every nation of the globe; and, in one sense, there is a *popish plot* perpetually carrying on against all states, protestant, pagan, and mahometan. It is likewise very probable, that the conversion of the duk , and the favour of the king, had inspired the catholic priests with new hopes of recovering in these islands their lost dominion, and gave fresh vigour to that intemperate zeal by which they are commonly actuated. Their first aim was to obtain a toleration; and such was the evidence, they believed, of their theological tenets, that, could they but procure entire liberty, they must infallibly in time open the eyes of the people. After they had converted considerable numbers, they might be enabled, they hoped, to reinstate themselves in full authority, and entirely to suppress that heresy, with which the kingdom had so long been affected. Though these dangers to the protestant religion were distant, it was justly the object of great concern to find that the heir of the crown was so blinded with bigotry, and so deeply engaged in foreign interest; and that the king himself had been prevailed on, from low interests, to hearken to his dangerous insinuations. Very bad consequences might ensue from such perverse habits and attachments; nor could the nation and parliament guard against them with too anxious a precaution. But that the Roman pontiff could hope to assume the sovereignty of these kingdoms; a project which, even during the darkness of the eleventh and twelfth centuries, would have appeared chimerical; that he should delegate this authority to the jesuits—that order in the Romish church, which was the most hated: that a massacre could be attempted of the protestants, who surpassed the catholics a hundred-fold, and were invested with the whole authority of the state: that the king himself was to be assassinated, and even the duke, the only support of their party: these were such absurdities as no human testimony was sufficient to prove; much less the evidence of one man, who was noted for infamy, and who could not keep himself every moment from falling into the grossest inconsistencies. Did such intelligence deserve even so much attention as to be refuted, it would appear, that Coleman's letters were sufficient alone to destroy all its credit. For how could so long a train of correspondence be carried on by a man so much trusted by the party; and yet no traces of insurrections, if really intended, of fires, massacres, assassinations, invasions, be ever discovered in any single passage of these letters? But all such reflections, and many more equally obvious, were vainly employed against that general prepossession with which the nation was seized. Oates's plot and Coleman's were universally confounded together: and the evidence of the latter being unquestionable, the belief of the former, aided by the passions of hatred and of terror, took possession of the whole people.

GODFREY'S MURDER. *October* 17.

There was danger, however, lest time might open the eyes of the public; when the murder of Godfrey completed the general delusion, and rendered the prejudices of the nation absolutely incurable.

This magistrate had been missing some days; and after much search, and many surmises, his body was found lying in a ditch at Primrose-hill: the marks of strangling were thought to appear about his neck, and some contusions on his breast: his own sword was sticking in the body; but as no considerable quantity of blood ensued on drawing it, it was concluded, that it had been thrust in after his death, and that he had not killed himself: he had rings on his fingers, and money in his pocket: it was therefore inferred, that he had not fallen into the hands of robbers. Without further reasoning, the cry rose, that he had been assassinated by the papists, on account of his taking Oates's evidence. This clamour was quickly propagated, and met with universal belief. The panic spread itself on every side with infinite rapidity; and all men, astonished with fear, and animated with rage, saw in Godfrey's fate all the horrible designs ascribed to the catholics; and no further doubts remained of Oates's veracity. The voice of the nation united against that hated sect; and notwithstanding that the bloody conspiracy was supposed to be now detected, men could scarcely be persuaded that their lives were yet in safety. Each hour teemed with new rumours and surmises. Invasions from abroad, insurrections at home, even

private murders and poisonings, were apprehended. To deny the reality of the plot was to be an accomplice: to hesitate was criminal: royalist, republican; churchman, sectary; courtier, patriot; all parties concurred in the illusion. The city prepared for its defence, as if the enemy were at its gates: the chains and posts were put up: and it was a noted saying at that time of sir Thomas Player, the chamberlain, that, were it not for these precautions, all the citizens might rise next morning with their throats cut.

In order to propagate the popular frenzy, several artifices were employed. The dead body of Godfrey was carried into the city, attended by vast multitudes. It was publicly exposed in the streets, and viewed by all ranks of men; and every one who saw it went away inflamed, as well by the mutual contagion of sentiments, as by the dismal spectacle itself. The funeral pomp was celebrated with great parade. The corpse was conducted through the chief streets of the city: seventy-two clergymen marched before; above a thousand persons of distinction followed after: and at the funeral sermon, two able-bodied divines mounted the pulpit, and stood on each side of the preacher, lest, in paying the last duties to this unhappy magistrate, he should, before the whole people, be murdered by the papists.

In this disposition of the nation, reason could no more be heard than a whisper in the midst of the most violent hurricane. Even at present, Godfrey's murder can scarcely, upon any system, be rationally accounted for. That he was assassinated by the catholics seems utterly improbable. These religionists could not be engaged to commit that crime from *policy*, in order to deter other magistrates from acting against them. Godfrey's fate was nowise capable of producing that effect, unless it were publicly known, that the catholics were his murderers; an opinion which, it was easy to foresee, must prove the ruin of their party. Besides, how many magistrates, during more than a century, had acted in the most violent manner against the catholics, without its being ever suspected that any one had been cut off by assassination? Such jealous times as the present were surely ill fitted for beginning these dangerous experiments. Shall we therefore say, that the catholics were pushed on, not by policy, but by blind *revenge* against Godfrey? But Godfrey had given them little or no occasion of offence in taking Oates's evidence. His part was merely an act of form, belonging to his office; nor could he, or any man in his station, possibly refuse it. In the rest of his conduct, he lived on good terms with the catholics, and was far from distinguishing himself by his severity against that sect. It is even certain that he had contracted an intimacy with Coleman, and took care to inform his friend of the danger to which, by reason of Oates's evidence, he was at present exposed.

There are some writers, who, finding it impossible to account for Godfrey's murder by the machinations of the catholics, have recourse to the opposite supposition. They lay hold of that obvious presumption, that those commit the crime who reap advantage by it; and they affirm that it was Shaftesbury, and the heads of the popular party, who perpetrated that deed, in order to throw the odium of it on the papists. If this supposition be received, it must also be admitted, that the whole plot was the contrivance of those politicians; and that Oates acted altogether under their direction. But it appears that Oates, dreading probably the opposition of powerful enemies, had very anxiously acquitted the duke, Danby, Ormond, and all the ministry — persons who were certainly the most obnoxious to the popular leaders. Besides, the whole texture of the plot contains such low absurdity, that it is impossible to have been the invention of any man of sense or education. It is true, the more monstrous and horrible the conspiracy, the better was it fitted to terrify, and thence to convince, the populace: but this effect, we may safely say, no one could beforehand have expected; and a fool was in this case more likely to succeed than a wise man. Had Shaftesbury laid the plan of a popish conspiracy, he had probably rendered it moderate, consistent, credible; and on that very account had never met with the prodigious success, with which Oates's tremendous fictions were attended.

We must, therefore, be contented to remain for ever ignorant of the actors in Godfrey's murder; and only pronounce in general, that that event, in all likelihood, had no connexion, one way or other, with the popish plot. Any man, especially so active a magistrate as Godfrey, might, in such a city as London, have many enemies, of whom his friends and family had no suspicion. He was a melancholy man; and there is some reason, notwithstanding the pretended appearances to the contrary, to suspect that he fell by his own hands. The affair was never examined with tranquillity, or even with common sense, during the time; and it is impossible for us, at this distance, certainly to account for it.

No one doubted but the papists had assassinated Godfrey; but still the particular actors were unknown. A proclamation was issued by the king, offering a pardon and a reward of five hundred pounds to any one who should discover them. As it was afterwards surmised, that the terror of a like assassination would prevent discovery, a new proclamation was issued, promising absolute protection to any one who should reveal the secret. Thus were indemnity, money, and security offered, to the fairest bidder; and no one needed to fear, during the present fury of the people, that his evidence would undergo too severe a scrutiny.

THE PARLIAMENT. *October* 21.

While the nation was in this ferment, the parliament was assembled. In his speech the king told them that though they had given money for disbanding the army,* he had found Flanders so exposed, that he had thought it necessary still to keep them on foot, and doubted not but this measure would meet with their approbation. He informed them, that his revenue lay under great anticipations, and at best was never equal to the constant and necessary expense of government; as would appear from the state of it, which he intended to lay before them. He also mentioned the plot formed against his life by jesuits; but said, that he would forbear delivering any opinion of the matter, lest he should seem to say too much or too little; and that he would leave the scrutiny of it entirely to the law.

The king was anxious to keep the question of the popish plot from the parliament; where, he suspected, many designing people would very much abuse the present credulity of the nation: but Danby, who hated the catholics, and courted popularity, and perhaps hoped that the king, if his life were believed in danger from the jesuits, would be more cordially loved by the nation, had entertained opposite designs; and the very first day of the session, he opened the matter in the house of peers. The king was extremely displeased with this temerity; and told his minister, "Though you do not believe it, you will find, that you have given the parliament a handle to ruin yourself, as well as to disturb all my affairs: and you will surely live to repent it." Danby had afterwards sufficient reason to applaud the sagacity of his master.

ZEAL OF THE PARLIAMENT.

The cry of the plot was immediately echoed from one house to the other. The authority of parliament gave sanction to that fury, with which the people were already agitated. An address was voted for a solemn fast: a form of prayer was contrived for that solem-

* They had granted him 600,000 pounds for disbanding the army, for reimbursing the charges of his naval armament, and for paying the princess of Orange's portion.

nity: and because the popish plot had been omitted in the first draught, it was carefully ordered to be inserted; lest Omniscience should want intelligence, to use the words of an historian.

In order to continue and propagate the alarm, addresses were voted for laying before the house such papers as might discover the horrible conspiracy; for the removal of popish recusants from London; for administering everywhere the oaths of allegiance and supremacy; for denying access at court to all unknown or suspicious persons; and for appointing the trainbands of London and Westminster to be in readiness. The lords Powis, Stafford, Arundel, Peters, and Bellasis, were committed to the Tower, and were soon after impeached for high-treason. And both houses, after hearing Oates's evidence, voted, "That the lords and commons are of opinion, that there hath been, and still is, a damnable and hellish plot, contrived and carried on by the popish recusants, for assassinating the king, for subverting the government, and for rooting out and destroying the protestant religion."

So vehement were the houses, that they sat every day, forenoon and afternoon, on the subject of the plot: for no other business could be attended to. A committee of lords was appointed to examine prisoners and witnesses: blank warrants were put into their hands, for the commitment of such as should be accused or suspected. Oates, who, though his evidence were true, must, by his own account, be regarded as an infamous villain, was by every one applauded, caressed, and called the saviour of the nation. He was recommended by the parliament to the king. He was lodged in Whitehall, protected by guards, and encouraged by a pension of 1200 pounds a year.

BEDLOE'S NARRATIVE.

It was not long before such bountiful encouragement brought forth new witnesses. William Bedloe, a man, if possible, more infamous than Oates, appeared next upon the stage. He was of very low birth, had been noted for several cheats and even thefts, had travelled over many parts of Europe under borrowed names, and frequently passed himself for a man of quality, and had endeavoured, by a variety of lies and contrivances, to prey upon the ignorant and unwary. When he appeared before the council, he gave intelligence of Godfrey's murder only, which, he said, had been perpetrated in Somerset-house, where the queen lived, by papists, some of them servants in her family. He was questioned about the plot; but utterly denied all knowledge of it, and also asserted, that he had no acquaintance with Oates. Next day, when examined before the committee of lords, he bethought himself better, and was ready to give an ample account of the plot, which he found so anxiously inquired into. This narrative he made to tally, as well as he could, with that of Oates, which had been published; but, that he might make himself acceptable by new matter, he added some other circumstances, and these still more tremendous and extraordinary. He said, that ten thousand men were to be landed from Flanders in Burlington Bay, and immediately to seize Hull; that Jersey and Guernsey were to be surprised by forces from Brest; and that a French fleet was, all last summer, hovering in the Channel for that purpose: that the lords Powis and Peters were to form an army in Radnorshire, to be joined by another army, consisting of twenty or thirty thousand religious men and pilgrims, who were to land at Milford Haven from St. Iago in Spain: that there were forty thousand men ready in London; besides those, who would, on the alarm, be posted at every alehouse door, in order to kill the soldiers, as they came out of their quarters: that lord Stafford, Coleman, and father Ireland, had money sufficient to defray the expenses of all these armaments: that he himself was to receive four thousand pounds, as one that could murder a man; as also a commission from lord Bellasis, and a benediction from the pope: that the king was to be assassinated; all the protestants massacred, who would not seriously be converted; the government offered to ONE, if he would consent to hold it of the church, but if he should refuse that condition, as was suspected, the supreme authority would be given to certain lords, under the nomination of the pope. In a subsequent examination before the commons, Bedloe added (for these men always brought out their intelligence successively and by piecemeal) that lord Carrington was also in the conspiracy for raising men and money against the government; as was likewise Lord Brudenel. These noblemen, with all the other persons mentioned by Bedloe, were immediately committed to custody by the parliament.

It is remarkable that the only resource of Spain, in her present decayed condition, lay in the assistance of England, and so far from being in a situation to transport ten thousand men for the invasion of that kingdom, she had solicited and obtained English forces to be sent into the garrisons of Flanders, which were not otherwise able to defend themselves against the French. The French too, we may observe, were at that very time in open war with Spain, and yet are supposed to be engaged in the same design against England; as if religious motives were become the sole actuating principle among sovereigns. But none of these circumstances, however obvious, were able, when set in opposition to multiplied horrors, antipathies, and prejudices, to engage the least attention of the populace: for such the whole nation were at this time become. The popish plot passed for incontestable: and had not men soon expected with certainty the legal punishment of these criminals, the catholics had been exposed to the hazard of an universal massacre. The torrent indeed of national prejudices ran so high, that no one, without the most imminent danger, durst venture openly to oppose it; nay, scarcely any one, without great force of judgment, could even secretly entertain an opinion contrary to the prevailing sentiments. The loud and unanimous voice of a great nation has mighty authority over weak minds; and even later historians are so swayed by the concurring judgment of such multitudes, that some of them have esteemed themselves sufficiently moderate, when they affirmed that many circumstances of the plot were true, though some were added, and others much magnified. But it is an obvious principle, that a witness, who perjures himself in one circumstance, is credible in NONE; and the authority of the plot, even to the end of the prosecutions, stood entirely upon witnesses. Though the catholics had been suddenly and unexpectedly detected, at the very moment when their conspiracy, it is said, was ripe for execution, no arms, no ammunition, no money, no commissions, no papers, no letters, after the most rigorous search, ever were discovered, to confirm the evidence of Oates and Bedloe. Yet still the nation, though often frustrated, went on in the eager pursuit and confident belief of the conspiracy: and even the manifold inconsistencies and absurdities contained in the narratives, instead of discouraging them, served only as further incentives to discover the bottom of the plot, and were considered as slight objections, which a more complete information would fully remove. In all history it will be difficult to find such another instance of popular frenzy and bigoted delusion.

In order to support the panic among the people, especially among the citizens of London, a pamphlet was published with this title, "A narrative and impartial discovery of the horrid popish plot, carried on for burning and destroying the cities of London and Westminster with their suburbs; setting forth the several consults, orders, and resolutions of the jesuits, concerning the same: by captain William Bedloe, lately engaged in that horrid design, and one of the popish committee for carrying on such fires." Every

fire which had happened for several years past, is there ascribed to the machinations of the jesuits, who purposed, as Bedloe said, by such attempts, to find an opportunity for the general massacre of the protestants; and in the meantime, were well pleased to enrich themselves, by pilfering goods from the fire.

The king, though he scrupled not, wherever he could speak freely, to throw the highest ridicule on the plot, and on all who believed it; yet found it necessary to adopt the popular opinion before the parliament. The torrent, he saw, ran too strong to be controlled; and he could only hope, by a seeming compliance, to be able, after some time, to guide and direct and elude its fury. He made therefore a speech to both houses; in which he told them, that he would take the utmost care of his person during these times of danger; that he was as ready as their hearts could wish, to join with them in all means for establishing the protestant religion, not only during his own time, but for all future ages; and that, provided the right of succession were preserved, he would consent to any laws for restraining a popish successor: and, in conclusion, he exhorted them to think of effectual means for the conviction of popish recusants; and he highly praised the duty and loyalty of all his subjects, who had discovered such anxious concern for his safety.

These gracious expressions abated nothing of the vehemence of parliamentary proceedings. A bill was introduced for a new test, in which popery was denominated idolatry; and all members who refused this test were excluded from both houses. The bill passed the commons without much opposition; but in the upper house the duke moved that an exception might be admitted in his favour. With great earnestness, and even with tears in his eyes, he told them, that he was now to cast himself on their kindness, in the greatest concern which he could have in the world; and he protested, that whatever his religion might be, it should only be a private *thing* between God and his own soul, and never should appear in his public conduct. Notwithstanding this strong effort, in so important a point, he prevailed only by two voices; a sufficient indication of the general disposition of the people. "I would not have," said a noble peer, in the debate on this bill, "so much as a popish man or a popish woman to remain here; not so much as a popish dog or a popish bitch: not so much as a popish cat to pur or mew about the king." What is more extraordinary, this speech met with praise and approbation.

Encouraged by this general fury, the witnesses went still a step further in their accusations; and though both Oates and Bedloe had often declared, that there was no other person of distinction, whom they knew to be concerned in the plot, they were now so audacious as to accuse the queen herself of entering into the design against the life of her husband. The commons, in an address to the king, gave countenance to this scandalous accusation; but the lords would not be prevailed with to join in the address. It is here, if any where, that we may suspect the suggestions of the popular leaders to have had place. The king, it was well known, bore no great affection to his consort; and now, more than ever, when his brother and heir was so much hated, had reason to be desirous of issue, which might quiet the jealous fears of his people. This very hatred, which prevailed against the duke, would much facilitate, he knew, any expedient that could be devised for the exclusion of that prince; and nothing further seemed requisite for the king, than to give way in this particular to the rage and fury of the nation. But Charles, notwithstanding all allurements of pleasure, or interest, or safety, had the generosity to protect his injured consort. "They think," said he, "I have a mind to a new wife; but for all that, I will not see an innocent woman abused." He immediately ordered Oates to be strictly confined, seized his papers, and dismissed his servants and this daring informer was obliged to make applications to parliament, in order to recover his liberty.

During this agitation of men's minds, the parliament gave new attention to the militia; a circumstance which, even during times of greatest tranquillity, can never prudently be neglected. They passed a bill, by which it was enacted, that a regular militia should be kept in arms, during six weeks of the year, and a third part of them do duty every fortnight of that time. The popular leaders, probably intended to make use of the general prejudices, and even to turn the arms of the people against the prince. But Charles refused his assent to the bill, and told the parliament that he would not, were it for half an hour, part so far with the power of the sword: but if they would contrive any other bill for ordering the militia, and still leave it in his power to assemble or dismiss them as he thought proper, he would willingly give it the royal assent. The commons, dissatisfied with this negative, though the king had never before employed that prerogative, immediately voted that all the new-levied forces should be disbanded. They passed a bill, granting money for that purpose; but to show their extreme jealousy of the crown, besides appropriating the money by the strictest clauses, they ordered it to be paid, not into the exchequer, but into the chamber of London. The lords demurred with regard to so extraordinary a clause, which threw a violent reflection on the king's ministers, and even on himself, and by that means the act remained in suspense.

ACCUSATION OF DANBY.

It was no wonder, that the present ferment and credulity of the nation engaged men of infamous character and indigent circumstances to become informers, when persons of rank and condition could be tempted to give into that scandalous practice. Montague, the king's ambassador at Paris, had procured a seat in the lower house; and, without obtaining or asking the king's leave, he suddenly came over to England. Charles suspected his intention, ordered his papers to be seized; but Montague, who foresaw this measure, had taken care to secrete one paper, which he immediately laid before the house of commons. It was a letter from the treasurer Danby, written in the beginning of the year, during the negociations at Nimeguen for the general peace. Montague was there directed to make a demand of money from France; or, in other words, the king was willing secretly to sell his good offices to Louis, contrary to the general interests of the confederates, and even to those of his own kingdoms. The letter, among other particulars, contains these words: "In case the conditions of peace shall be accepted, the king expects to have six millions of livres a year for three years, from the time that this agreement shall be signed between his majesty and the king of France; because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with France; and the ambassador here has always agreed to that sum; but not for so long a time." Danby was so unwilling to engage in this negociation, that the king, to satisfy him, subjoined with his own hand these words: "This letter is writ by my order, C. R." Montague, who revealed this secret correspondence, had even the baseness to sell his base treachery at a high price to the French monarch.

HIS IMPEACHMENT.

The commons were inflamed with this intelligence against Danby; and carrying their suspicions further than the truth, they concluded, that the king had all along acted in concert with the French court; and that every step, which he had taken, in conjunction with the allies, had been illusory and deceitful. De-

sirous of getting to the bottom of so important a secret, and being pushed by Danby's numerous enemies, they immediately voted an impeachment of high-treason against that minister, and sent up six articles to the house of peers. These articles were, that he had traitorously engrossed to himself regal power, by giving instructions to his majesty's ambassadors, without the participation of the secretaries of state, or the privy-council: that he had traitorously endeavoured to subvert the government, and introduce arbitrary power; and to that end had levied and continued an army, contrary to act of parliament: that he had traitorously endeavoured to alienate the affections of his majesty's subjects, by negociating a disadvantageous peace with France, and procuring money for that purpose: that he was popishly affected, and had traitorously concealed, after he had notice, the late horrid and bloody plot, contrived by the papists against his majesty's person and government: that he had wasted the king's treasure; and that he had, by indirect means, obtained several exorbitant grants from the crown.

It is certain that the treasurer, in giving instructions to an ambassador, had exceeded the bounds of his office; and as the genius of a monarchy, strictly limited, requires that the proper minister should be answerable for every abuse of power, the commons, though they here advanced a new pretension, might justify themselves by the utility, and even necessity of it. But in other respects their charge against Danby was very ill grounded. That minister made it appear to the house of lords, not only that Montague, the informer against him, had all along promoted the money-negociations with France, but that he himself was ever extremely averse to the interests of that crown; which he esteemed pernicious to his master and to his country. The French nation, he said, had always entertained, as he was certainly informed, the highest contempt, both of the king's person and government. His diligence, he added, in tracing and discovering the popish plot, was generally known; and if he had common sense, not to say common honesty, he would surely be anxious to preserve the life of a master, by whom he was so much favoured. He had wasted no treasure, because there was no treasure to waste. And though he had reason to be grateful for the king's bounty, he had made more moderate acquisitions than were generally imagined, and than others in his office had often done, even during a shorter administration.

DISSOLUTION OF THE LONG PARLIAMENT.

The house of peers plainly saw, that allowing all the charge of the commons to be true, Danby's crime fell not under the statute of Edward III.; and though the words, *treason* and *traitorously*, had been carefully inserted in several articles, this appellation could not change the nature of things, or subject him to the penalties annexed to that crime. They refused, therefore, to commit Danby upon this irregular charge; the commons insisted on their demand; and a great contest was likely to arise, when the king, who had already seen sufficient instances of the ill-humour of the parliament, thought proper to prorogue them. This prorogation was soon after followed by a dissolution (30th December)—a desperate remedy in the present disposition of the nation. But the disease, it must be owned, the king had reason to esteem desperate. The utmost rage had been discovered by the commons, on account of the popish plot; and their fury began already to point against the royal family, if not against the throne itself. The duke had been struck at in several motions: the treasurer had been impeached; all supply had been refused, except on the most disagreeable conditions: fears, jealousies, and antipathies, were every day multiplying in parliament; and though the people were strongly infected with the same prejudices, the king hoped, that, by dissolving the present cabals, a set of men might be chosen more moderate in their pursuits, and less tainted with the virulence of faction.

ITS CHARACTER.

Thus came to a period a parliament, which had sitten during the whole course of this reign, one year excepted. Its conclusion was very different from its commencement. Being elected during the joy and festivity of the Restoration, it consisted almost entirely of royalists; who were disposed to support the crown by all the liberality which the habits of that age would permit. Alarmed by the alliance with France, they gradually withdrew their confidence from the king; and finding him still to persevere in a foreign interest, they proceeded to discover symptoms of the most refractory and most jealous disposition. The popish plot pushed them beyond all bounds of moderation; and before their dissolution, they seemed to be treading fast in the footsteps of the last long parliament, on whose conduct they threw at first such violent blame. In all their variations they had still followed the opinions and prejudices of the nation; and ever seemed to be more governed by humour and party views than by public interest, and more by public interest than by any corrupt or private influence.

During the sitting of the parliament, and after its prorogation and dissolution, the trials of the pretended criminals were carried on, and the courts of judicature, places which, if possible, ought to be kept more pure from injustice than even national assemblies themselves, were strongly infected with the same party rage and bigoted prejudices. Coleman, the most obnoxious of the conspirators, was first brought to his trial. His letters were produced against him. They contained, as he himself confessed, much indiscretion: but unless so far as it is illegal to be a zealous catholic, they seemed to prove nothing criminal, much less treasonable, against him. Oates and Bedloe deposed, that he had received a commission, signed by the superior of the jesuits, to be papal secretary of state, and had consented to the poisoning, shooting, and stabbing of the king: he had even, according to Oates's deposition, advanced a guinea to promote those bloody purposes. These wild stories were confounded with the projects contained in his letters; and Coleman received sentence of death. The sentence was soon after executed upon him.* He suffered with calmness and constancy, and to the last persisted in the strongest protestations of his innocence.

TRIAL OF IRELAND.

Coleman's execution was succeeded by the trial of father Ireland, who, it is pretended, had signed, together with fifty jesuits, the great resolution of murdering the king. Grove and Pickering, who had undertaken to shoot him, were tried at the same time. The only witnesses against the prisoners were still Oates and Bedloe. Ireland affirmed, that he was in Staffordshire all the month of August last, a time when Oates's evidence made him in London. He proved his assertion by good evidence, and would have proved it by undoubted, had he not, most iniquitously, been debarred, while in prison, from all use of pen, ink, and paper, and denied the liberty of sending for witnesses. All these men, before their arraignment, were condemned in the opinion of the judges, jury, and spectators; and to be a jesuit, or even a catholic, was of itself a sufficient proof of guilt. The chief justice,† in particular, gave sanction to all the narrow prejudices and bigoted fury of the populace. Instead of being counsel for the prisoners, as his office re-

* December 3rd. † Sir William Scroggs.

quired, he pleaded the cause against them, brow-beat their witnesses, and on every occasion represented their guilt as certain and uncontroverted. He even went so far as publicly to affirm, that the papists had not the same principles which protestants have, and therefore were not entitled to that common *credence*, which the principles and practices of the latter call for. And when the jury brought in their verdict against the prisoners, he said, "You have done, gentlemen, like very good subjects, and very good Christians, that is to say, like very good protestants; and now much good may their 30,000 masses do them;" alluding to the masses by which Pickering was to be rewarded for murdering the king. All these unhappy men went to execution, protesting their innocence—a circumstance which made no impression on the spectators. The opinion, that the jesuits allowed of lies and mental reservations, for promoting a good cause, was at this time so universally received, that no credit was given to testimony delivered either by that order, or by any of their disciples. It was forgotten, that all the conspirators engaged in the gunpowder-treason, and Garnet, the jesuit, among the rest, had freely on the scaffold made confession of their guilt.

1679. Though Bedloe had given information of Godfrey's murder, he still remained a single evidence against the persons accused; and all the allurements of profit and honour had not hitherto tempted any one to confirm the testimony of that informer. At last means were found to complete the legal evidence. One Prance, a silversmith, and a catholic, had been accused by Bedloe of being an accomplice in the murder; and upon his denial had been thrown into prison, loaded with heavy irons, and confined to the condemned hole, a place cold, dark, and full of nastiness. Such rigours were supposed to be exercised by orders from the secret committee of lords, particularly Shaftesbury and Buckingham; who, in examining the prisoners, usually employed (as it is said, and indeed sufficiently proved) threatenings and promises, rigour and indulgence, and every art, under pretence of extorting the truth from them. Prance had not courage to resist, but confessed himself an accomplice in Godfrey's murder. Being asked concerning the plot, he also thought proper to be acquainted with it, and conveyed some intelligence to the council. Among other absurd circumstances, he said, that one Le Fevre bought a second-hand sword of him; because he knew not, as he said, what times were at hand: and Prance expressing some concern for poor tradesmen, if such times came; Le Fevre replied, that it would be better for tradesmen, if the catholic religion were restored: and particularly, that there would be more church work for silversmiths. All this information, with regard to the plot, as well as the murder of Godfrey, Prance solemnly retracted, both before the king and the secret committee; but being again thrown into prison, he was induced, by new terrors and new sufferings, to confirm his first information, and was now produced as a sufficient evidence.

Hill, Green, and Berry were tried for Godfrey's murder; all of them men of low stations. Hill was servant to a physician: the other two belonged to the popish chapel at Somerset-house. It is needless to run over all the particulars of a long trial: it will be sufficient to say, that Bedloe's evidence and Prance's were, in many circumstances, totally irreconcilable; that both of them laboured under unsurmountable difficulties, not to say gross absurdities; and that they were invalidated by contrary evidence, which is altogether convincing. But all was in vain: the prisoners were condemned and executed. (February 21 and 28.) They all denied their guilt at their execution; and as Berry died a protestant, this circumstance was regarded as very considerable: but, instead of its giving some check to the general credulity of the people, men were only surprised, that a protestant could be induced at his death, to persist in so manifest a falsehood.

NEW ELECTIONS.

As the army could neither be kept up, nor disbanded, without money, the king, how little hopes soever he could entertain of more compliance, found himself obliged to summon a new parliament. The blood, already shed on account of the popish plot, instead of satiating the people, served only as an incentive to their fury; and each conviction of a criminal was hitherto regarded as a new proof of those horrible designs imputed to the papists. This election is perhaps the first in England, which since the commencement of the monarchy, had been carried on by a violent contest between the parties, and where the court interested itself, to a high degree, in the choice of the national representatives. But all its efforts were fruitless, in opposition to the torrent of prejudices which prevailed. Religion, liberty, property, even the lives of men, were now supposed to be at stake; and no security, it was thought, except in a vigilant parliament, could be found against the impious and bloody conspirators. Were there any part of the nation to which the ferment, occasioned by the popish plot, had not as yet propagated itself; the new elections, by interesting the whole people in public concerns, tended to diffuse it into the remotest corner; and the consternation universally excited, proved an excellent engine for influencing the electors. All the zealots of the former parliament were re-chosen: new one's were added; the presbyterians in particular, being transported with the most inveterate antipathy against popery, were very active and very successful in the elections. That party, it is said, first began at this time the abuse of splitting their freeholds, in order to multiply votes and electors. By accounts which came from every part of England, it was concluded, that the new representatives would, if possible, exceed the old in their refractory opposition to the court, and furious persecution of the catholics.

The king was alarmed, when he saw so dreadful a tempest arise from such small and unaccountable beginnings. His life, if Oates and Bedloe's information were true, had been aimed at by the catholics: even the duke's was in danger: the higher, therefore, the rage mounted against popery, the more should the nation have been reconciled to these princes, in whom, it appeared, the church of Rome reposed no confidence. But there is a sophistry, which attends all the passions; especially those into which the populace enter. Men gave credit to the informers, so far as concerned the guilt of the catholics. But they still retained their old suspicions, that these religionists were secretly favoured by the king, and had obtained the most entire ascendant over his brother. Charles had too much penetration not to see the danger to which the succession, and even his own crown and dignity, now stood exposed. A numerous party, he found, was formed against him; on the one hand composed of a populace, so credulous from prejudice, so blinded with religious antipathy, as implicitly to believe the most palpable absurdities; and conducted, on the other hand, by leaders so little scrupulous, as to endeavour, by encouraging perjury, subornation, lies, impostures, and even by shedding innocent blood, to gratify their own furious ambition, and subvert all legal authority. Roused from his lethargy by so imminent a peril, he began to exert that vigour of mind, of which, on great occasions, he was not destitute; and without quitting in appearance his usual facility of temper, he collected an industry, firmness, and vigilance, of which he was believed altogether incapable. These qualities, joined to dexterity and prudence, conducted him happily through the many shoals which surrounded him; and he was at last able to make the storm fall on the heads of those who had blindly raised, or artfully conducted it.

One chief step, which the king took, towards gratifying and appeasing his people and parliament, was desiring the duke to withdraw beyond sea, that no further suspicion might remain of the influence of popish counsels. The duke readily complied; but first required an order for that purpose, signed by the king, lest his absenting himself should be interpreted as a proof of fear or of guilt. He also desired that his brother should satisfy him, as well as the public, by a declaration of the illegitimacy of the duke of Monmouth.

DUKE OF MONMOUTH.

James, duke of Monmouth, was the king's natural son by Lucy Walters, and born about ten years before the Restoration. He possessed all the qualities which could engage the affections of the populace; a distinguished valour, an affable address, a thoughtless generosity, a graceful person, He rose still higher in the public favour, by reason of the universal hatred to which the duke, on account of his religion, was exposed. Monmouth's capacity was mean; his temper pliant: so that, notwithstanding his great popularity, he had never been dangerous, had he not implicitly resigned himself to the guidance of Shaftesbury, a man of such a restless temper, such subtle wit, and such abandoned principles. That daring politician had flattered Monmouth with the hopes of succeeding to the crown. The story of a contract of marriage, passed between the king and Monmouth's mother, and secretly kept in a certain black box, had been industriously spread abroad, and was greedily received by the multitude. As the horrors of popery still pressed harder on them, they might be induced, either to adopt that fiction, as they had already done many others more incredible, or to commit open violation on the right of succession. And it would not be difficult, it was hoped, to persuade the king, who was extremely fond of his son, to give him the preference above a brother, who, by his imprudent bigotry, had involved him in such inextricable difficulties. But Charles, in order to cut off all such expectations, as well as to remove the duke's apprehensions, took care, in full council, to make a declaration of Monmouth's illegitimacy, and to deny all promise of his marriage with his mother. The duke being gratified in so reasonable a request, willingly complied with the king's desire, and retired to Brussels.

NEW PARLIAMENT. *March 6.*

But the king soon found, that, notwithstanding this precaution, notwithstanding his concurrence in the prosecution of the popish plot, notwithstanding the zeal which he expressed, and even at this time exercised against the catholics, he had nowise obtained the confidence of his parliament. The refractory humour of the lower house appeared in the first step which they took upon their assembling. It had ever been usual for the commons, in the election of their speaker, to consult the inclinations of the sovereign, and even the long parliament in 1641 had not thought proper to depart from so established a custom. The king now desired that the choice should fall on sir Thomas Meres: but Seymour, speaker to the last parliament, was instantly called to the chair, by a vote which seemed unanimous. The king, when Seymour was presented to him for his approbation, rejected him, and ordered the commons to proceed to a new choice. A great flame was excited. The commons maintained, that the king's approbation was merely a matter of form, and that he could not, without giving a reason, reject the speaker chosen: the king, that since he had the power of rejecting, he might, if he pleased, keep the reason in his own breast. As the question had never before been started, it might seem difficult to find principles, upon which it could be decided.* By way of compromise, it was agreed to set aside both candidates. Gregory, a lawyer, was chosen; and the election was ratified by the king. It has ever since been understood that the choice of the speaker lies in the house; but that the king retains the power of rejecting any person disagreeable to him.

DANBY'S IMPEACHMENT.

Seymour was deemed a great enemy to Danby; and it was the influence of that nobleman, as commonly supposed, which had engaged the king to enter into this ill-timed controversy with the commons. The impeachment therefore of Danby was, on that account, the sooner revived; and it was maintained by the commons, that notwithstanding the intervening dissolution, every part of that proceeding stood in the same condition in which it had been left by the last parliament—a pretension which, though unusual, seems tacitly to have been yielded them. The king had beforehand had the precaution to grant a pardon to Danby; and in order to screen the chancellor from all attacks by the commons, he had taken the great seal into his own hands, and had himself affixed it to the parchment. He told the parliament that, as Danby had acted in everything by his orders, he was in no respect criminal: that his pardon, however, he would insist upon; and if it should be found anywise defective in form, he would renew it again and again, till it should be rendered entirely complete: but that he was resolved to deprive him of all employments, and to remove him from court.

The commons were nowise satisfied with this concession. They pretended, that no pardon of the crown could be pleaded in bar of an impeachment by the commons. The prerogative of mercy had hitherto been understood to be altogether unlimited in the king; and this pretension of the commons, it must be confessed, was entirely new. It was however, not unsuitable to the genius of a monarchy, strictly limited; where the king's ministers are supposed to be for ever accountable to national assemblies, even for such abuses of power as they may commit by orders from their master. The present emergence, while the nation was so highly inflamed, was the proper time for pushing such popular claims: and the commons failed not to avail themselves of this advantage. They still insisted on the impeachment of Danby. The peers, in compliance with them, departed from their former scruples, and ordered Danby to be taken into custody. Danby absconded. The commons passed a bill, appointing him to surrender himself before a certain day, or in default of it, attainting him. A bill had passed the upper house, mitigating the penalty to banishment; but after some conferences, the peers thought proper to yield to the violence of the commons, and the bill of attainder was carried. Rather than undergo such severe penalties, Danby appeared, and was immediately committed to the Tower.

POPISH PLOT.

While a protestant nobleman met with such violent prosecution, it was not likely that the catholics would be overlooked by the zealous commons. The credit of the popish plot still stood upon the oaths of a few infamous witnesses. Though such immense preparations were supposed to have been made in the very bowels of the kingdom, no traces of them, after the most rigorous inquiry, had as yet appeared. Though so many thousands, both abroad and at home, had been engaged in the dreadful secret, neither hope, nor fear,

* In 1566, the speaker said to queen Elizabeth, that without her allowance the election of the house was of no significance.—D'Ewes's Journal, p. 97. In the parliament, 15 82, 1593, the speaker, who was Sir Edward Coke, advanced a like position.—Ibid, p. 459. Townshend, p. 35. So that this pretension of the commons seems to have been somewhat new; like many other powers and privileges.

nor remorse, nor levity, nor suspicions, nor private resentment, had engaged any one to confirm the evidence. Though the catholics, particularly the jesuits, were represented as guilty of the utmost indiscretion, insomuch that they talked of the king's murder as common news, and wrote of it in plain terms by the common post; yet, among the great number of letters seized, no one contained any part of so complicated a conspiracy. Though the informers pretended that, even after they had resolved to betray the secret, many treasonable commissions and papers had passed through their hands; they had not had the precaution to keep any one of them, in order to fortify their evidence. But all these difficulties, and a thousand more, were not found too hard of digestion by the nation and parliament. The prosecution and further discovery of the plot were still the object of general concern. The commons voted, that if the king should come to an untimely end, they would revenge his death upon the papists; not reflecting that this sect were not his only enemies. They promised rewards to new discoverers; not considering the danger, which they incurred, of granting bribes to perjury. They made Bedloe a present of 500 pounds, and particularly recommended the care of his safety to the duke of Monmouth. Colonel Sackville, a member, having in a private company, spoken opprobriously of those who affirmed that there was any plot, was expelled the house. The peers gave power to their committees to send for and examine such as would maintain the innocence of those who had been condemned for the plot. A pamphlet having been published to discredit the informers, and to vindicate the catholic lords in the Tower, these lords were required to discover the author, and thereby to expose their own advocate to prosecution. And both houses concurred in renewing the former vote, that the papists had undoubtedly entered into a *horrid* and *treasonable* conspiracy against the king, the state, and the protestant religion.

It must be owned that this extreme violence, in prosecution of so absurd an imposture, disgraces the noble cause of liberty, in which the parliament was engaged. We may even conclude from such impatience of contradiction, that the prosecutors themselves retained a secret suspicion that the general belief was but ill-grounded. The politicians among them were afraid to let in light, lest it might put an end to so useful a delusion: the weaker and less dishonest party took care, by turning their eyes aside, not to see a truth so opposite to those furious passions, by which they were actuated, and in which they were determined obstinately to persevere.

Sir William Temple had lately been recalled from his foreign employments; and the king, who, after the removal of Danby, had no one with whom he could so much as discourse with freedom of public affairs, was resolved, upon Coventry's dismission, to make him one of his secretaries of state. But that philosophical patriot, too little interested for the intrigues of a court, too full of spleen and delicacy for the noisy turbulence of popular assemblies, was alarmed at the universal discontents and jealousies which prevailed, and was determined to make his retreat, as soon as possible, from a scene which threatened such confusion. Meanwhile, he could not refuse the confidence with which his master honoured him; and he resolved to employ it to the public service. He represented to the king, that, as the jealousies of the nation were extreme, it was necessary to cure them by some new remedy, and to restore that mutual confidence, so requisite for the safety both of king and people: that to refuse everything to the parliament in their present disposition, or to yield everything, was equally dangerous to the constitution, as well as to public tranquillity: that if the king would introduce into his councils such men as enjoyed the confidence of his people, fewer concessions would probably be required; or if unreasonable demands were made the king, under the sanction of such counsellors, might be enabled, with the greater safety, to refuse them: and that the heads of the popular party, being gratified with the king's favour, would probably abate of that violence by which they endeavoured at present to pay court to the multitude.

NEW COUNCIL.

The king assented to these reasons; and, in concert with Temple, he laid the plan of a new privy-council, without whose advice he declared himself determined for the future to take no measure of importance. This council was to consist of thirty persons, and was never to exceed that number. Fifteen of the chief officers of the crown were to be continued, who, it was supposed, would adhere to the king, and, in case of any extremity, oppose the exorbitances of faction. The other half of the council was to be composed, either of men of character, detached from the court, or of those who possessed chief credit in both houses. And the king, in filling up the names of his new council, was well pleased to find that the members, in land and offices, possessed to the amount of 300,000 pounds a year; a sum nearly equal to the whole property of the house of commons, against whose violence the new council was intended as a barrier to the throne.*

This experiment was tried, and seemed at first to give some satisfaction to the public. The earl of Essex, a nobleman of the popular party, son of that lord Capel who had been beheaded a little after the late king, was created treasurer in the room of Danby: the earl of Sunderland, a man of intrigue and capacity, was made secretary of state: viscount Halifax, a fine genius, possessed of learning, eloquence, industry, but subject to inquietude and fond of refinements, was admitted into the council. These three, together with Temple, who often joined them, though he kept himself more detached from public business, formed a kind of cabinet-council, from which all affairs received their first digestion. Shaftesbury was made president of the council, contrary to the advice of Temple, who foretold the consequence of admitting a man of so dangerous a character into any part of the public administration.

As Temple foresaw, it happened. Shaftesbury, finding that he possessed no more than the appearance of court favour, was resolved still to adhere to the popular party, by whose attachment he enjoyed an undisputed superiority in the lower house, and possessed great influence in the other. The very appearance of court-favour, empty as it was, tended to render him more dangerous. His partisans observing the progress which he had already made, hoped that he would soon acquire the entire ascendant; and he constantly flattered them, that if they persisted in their purpose, the king, from indolence, and necessity, and fondness for Monmouth, would at last be induced, even at the expense of his brother's right, to make them every concession.

Besides, the antipathy to popery, as well as jealousy of the king and duke, had taken too fast possession of men's minds, to be removed by so feeble a remedy as this new council projected by Temple. The commons, soon after the establishment of that council, proceeded so far as to vote unanimously, "That the duke of York's being a papist, and the hopes of his coming to the crown, had given the highest countenance to the present conspiracies and designs of the papists against the king and the protestant religion." It was expected that a bill for excluding him the throne would soon be brought in.

* Their names were; prince Rupert, the archbishop of Canterbury, lord Finch, chancellor, earl of Shaftesbury, president, earl of Anglesea, privy-seal, duke of Monmouth, duke of Newcastle, duke of Lauderdale, duke of Ormond, marquis of Winchester, marquis of Worcester, earl of Northampton, earl of Sunderland, earl of Bridgwater, earl of Sunderland, earl of Essex, earl of Bath, viscount Falkenberg, viscount Halifax, bishop of London, lord Roberts, lord Hollis, lord Russel, lord Cavendish, secretary Coventry, sir Francis North, chief-justice, sir Henry Capel, sir John Earnley, Thomas Chicheley, sir William Temple, Edward Seymour, Esq.

To prevent this bold measure the king concerted some limitations which he proposed to the parliament. He introduced his plan by the following gracious expressions: "And to show you that, while you are doing your parts, my thoughts have not been misemployed, but that it is my constant care to do everything that may preserve your religion, and secure it for the future in all events, I have commanded my lord-chancellor to mention several particulars, which, I hope, will be an evidence that, in all things which concern the public security, I shall not follow your zeal, but lead it."

LIMITATIONS OF A POPISH SUCCESSOR.

The limitations projected were of the utmost importance, and deprived the successor of the chief branches of royalty. A method was there chalked out, by which the nation, on every new reign, could be ensured of having a parliament, which the king should not, for a certain time, have it in his power to dissolve. In case of a popish successor, the prince was to forfeit the right of conferring any ecclesiastical preferments: no member of the privy-council, no judge of the common law, or in chancery, was to be put in or displaced but by consent of parliament: and the same precaution was extended to the military part of the government; to the lord-lieutenants and deputy-lieutenants of the counties, and to all officers of the navy. The chancellor, of himself, added, "It is hard to invent another restraint; considering how much the revenue will depend upon the consent of parliament, and how impossible it is to raise money without such consent. But yet, if anything else can occur to the wisdom of parliament, which may further secure religion and liberty against a popish successor, without defeating the right of succession itself, his majesty will readily consent to it."

It is remarkable that, when these limitations were first laid before the council, Shaftesbury and Temple were the only members who argued against them. The reasons which they employed were diametrically opposite. Shaftesbury's opinion was, that the restraints were insufficient; and that nothing but the total exclusion of the duke could give a proper security to the kingdom. Temple, on the other hand, thought that the restraints were so rigorous as even to subvert the constitution; and that shackles, put upon a popish successor, would not afterwards be easily cast off by a protestant. It is certain that the duke was extremely alarmed when he heard of this step taken by the king, and that he was better pleased even with the bill of exclusion itself, which, he thought, by reason of its violence and injustice, could never possibly be carried into execution. There is also reason to believe that the king would not have gone so far, had he not expected, from the extreme fury of the commons, that his concessions would be rejected, and that the blame of not forming a reasonable accommodation would by that means lie entirely at their door.

BILL OF EXCLUSION.

It soon appeared that Charles had entertained a just opinion of the dispositions of the house. So much were the commons actuated by the cabals of Shaftesbury and other malcontents; such violent antipathy prevailed against popery, that the king's concessions, though much more important than could reasonably have been expected, were not embraced. A bill was brought in for the total exclusion of the duke from the crowns of England and Ireland. It was there declared, that the sovereignty of these kingdoms, upon the king's death or resignation, should devolve to the person next in succession after the duke; that all acts of royalty which that prince should afterwards perform, should not only be void, but be deemed treason; that if he so much as entered any of these dominions, he should be deemed guilty of the same offence; and that all who supported his title should be punished as rebels and traitors. This important bill, which implied banishment as well as exclusion, passed the lower house by a majority of seventy-nine.

The commons were not so wholly employed about the exclusion bill as to overlook all other securities to liberty. The country party during all the last parliament, had much exclaimed against the bribery and corruption of the members; and the same reproach had been renewed against the present parliament. An inquiry was made into a complaint which was so dangerous to the honour of that assembly, but very little foundation was found for it. Sir Stephen Fox, who was the paymaster, confessed to the house that nine members received pensions to the amount of three thousand four hundred pounds: and after a rigorous inquiry by a secret committee, eight more pensioners were discovered. A sum also, about twelve thousand pounds, had been occasionally given or lent to others. The writers of that age pretended that Clifford and Danby had adopted opposite maxims with regard to pecuniary influence. The former endeavoured to gain the leaders and orators of the house, and deemed the others of no consequence. The latter thought it sufficient to gain a majority, however composed. It is likely that the means, rather than the intention, were wanting to both these ministers.

Pensions and bribes, though it be difficult entirely to exclude them, are dangerous expedients for government; and cannot be too carefully guarded against, nor too vehemently decried, by every one who has a regard to the virtue and liberty of a nation. The influence, however, which the crown acquires from the disposal of places, honours, and preferments, is to be esteemed of a different nature. This engine of power may become too forcible, but it cannot altogether be abolished, without the total destruction of monarchy, and even of all regular authority. But the commons at this time were so jealous of the crown, that they brought in a bill, which was twice read, excluding from the lower house all who possessed any lucrative office.

The standing army, and the king's guards, were by the commons voted to be illegal: a new pretension it must be confessed; but necessary for the full security of liberty and a limited constitution.

HABEAS CORPUS BILL.

Arbitrary imprisonment is a grievance which, in some degree, has place almost in every government, except in that of Great Britain; and our absolute security from it we owe chiefly to the present parliament, a merit which makes some atonement for the faction and violence into which their prejudices had, in other particulars betrayed them. The Great Charter had laid the foundation of this valuable part of liberty; the Petition of Right had renewed and extended it; but some provisions were still wanting to render it complete, and prevent all evasion or delay from ministers and judges. The act of *habeas corpus*, which passed this session, served these purposes. By this act it was prohibited to send any one to a prison beyond sea. No judge, under severe penalties, must refuse to any prisoner a writ of *habeas corpus*, by which the gaoler was directed to produce in court the body of the prisoner, (whence the writ has its name,) and to certify the cause of his detainer and imprisonment. If the gaol lie within twenty miles of the judge, the writ must be obeyed in three days; and so proportionably for greater distances: every prisoner must be indicted the first term after his commitment, and brought to trial in the subsequent term. And no man, after being enlarged by order of court, can be recommitted for the same offence. This law seems necessary for the protection of liberty in a mixed monarchy; and as it has not place in any other form

of government, this consideration alone may induce us to prefer our present constitution to all others. It must, however, be confessed, that there is some difficulty to reconcile with such extreme liberty the full security and the regular police of a state, especially the police of great cities. It may also be doubted whether the low state of the public revenue in this period, and of the military power, did not still render some discretionary authority in the crown necessary to the support of government.

During these zealous efforts for the protection of liberty, no complaisance for the crown was discovered by this parliament. The king's revenue lay under great debts and anticipations: those branches granted in the year 1669 and 1670 were ready to expire: and the fleet was represented by the king as in great decay and disorder. But the commons, instead of being affected by these distresses of the crown, trusted chiefly to them for passing the exclusion bill, and for punishing and displacing all the ministers who were obnoxious to them. They were therefore in no haste to relieve the king; and grew only the more assuming on account of his complaints and uneasiness. Jealous, however, of the army, they granted the same sum of 206,000 pounds, which had been voted for disbanding it by the last parliament; though the vote, by reason of the subsequent prorogation and dissolution, joined to some scruples of the lords, had not been carried into an act. This money was appropriated by very strict clauses; but the commons insisted not, as formerly, upon its being paid into the chamber of London.

The impeachment of the five popish lords in the Tower, with that of the earl of Danby, was carried on with vigour. The power of this minister, and his credit with the king, rendered him extremely obnoxious to the popular leaders; and the commons hoped that, if he were pushed to extremity, he would be obliged, in order to justify his own conduct, to lay open the whole intrigue of the French alliance, which they suspected to contain a secret of the most dangerous nature. The king, on his part, apprehensive of the same consequences, and desirous to protect his minister, who was become criminal merely by obeying orders, employed his whole interest to support the validity of that pardon which had been granted him. The lords appointed a day for the examination of the question, and agreed to hear counsel on both sides: but the commons would not submit their pretensions to the discussion of argument and inquiry. They voted, that whoever should presume, without their leave, to maintain before the house of peers the validity of Danby's pardon, should be accounted a betrayer of the liberties of the English commons. And they made a demand, that the bishops, whom they knew to be devoted to the court, should be removed, not only when the trial of the earl should commence, but also when the validity of his pardon should be discussed.

The bishops before the Reformation had always enjoyed a seat in parliament: but so far were they anciently from regarding that dignity as a privilege, that they affected rather to form a separate order in the state, independent of the civil magistrate, and accountable only to the pope and to their own order. By the Constitutions, however, of Clarendon, enacted during the reign of Henry II., they were obliged to give their presence in parliament; but as the canon law prohibited them from assisting in capital trials, they were allowed in such cases the privilege of absenting themselves. A practice, which was at first voluntary, became afterwards a rule; and on the earl of Strafford's trial, the bishops who would gladly have attended, and who were no longer bound by the canon law, were yet obliged to withdraw. It had been usual for them to enter a protest, asserting their right to sit; and this protest, being considered as a mere form, was always admitted and disregarded. But here was started a new question of no small importance. The commons, who were now enabled, by the violence of the people and the necessities of the crown to make new acquisitions of powers and privileges, insisted that the bishops had no more title to vote in the question of the earl's pardon than in the impeachment itself. The bishops asserted that the pardon was merely a preliminary; and that, neither by the canon law nor the practice of parliament, were they ever obliged, in capital cases, to withdraw till the very commencement of the trial itself. If their absence was considered as a privilege, which was its real origin, it depended on their own choice, how far they would insist upon it. If regarded as a diminution of their right of peerage, such unfavourable customs ought never to be extended beyond the very circumstance established by them; and all arguments, from a pretended parity of reason, were in that case of little or no authority.

PROROGATION AND DISSOLUTION OF THE PARLIAMENT. *July* 10.

The house of lords was so much influenced by these reasons, that they admitted the bishops' right to vote, when the validity of the pardon should be examined. The commons insisted still on their withdrawing; and thus a quarrel being commenced between the two houses, the king, who expected nothing but fresh instances of violence from this parliament, began to entertain thoughts of laying hold of so favourable a pretence, and of finishing the session by a prorogation. While in this disposition, he was alarmed with sudden intelligence, that the house of commons was preparing a remonstrance, in order to inflame the nation still further upon the favourite topics of the plot and of popery. He hastened, therefore, to execute his intention, even without consulting his new council, by whose advice he had promised to regulate his whole conduct. And thus were disappointed all the projects of the malcontents, who were extremely enraged at this vigorous measure of the king's. Shaftesbury publicly threatened that he would have the head of whoever had advised it. The parliament was soon after dissolved without advice of council; and writs were issued for a new parliament. The king was willing to try every means which gave a prospect of more compliance in his subjects; and in case of failure, the blame, he hoped, would lie on those whose obstinacy forced him to extremities.

TRIAL AND EXECUTION OF THE FIVE JESUITS.

But, even during the recess of parliament, there was no interruption to the prosecution of the catholics, accused of the plot: the king found himself obliged to give way to this popular fury. Whitebread, provincial of the jesuits, Fenwic, Gavan, Turner, and Harcourt, all of them of the same order, were first brought to their trial. Besides Oates and Bedloe, Dugdale, a new witness, appeared against the prisoners. This man had been steward to lord Aston, and though poor, possessed a character somewhat more reputable than the other two: but his account of the intended massacres and assassinations was equally monstrous and incredible. He even asserted that 200,000 papists in England were ready to take arms. The prisoners proved, by sixteen witnesses from St. Omers, students, and most of them young men of family, that Oates was in that seminary at the time when he swore that he was in London: but as they were catholics, and disciples of the jesuits, their testimony, both with the judges and jury, was totally disregarded. Even the reception which they met with in court was full of outrage and mockery. One of them saying that Oates always continued at St. Omers, if he could believe his senses; "You papists," said the chief-justice, "are taught not to believe your senses." It must be confessed that

Oates, in opposition to the students of St. Omers, found means to bring evidence of his having been at that time in London: but this evidence, though it had, at that time, the appearance of some solidity, was afterwards discovered, when Oates himself was tried for perjury, to be altogether deceitful. In order further to discredit that witness, the jesuits proved, by undoubted testimony, that he had perjured himself in father Ireland's trial, whom they showed to have been in Staffordshire at the very time when Oates swore that he was committing treason in London. But all these pleas availed them nothing against the general prejudices. They received sentence of death; and were executed, persisting to their last breath in the most solemn, earnest, and deliberate, though disregarded, protestations of their innocence.

The next trial was that of Langhorne, an eminent lawyer, by whom all the concerns of the jesuits were managed. Oates and Bedloe swore, that all the papal commissions, by which the chief offices in England were filled with catholics, passed through his hands. When verdict was given against the prisoner, the spectators expressed their savage joy by loud acclamations. So high indeed had the popular rage mounted, that the witnesses for this unhappy man, on approaching the court, were almost torn in pieces by the rabble: one in particular was bruised to such a degree, as to put his life in danger: and another, a woman, declared that, unless the court could afford her protection, she durst not give evidence: but as the judges could go no further than promise to punish such as should do her any injury, the prisoner himself had the humanity to wave her testimony.

So far the informers had proceeded with success: their accusation was hitherto equivalent to a sentence of death. The first check which they received was on the trial of sir George Wakeman, the queen's physician, whom they accused of an intention to poison the king. It was a strong circumstance in favour of Wakeman, that Oates, in his first information before the council, had accused him only upon hearsay: and when asked by the chancellor, whether he had anything further to charge him with? he added, "God forbid I should say anything against sir George: for I know nothing more against him." On the trial he gave positive evidence of the prisoner's guilt. There were many other circumstances which favoured Wakeman: but what chiefly contributed to his acquital, was the connexion of his cause with that of the queen, whom no one, even during the highest prejudices of the times, could sincerely believe guilty. The great importance of the trial made men recollect themselves, and recall that good sense and humanity which seemed, during some time, to have abandoned the nation. The chief-justice himself, who had hitherto favoured the witnesses, exaggerated the plot, and railed against the prisoners, was observed to be considerably mollified, and to give a favourable charge to the jury. Oates and Bedloe had the assurance to attack him to his face, and even to accuse him of partiality before the council. The whole party, who had formerly much extolled his conduct, now made him the object of their resentment. Wakeman's acquittal was indeed a sensible mortification to the furious prosecutors of the plot, and fixed an indelible stain upon the witnesses. But Wakeman, after he recovered his liberty, finding himself exposed to such inveterate enmity, and being threatened with further prosecutions, thought it prudent to retire beyond sea: and his flight was interpreted as a proof of guilt, by those who were still resolved to persist in the belief of the conspiracy.

STATE OF AFFAIRS IN SCOTLAND.

The great discontents in England, and the refractory disposition of the parliament, drew the attention of the Scottish covenanters, and gave them a prospect of some time putting an end to those oppressions, under which they had so long laboured. It was suspected to have been the policy of Lauderdale and his associates to push these unhappy men to extremities, and force them into rebellion, with a view of reaping profit from the forfeitures and attainders which would ensue upon it. But the covenanters, aware of this policy, had hitherto forborne all acts of hostility; and that tyrannical minister had failed of his purpose. An incident at last happened, which brought on an insurrection in that country.

The covenanters were much enraged against Sharpe, the primate, whom they considered as an apostate from their principles, and whom they experienced to be an unrelenting persecutor of all those who dissented from the established worship. He had an officer under him, one Carmichael, no less zealous than himself against conventicles, and who by his violent prosecutions, had rendered himself extremely obnoxious to the fanatics. A company of these had waylaid him on the road near St. Andrews, (3rd May,) with an intention, if not of killing him, at least of chastising him so severely as would afterwards render him more cautious in persecuting the nonconformists. While looking out for their prey, they were surprised at seeing the archbishop's coach pass by; and they immediately interpreted this incident as a declaration of the secret purpose of Providence against him. But when they observed that almost all his servants, by some accident, were absent, they no longer doubted, but Heaven had here delivered their capital enemy into their hands. Without further deliberation, they fell upon him; dragged him from his coach; tore him from the arms of his daughter, who interposed with cries and tears; and pierced him with redoubled wounds, left him dead on the spot, and immediately dispersed themselves.

This atrocious action served the ministry as a pretence for a more violent persecution against the fanatics, on whom, without distinction, they threw the guilt of those furious assassins. It is indeed certain, that the murder of Sharpe had excited an universal joy among the covenanters, and that their blind zeal had often led them, in their books and sermons, to praise and recommend the assassination of their enemies, whom they considered as the enemies of all true piety and godliness. The stories of Jael and Sisera, of Ehud and Eglon, resounded from every pulpit. The officers quartered in the west, received more strict orders to find out and disperse all conventicles; and for that reason the covenanters, instead of meeting in small bodies, were obliged to celebrate their worship in numerous assemblies, and to bring arms for their security. At Rutherglen, a small borough near Glasgow, they openly set forth a declaration against prelacy; and in the market-place burned several acts of parliament and acts of council, which had established that mode of ecclesiastical government, and had prohibited conventicles. For this insult on the supreme authority, they purposely chose the 29th of May, the anniversary of the Restoration; and previously extinguished the bonfires which had been kindled for that solemnity.

Captain Graham, afterwards viscount Dundee, an active and enterprising officer, attacked a great conventicle upon Louden-hill, and was repulsed with the loss of thirty men. The covenanters, finding that they were unwarily involved in such deep guilt, were engaged to persevere, and to seek from their valour and fortune alone, for that indemnity, which the severity of the government left them no hopes of ever being able otherwise to obtain. They pushed on to Glasgow; and though at first repulsed, they afterwards made themselves masters of that city; dispossessed the established clergy; and issued proclamations, in which they declared that they fought against the king's supremacy, against popery and prelacy, and against a popish successor.

BATTLE OF BOTHWEL-BRIDGE.

How accidental so ver this insurrection might

appear, there is reason to suspect that some great men, in combination with the popular leaders in England, had secretly instigated the covenanters to proceed to such extremities, and hoped for the same effects that had forty years before ensued from the disorders in Scotland. The king also, apprehensive of like consequences, immediately dispatched thither Monmouth with a small body of English cavalry. That nobleman joined to these troops the Scottish guards, and some regiments of militia, levied from the well-affected counties; and with great celerity marched in quest of the rebels. They had taken post near Bothwel-castle, between Hamilton and Glasgow; where there was no access to them but over a bridge, which a small body was able to defend against the king's forces. They showed judgment in the choice of their post; but discovered neither judgment nor valour in any other step of their conduct. No nobility and few gentry had joined them: the clergy were in reality the generals; and the whole army never exceeded 8000 men. Monmouth attacked the bridge; and the body of rebels who defended it, maintained their post as long as their ammunition lasted. When they sent for more, they received orders to quit their ground, and to retire backwards. This imprudent measure occasioned an immediate defeat of the covenanters. Monmouth passed the bridge without opposition, and drew up his forces opposite to the enemy. His cannon alone put them to rout. About 700 fell in the pursuit; for properly speaking there was no action. Twelve hundred were taken prisoners; and were treated by Monmouth with a humanity which they had never experienced in their own countrymen. Such of them as would promise to live peaceably were dismissed. About three hundred, who were so obstinate as to refuse this easy condition, were shipped for Barbadoes; but unfortunately perished in the voyage. Two of their clergy were hanged. Monmouth was of a generous disposition; and besides aimed at popularity in Scotland. The king intended to intrust the government of that kingdom in his hands. He had married a Scottish lady, heir of a great family, and allied to all the chief nobility. And Lauderdale, as he was now declining in his parts, and was much decayed in his memory, began to lose with the king that influence which he had maintained during so many years; notwithstanding the efforts of his numerous enemies both in Scotland and England, and notwithstanding the many violent and tyrannical actions of which he had been guilty. Even at present he retained so much influence as to poison all the good intentions which the king, either of himself, or by Monmouth's suggestion, had formed with regard to Scotland. An act of indemnity was granted; but Lauderdale took care that it should be so worded as rather to afford protection to himself and his associates, than to the unhappy covenanters. And though orders were given to connive thenceforwards at all conventicles, he found means, under a variety of pretences, to elude the execution of them. It must be owned, however, to his praise, that he was the chief person, who, by his counsel, occasioned the expeditious march of the forces and the prompt orders given to Monmouth; and thereby disappointed all the expectations of the English malcontents, who, reflecting on the disposition of men's minds in both kingdoms, had entertained great hopes from the progress of the Scottish insurrection.

CHAPTER LXVIII.

State of Parties — State of the Ministry — Meal-tub Plot — Whig and Tory — A new Parliament — Violence of the Commons — Exclusion Bill — Arguments for and against the Exclusion — Exclusion bill rejected — Trial of Stafford — His Execution — Violence of the Commons — Dissolution of the Parliament — New Parliament at Oxford — Fitz-harris's Case — Parliament dissolved — Victory of the Royalists.

STATE OF PARTIES.

THE king, observing that the whole nation concurred at first in the belief and prosecution of the popish plot, had found it necessary for his own safety, to pretend, in all public speeches and transactions, an entire belief and acquiescence in that famous absurdity, and by this artifice he had eluded the violent and irresistible torrent of the people. When a little time and recollection, as well as the execution of the pretended conspirators, had somewhat moderated the general fury, he was now enabled to form a considerable party, devoted to the interests of the crown, and determined to oppose the pretensions of the malcontents.

In every mixed government, such as that of England, the bulk of the nation will always incline to preserve the entire frame of the constitution; but according to the various prejudices, interests, and dispositions of men, some will ever attach themselves with more passion to the regal, others to the popular, part of the government. Though the king, after his restoration, had endeavoured to abolish the distinction of parties, and had chosen his ministers from among all denominations; no sooner had he lost his popularity, and exposed himself to general jealousy, than he found it necessary to court the old cavalier party, and to promise them full compensation for that neglect of which they had hitherto complained. The present emergence made it still more necessary for him to apply for their support; and there were many circumstances which determined them, at this time, to fly to the assistance of the crown, and to the protection of the royal family.

A party, strongly attached to monarchy, will naturally be jealous of the right of succession, by which alone they believe stability to be preserved in the government, and a barrier fixed against the encroachments of popular assemblies. The project, openly embraced, of excluding the duke, appeared to that party a dangerous innovation: and the design, secretly projected, of advancing Monmouth, made them apprehensive lest the inconveniencies of a disputed succession, should be propagated to all posterity. While the jealous lovers of liberty maintained, that a king, whose title depended on the parliament, would naturally be more attentive to the interests, at least to the humours, of the people; the passionate admirers of monarchy considered all dependence as a degradation of kingly government, and a great step towards the establishment of a commonwealth of England.

But though his union with the political royalists brought great accession of force to the king, he derived no less support from the confederacy, which he had, at this time, the address to form with the church of England. He represented to the ecclesiastics the great number of presbyterians and other sectaries, who had entered into the popular party; the encouragement and favour which they met with; the loudness of their cries with regard to popery and arbitrary power. And he made the established clergy and their adherents apprehend, that the old scheme for the abolition of prelacy as well as monarchy was revived, and that the same miseries and oppressions awaited them, to which, during the civil wars and usurpations, they had so long been exposed.

The memory also of those dismal times united many indifferent and impartial persons to the crown, and begat a dread lest the zeal for liberty should engraft itself on fanaticism, and should once more kindle a civil war in the kingdom. Had not the king still retained the prerogative of dissolving the parliament, there was indeed reason to apprehend the renewal of all the pretensions and violences which had ushered in the last commotions. The one period appeared an exact counterpart to the other: but still discerning judges could perceive, both in the spirit of the parties and in the genius of the prince, a material difference;

by means of which Charles was enabled at last, though with the imminent peril of liberty, to preserve the peace of the nation.

The cry against popery was loud; but it proceeded less from religious than from party zeal, in those who propagated, and even in those who adopted it. The spirit of enthusiasm had occasioned so much mischief, and had been so successfully exploded, that it was not possible, by any artifice, again to revive and support it. Cant had been ridiculed, hypocrisy detected; the pretensions to a more thorough reformation, and to greater purity, had become suspicious; and instead of denominating themselves the *godly* party, the appellation affected at the beginning of the civil wars, the present patriots were content with calling themselves the *good* and *honest* party: a sure prognostic that their measures were not to be so furious, nor their pretensions so exorbitant.

The king too, though not endowed with the integrity and strict principles of his father, was happy in a more amiable manner, and more popular address. Far from being distant, stately, or reserved, he had not a grain of pride or vanity in his whole composition; but was the most affable, best bred man alive. He treated his subjects like noblemen, like gentlemen, like freemen; not like vassals or boors. His professions were plausible, his whole behaviour engaging; so that he won upon the hearts, even while he lost the good opinion, of his subjects, and often balanced their judgment of things by their personal inclination. In his public conduct likewise, though he had sometimes embraced measures dangerous to the liberty and religion of his people, he had never been found to persevere obstinately in them, but had always returned into that path, which their united opinion seemed to point out to him. And upon the whole, it appeared to many cruel, and even iniquitous, to remark too rigorously the failings of a prince, who discovered so much facility in correcting his errors, and so much lenity in pardoning the offences committed against himself.

STATE OF THE MINISTRY.

The general affection borne the king appeared signally about this time. He fell sick at Windsor; and had two or three fits of a fever, so violent as made his life be thought in danger. A general consternation seized all ranks of men, increased by the apprehensions entertained of his successor. In the present disposition of men's minds, the king's death, to use an expression of sir William Temple, was regarded as the end of the world. The malcontents, it was feared, would proceed to extremities, and immediately kindle a civil war in the kingdom. Either their entire success or entire failure, or even the balance and contest of parties, seemed all of them events equally fatal. The king's chief counsellors therefore, Essex, Halifax, and Sunderland, who stood on bad terms with Shaftesbury and the popular party, advised him to send secretly for the duke, that in case of any sinister accident, that prince might be ready to assert his right against the opposition which he was likely to meet with. When the duke arrived (2nd September,) he found his brother out of danger; and it was agreed to conceal the invitation which he had received. His journey, however, was attended with important consequences. He prevailed on the king to disgrace Monmouth, whose projects were now known and avowed; to deprive him of his command in the army, and to send him beyond sea. He himself returned to Brussels; but made a short stay in that place. He obtained leave to retire to Scotland, under pretence still of quieting the apprehensions of the English nation; but in reality with a view of securing that kingdom in his interest.

Though Essex and Halifax had concurred in the resolution of inviting over the duke, they soon found, that they had not obtained his confidence, and that even the king, while he made use of their service, had no sincere regard for their persons. Essex in disgust resigned the treasury: Halifax retired to his country-seat: Temple, despairing of any accommodation among such enraged parties, withdrew almost entirely to his books and his gardens. The king who changed ministers as well as measures with great indifference, bestowed at this time his chief confidence on Hyde, Sunderland, and Godolphin. Hyde succeeded Essex in the treasury.

All the king's ministers, as well as himself, were extremely averse to the meeting of the new parliament, which they expected to find as refractory as any of the preceding. The elections had gone mostly in favour of the country party. The terrors of the plot had still a mighty influence over the populace; and the apprehensions of the duke's bigoted principles and arbitrary character weighed with men of sense and reflection. The king therefore resolved to prorogue the parliament, that he might try, whether time would allay those humours, which, by every other expedient, he had in vain attempted to mollify. In this measure he did not expect the concurrence of his council. He knew that those popular leaders, whom he had admitted, would zealously oppose a resolution, which disconcerted all their schemes; and that the royalists would not dare, by supporting it, to expose themselves to the vengeance of the parliament, when it should be assembled. These reasons obliged him to take this step entirely of himself; and he only declared his resolution in council. It is remarkable, that, though the king had made profession never to embrace any measure without the advice of these counsellors, he had often broken that resolution, and had been necessitated, in affairs of the greatest consequence, to control their opinion. Many of them in disgust threw up about this time, particularly lord Russel, the most popular man in the nation, as well from the mildness and integrity of his character, as from his zealous attachment to the religion and liberties of his country. Though carried into some excesses, his intentions were ever esteemed upright; and being heir to the greatest fortune in the kingdom, as well as void of ambition, men believed that nothing but the last necessity could ever engage him to embrace any desperate measures. Shaftesbury, who was, in most particulars, of an opposite character, was removed by the king from the office of president of the council; and the earl of Radnor, a man who possessed whimsical talents and splendid virtues, was substituted in his place.

MEAL-TUB PLOT.

It was the favour and countenance of the parliament, which had chiefly encouraged the rumour of plots; but the nation had gotten so much into that vein of credulity, and every necessitous villain was so much incited by the success of Oates and Bedloe, that, even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield, a fellow who had been burned in the hand for crimes, transported, whipped, pilloried four times, fined for cheats, outlawed for felony, convicted of coining, exposed to all the public infamy which the laws could inflict on the basest and most shameful enormities. The credulity of the people, and the humour of the times, enabled even this man to become a person of consequence. He was the author of a new incident, called the *Meal-tub plot*, from the place where some papers relating to it were found. The bottom of this affair it is difficult, and not very material, to discover. It only appears, that Dangerfield, under pretence of betraying the conspiracies of the presbyterians, had been countenanced by some catholics of condition, and had even been admitted to the duke's presence and the king's: and that, under pretence of revealing new popish plots, he had ob-

tained access to Shaftesbury and some of the popular leaders. Which side he intended to cheat, is uncertain; or whether he did not rather mean to cheat both: but he soon found that the belief of the nation was more open to a popish than a presbyterian plot; and he resolved to strike in with the prevailing humour. Though no weight could be laid on his testimony, great clamour was raised; as if the court, by way of retaliation, had intended to load the presbyterians with the guilt of a false conspiracy. It must be confessed that the present period, by the prevalence and suspicion of such mean and ignoble arts on all sides, throws a great stain on the British annals.

One of the most innocent artifices, practised by party men at this time, was the additional ceremony, pomp, and expense, with which a pope-burning was celebrated in London: (17th of November:) the spectacle served to entertain, and amuse, and inflame, the populace. The duke of Monmouth likewise came over without leave, and made a triumphant procession through many parts of the kingdom; extremely caressed and admired by the people. All these arts seemed requisite to support the general prejudices, during the long interval of parliament. Great endeavours were also used to obtain the king's consent for the meeting of that assembly. Seventeen peers presented a petition to this purpose. Many of the corporations imitated the example.....1680. Notwithstanding several marks of displeasure, and even a menacing proclamation from the king, petitions came from all parts, earnestly insisting on a session of parliament. The danger of popery, and the terrors of the plot, were never forgotten in any of these addresses.

WHIG AND TORY.

Tumultuous petitioning was one of the chief artifices by which the malcontents in the last reign had attacked the crown: and though the manner of subscribing and delivering petitions was now somewhat regulated by act of parliament, the thing itself still remained; and was an admirable expedient for infesting the court, for spreading discontent, and for uniting the nation in any popular clamour. As the king found no law, by which he could punish those importunate, and, as he deemed them, undutiful solicitations, he was obliged to encounter them by popular applications of a contrary tendency. Wherever the church and court party prevailed, addresses were framed, containing expressions of the highest regard to his majesty, the most entire acquiescence in his wisdom, the most dutiful submission to his prerogative, and the deepest *abhorrence* of those who endeavoured to encroach upon it, by prescribing to him any time for assembling the parliament. Thus the nation came to be distinguished into *petitioners* and *abhorrers*. Factions indeed were at this time extremely animated against each other. The very names, by which each party denominated its antagonist, discover the virulence and rancour which prevailed. For besides petitioner and abhorrer, appellations which were soon forgotten, this year is remarkable for being the epoch of the well-known epithets of WHIG and TORY, by which, and sometimes without any material difference, this island has been so long divided. The court party reproached their antagonists with their affinity to the fanatical conventiclers in Scotland, who were known by the name of Whigs: the country party found a resemblance between the courtiers and the popish banditti in Ireland, to whom the appellation of Tory was affixed. And after this manner, these foolish terms of reproach came into public and general use; and even at present seem not nearer their end than when they were first invented.

The king used every art to encourage his partisans, and to reconcile the people to his government. He persevered in the great zeal which he affected against popery. He even allowed several priests to be put to death, for no other crime than their having received orders in the Romish church. It is singular, that one of them, called Evans, was playing at tennis, when the warrant for immediate execution was notified to him: he swore, that he would play out his set first. Charles, with the same view of acquiring popularity, formed an alliance with Spain, and also offered an alliance to Holland: but the Dutch, terrified with the great power of France, and seeing little resource in a country so distracted as England, declined acceptance. He had sent for the duke from Scotland, but desired him to return, when the time of assembling the parliament began to approach.

It was of great consequence to the popular party, while the meeting of parliament depended on the king's will, to keep the law, whose operations are perpetual, entirely on their side. The sheriffs of London by their office return the juries: it had been usual for the mayor to nominate one sheriff by drinking to him; and the common-hall had ever without dispute confirmed the mayor's choice. Sir Robert Clayton, the mayor, appointed one who was not acceptable to the popular party: the common-hall rejected him; and Bethel and Cornish, two independents, and republicans, and of consequence deeply engaged with the malcontents, were chosen by a majority of voices. In spite of all remonstrances and opposition, the citizens persisted in their choice; and the court party was obliged for the present to acquiesce.

Juries however were not so partial in the city, but that reason and justice, even when the popish plot was in question, could sometimes prevail. The earl of Castlemaine, husband to the duchess of Cleveland, was acquitted about this time, (23rd June,) though accused by Oates and Dangerfield of an intention to assassinate the king. Sir Thomas Gascoigne, a very aged gentleman in the north, being accused by two servants, whom he had dismissed for dishonesty, received a like verdict. These trials were great blows to the plot, which now began to stagger, in the judgment of most men, except those who were entirely devoted to the country party. But in order still to keep alive the zeal against popery, the earl of Shaftesbury appeared in Westminster-hall, attended by the earl of Huntingdon, the lords Russel, Cavendish, Gray, Brandon, sir Henry Caverley, sir Gilbert Gerrard, sir William Cooper, and other persons of distinction, and presented to the grand-jury of Middlesex reasons for indicting the duke of York as a popish recusant. While the jury were deliberating on this extraordinary presentment, the chief-justice sent for them, and suddenly, even somewhat irregularly, dismissed them. Shaftesbury however obtained the end for which he had undertaken this bold measure; he showed to all his followers the desperate resolution which he had embraced, never to admit of any accommodation or composition with the duke. By such daring conduct he gave them assurance, that he was fully determined not to desert their cause: and he engaged them to a like devoted perseverance in all the measures which he should suggest to them.

A NEW PARLIAMENT. *October* 21.

As the kingdom was regularly and openly divided into two zealous parties, it was not difficult for the king to know that the majority of the new house of commons was engaged in interests opposite to the court: but that he might leave no expedient untried, which could compose the unhappy differences among his subjects, he resolved, at last, after a long interval, to assemble the parliament. In his speech, he told them that the several prorogations which he had made, had been very advantageous to his neighbours, and very useful to himself: that he had employed that interval in perfecting with the crown of Spain an alliance, which had often been desired by former parliaments, and which, he doubted not, would be extremely

agreeable to them: that, in order to give weight to this measure, and render it beneficial to Christendom, it was necessary to avoid all domestic dissensions, and to unite themselves firmly in the same views and purposes: that he was determined that nothing on his part should be wanting to such a salutary end: and provided the succession were preserved in its due and legal course, he would concur in any expedient for the security of the protestant religion: that the further examination of the popish plot and the punishment of the criminals were requisite for the safety both of king and kingdom; and after recommending to them the necessity of providing, by some supplies, for the safety of Tangiers, he proceeded in these words: "But that which I value above all the treasure in the world, and which I am sure will give us greater strength and reputation both at home and abroad than any treasure can do, is a perfect union among ourselves. Nothing but this can restore the kingdom to that strength and vigour which it seems to have lost, and raise us again to that consideration which England hath usually possessed. All Europe have their eyes upon this assembly, and think their own happiness and misery, as well as ours, will depend upon it. If we should be so unhappy as to fall into misunderstandings among ourselves to that degree as would render our friendship unsafe to trust to, it will not be wondered at, if our neighbours should begin to take new resolutions, and perhaps such as may be fatal to us. Let us therefore take care that we do not gratify our enemies, and discourage our friends, by any unseasonable disputes. If any such do happen, the world will see that it is no fault of mine: for I have done all that it was possible for me to do, to keep you in peace while I live, and to leave you so when I die. But from so great prudence and so good affection as yours, I can fear nothing of this kind; but do rely upon you all, that you will do your best endeavours to bring this parliament to a good and happy conclusion."

VIOLENCE OF THE COMMONS.

All these modifying expressions had no influence with the commons. Every step which they took betrayed the zeal with which they were animated. They voted that it was the undoubted right of the subject to petition the king for the calling and sitting of parliament. Not content with this decision, which seems justifiable in a mixed monarchy, they fell with the utmost violence on all those *abhorrers*, who, in their addresses to the crown, had expressed their disapprobation of those petitions. They did not reflect that it was as lawful for one party of men as for another, to express their sense of public affairs; and that the best established right may, in particular circumstances, be abused, and even the exercise of it become an object of abhorrence. For this offence, they expelled sir Thomas Withens. They appointed a committee for further inquiry into such members as had been guilty of a like crime; and complaints were lodged against lord Paston, sir Robert Malverer, sir Bryan Stapleton, Taylor, and Turner. They addressed they king against sir George Jefferies, recorder of London, for his activity in the same cause; and they frightened him into a resignation of his office, in which he was succeeded by sir George Treby, a great leader of the popular party. They voted an impeachment against North, chief-justice of the common pleas, for drawing the proclamation against tumultuous petitions: but upon examination found the proclamation so cautiously worded, that it afforded them no handle against him. A petition had been presented to the king from Taunton. "How dare you deliver me such a paper?" said the king to the person who presented it. "Sir," replied he, "my name is DARE." For this saucy reply, but under other pretences, he had been tried, fined, and committed to prison. The commons now addressed the king for his liberty, and for remitting his fine. Some printers also and authors of seditious libels they took under protection.

Great numbers of the abhorrers, from all parts of England, were seized by order of the commons, and committed to custody. The liberty of the subject, which had been so carefully guarded by the great charter, and by the late law of habeas corpus, was every day violated by their arbitrary and capricious commitments. The chief jealousy, it is true, of the English constitution is naturally and justly directed against the crown; nor indeed have the commons any other means of securing their privileges than by commitments, which, as they cannot beforehand be exactly determined by law, must always appear in some degree arbitrary. Sensible of these reasons, the people had hitherto, without murmuring, seen this discretionary power exercised by the house: but as it was now carried to excess and was abused to serve the purposes of faction, great complaints against it were heard from all quarters. At last, the vigour and courage of one Stowel of Exeter, an abhorrer, put an end to the practice. He refused to obey the serjeant-at-arms, stood upon his defence, and said that he knew of no law by which they pretended to commit him. The house, finding it equally dangerous to proceed or to recede, got off by an evasion: they inserted in their votes, that Stowel was indisposed, and that a month's time was allowed him for the recovery of his health.

But the chief violence of the house of commons appeared in all their transactions with regard to the plot, which they prosecuted with the same zeal and the same credulity as their predecessors. They renewed the former vote, which affirmed the reality of the horrid popish plot; and, in order the more to terrify the people, they even asserted that, notwithstanding the discovery, the plot still subsisted. They expelled sir Robert Can, and sir Robert Yeomans, who had been complained of, for saying that there was no popish, but there was a presbyterian, plot. And they greatly lamented the death of Bedloe, whom they called a material witness, and on whose testimony they much depended. He had been seized with a fever at Bristol: had sent for chief-justice North; confirmed all his former evidence, except that with regard to the duke and the queen; and desired North to apply to the king for some money to relieve him in his necessities. A few days after, he expired; and the whole party triumphed extremely in these circumstances of his death: as if such a testimony could be deemed the affirmation of a dying man, as if his confession of perjury in some instances could assure his veracity in the rest, and as if the perseverance of one profligate could outweigh the last words of so many men, guilty of no crime but that of popery.

The commons even endeavoured, by their countenance and protection, to remove the extreme infamy with which Dangerfield was loaded, and to restore him to the capacity of being an evidence. The whole tribe of informers they applauded and rewarded: Jennison, Turberville, Dugdale, Smith, la Faria, appeared before them; and their testimony, however frivolous or absurd, met with a favourable reception: the king was applied to in their behalf for pensions and pardons: their narratives were printed with that sanction which arose from the approbation of the house: Dr. Tongue was recommended for the first considerable church preferment, which should become vacant. Considering men's determined resolution to believe, instead of admiring that a palpable falsehood should be maintained by witnesses, it may justly appear wonderful, that no better evidence was ever produced against the catholics.

EXCLUSION BILL.

The principal reasons, which still supported the clamour of the popish plot, were the apprehensions entertained by the people of the duke of York, and the resolution embraced by their leaders, of excluding him

from the throne. Shaftesbury and many considerable men of the party, had rendered themselves irreconcilable with him, and could find their safety no way but in his ruin. Monmouth's friends hoped that the exclusion of that prince would make way for their patron. The resentment against the duke's apostacy, the love of liberty, the zeal for religion, the attachment to faction, all these motives incited the country party. And, above all, what supported the resolution of adhering to the exclusion, and rejecting all other expedients offered, was the hope, artfully encouraged, that the king would at last be obliged to yield to their demand. His revenues were extremely burdened; and even if free, could scarcely suffice for the necessary charges of government, much less for that pleasure and expense to which he was inclined. Though he had withdrawn his countenance from Monmouth, he was known secretly to retain a great affection for him. On no occasion had he ever been found to persist obstinately against difficulties and importunity. And as his beloved mistress, the duchess of Portsmouth, had been engaged, either from lucrative views, or the hopes of making the succession fall on her own children, to unite herself with the popular party; this incident was regarded as a favourable prognostic of their success. Sunderland, secretary of state, who had linked his interest with that of the duchess, had concurred in the same measure.

But besides friendship for his brother and a regard to the right of succession, there were many strong reasons which had determined Charles to persevere in opposing the exclusion. All the royalists and the devotees to the church, that party by which alone monarchy was supported, regarded the right of succession as inviolable; and if abandoned by the king in so capital an article, it was to be feared that they would, in their turn, desert his cause, and deliver him over to the pretensions and usurpations of the country party. The country party, or the Whigs, as they were called, if they did not still retain some propensity towards a republic, were at least affected with a violent jealousy of regal power; and it was equally to be dreaded, that, being enraged with past opposition, and animated by present success, they would, if they prevailed in this pretension, be willing, as well as able, to reduce the prerogative within very narrow limits. All menaces, therefore, all promises were again employed against the king's resolution: he never would be prevailed on to desert his friends, and put himself into the hands of his enemies. And having voluntarily made such important concessions, and tendered, over and over again, such strong limitations, he was well pleased to find them rejected by the obstinacy of the commons: and hoped that, after the spirit of opposition had spent itself in fruitless violence, the time would come, when he might safely appeal against his parliament to his people.

So much were the popular leaders determined to carry matters to extremities, that in less than a week after the commencement of the session, a motion was made for bringing in an exclusion bill, and a committee was appointed for that purpose. This bill differed in nothing from the former, but in two articles, which showed still an increase of zeal in the commons: the bill was to be read to the people twice a year in all the churches of the kingdom, and every one who should support the duke's title was rendered incapable of receiving a pardon but by act of parliament.

The debates were carried on with great violence on both sides. (10th November.) The bill was defended by sir William Jones, who had now resigned his office of attorney-general, by lord Russel, by sir Francis Winnington, sir Harry Capel, sir William Pulteney, by colonel Titus, Treby, Hambden, Montague. It was opposed by sir Leoline Jenkins, secretary of state, sir John Ernley, chancellor of the exchequer, by Hyde, Seymour, Temple. The arguments, transmitted to us, may be reduced to the following topics.

ARGUMENTS FOR AND AGAINST THE EXCLUSION.

In every government, said the exclusionists, there is somewhere an authority absolute and supreme; nor can any determination, how unusual soever, which receives the sanction of the legislature, admit afterwards of dispute or control. The liberty of a constitution, so far from diminishing this absolute power, seems rather to add force to it, and to give it greater influence over the people. The more members of the state concur in any legislative decision, and the more free their voice, the less likelihood is there that any opposition will be made to those measures which receive the final sanction of their authority. In England, the legislative power is lodged in king, lords, and commons, which comprehend every order of the community: and there is no pretext for exempting any circumstance of government, not even the succession of the crown, from so full and decisive a jurisdiction. Even express declarations have, in this particular, been made of parliamentary authority: instances have occurred where it has been exerted: and though prudential reasons may justly be alleged why such innovations should not be attempted but on extraordinary occasions, the power and right are for ever vested in the community. But if any occasion can be deemed extraordinary, if any emergence can require unusual expedients, it is the present, when the heir to the crown has renounced the religion of the state, and has zealously embraced a faith totally hostile and incompatible. A prince of that communion can never put trust in a people so prejudiced against him: the people must be equally diffident of such a prince: foreign and destructive alliances will seem to one the only protection of his throne; perpetual jealousy, opposition, faction, even insurrections, will be employed by the other as the sole securities for their liberty and religion. Though theological principles, when set in opposition to passions, have often small influence on mankind in general, still less on princes; yet when they become symbols of faction, and marks of party distinctions, they concur with one of the strongest passions in the human frame, and are then capable of carrying men to the greatest extremities. Notwithstanding the better judgment and milder disposition of the king; how much has the influence of the duke already disturbed the tenor of government? How often engaged the nation into measures totally destructive of their foreign interests and honour, of their domestic repose and tranquillity? The more the absurdity and incredibility of the popish plot are insisted on, the stronger reason it affords for the exclusion of the duke; since the universal belief of it discovers the extreme antipathy of the nation to his religion, and the utter impossibility of ever bringing them to acquiesce peaceably under the dominion of such a sovereign. The prince, finding himself in so perilous a situation, must seek for security by desperate remedies, and by totally subduing the privileges of a nation which had betrayed such hostile dispositions towards himself, and towards everything which he deems the most sacred. It is in vain to propose limitations and expedients. Whatever share of authority is left in the duke's hands, will be employed to the destruction of the nation; and even the additional restraints, by discovering the public diffidence and aversion, will serve him as incitements to put himself in a condition entirely superior and independent. And as the laws of England still make resistance treason, and neither do nor can admit of any positive exceptions, what folly to leave the kingdom in so perilous and absurd a situation, where the greatest virtue will be exposed to the most severe proscription, and where the laws can only be saved by expedients, which these same laws have declared the highest crime and enormity!

The court party reasoned in an opposite manner. An authority, they said, wholly absolute and uncontrollable is a mere chimera, and is nowhere to be found in any human institutions. All government is founded on opinion and a sense of duty; and wherever the supreme magistrate, by any law or positive prescription, shocks an opinion regarded as fundamental, and established with a firmness equal to that of his own authority, he subverts the principle by which he himself is established, and can no longer hope for obedience. In European monarchies, the right of succession is justly esteemed a fundamental; and even though the whole legislature be vested in a single person, it would never be permitted him, by an edict, to disinherit his lawful heir, and call a stranger or more distant relation to the throne. Abuses in other parts of government are capable of redress, from more dispassionate inquiry or better information of the sovereign, and till then ought patiently to be endured: but violations of the right of succession draw such terrible consequences after them as are not to be paralleled by any other grievance or inconvenience. Vainly is it pleaded that England is a mixed monarchy; and that a law, assented to by king, lords, and commons, is enacted by the concurrence of every part of the state: it is plain that there remains a very powerful party, who may indeed be out-voted, but who never will deem a law, subversive of hereditary right, anywise valid or obligatory. Limitations, such as are proposed by the king, give no shock to the constitution, which, in many particulars, is already limited; and they may be so calculated as to serve every purpose sought for by an exclusion. If the ancient barriers against regal authority have been able, during so many ages, to remain impregnable; how much more, those additional ones, which, by depriving the monarch of power, tend so far to their own security? The same jealousy too of religion, which has engaged the people to lay these restraints upon the successor, will extremely lessen the number of his partisans, and make it utterly impracticable for him, either by force or artifice, to break the fetters imposed upon him. The king's age and vigorous state of health promise him a long life: and can it be prudent to tear in pieces the whole state, in order to provide against a contingency, which it is very likely may never happen? No human schemes can secure the public in all possible, imaginable events; and the bill of exclusion itself, however accurately framed, leaves room for obvious and natural suppositions, to which it pretends not to provide any remedy. Should the duke have a son, after the king's death, must that son, without any default of his own, forfeit his title? or must the princess of Orange descend from the throne, in order to give place to the lawful successor? But were all these reasons false, it still remains to be considered that, in public deliberations, we seek not the expedient which is best in itself, but the best of such as are practicable. The king willingly consents to limitations, and has already offered some which are of the utmost importance: but he is determined to endure any extremity rather than allow the right of succession to be invaded. Let us beware of that factious violence, which leads to demand more than will be granted: lest we lose the advantage of those beneficial concessions, and leave the nation, on the king's demise, at the mercy of a zealous prince, irritated with the ill usage, which he imagines he has already met with.

EXCLUSION BILL REJECTED. *November* 15.

In the house of commons, the reasoning of the exclusionists appeared the more convincing, and the bill passed by a great majority. It was in the house of peers that the king expected to oppose it with success. The court party was there so prevalent, that it was carried only by a majority of two to pay so much regard to the bill as even to commit it. When it came to be debated, the contest was violent. Shaftesbury, Sunderland, and Essex, argued for it: Halifax chiefly conducted the debate against it, and displayed an extent of capacity, and a force of eloquence, which had never been surpassed in that assembly. He was animated, as well by the greatness of the occasion, as by a rivalship with his uncle Shaftesbury; whom, during that day's debate, he seemed, in the judgment of all, to have totally eclipsed. The king was present during the whole debate, which was prolonged till eleven at night. The bill was thrown out by a considerable majority. All the bishops, except three, voted against it. Besides the influence of the court over them, the church of England, they imagined or pretended, was in greater danger from the prevalence of presbyterianism than of popery, which, though favoured by the duke, and even by the king, was extremely repugnant to the genius of the nation. The commons discovered much ill-humour upon this disappointment. They immediately voted an address for the removal of Halifax from the king's councils and presence for ever. Though the pretended cause was his advising the late frequent prorogations of parliament, the real reason was apparently his vigorous opposition to the exclusion bill. When the king applied for money to enable him to maintain Tangiers, which he declared his present revenues totally unable to defend, instead of complying, they voted such an address as was in reality a remonstrance, and one little less violent than that famous remonstrance, which ushered in the civil wars. All the abuses of government, from the beginning almost of the reign, are there insisted on; the Dutch war, the alliance with France, the prorogations and dissolutions of parliament; and as all these measures, as well as the *damnable* and *hellish* plot, are there ascribed to the machinations of papists, it was plainly insinuated that the king had, all along, lain under the influence of that party, and was in reality the chief conspirator against the religion and liberties of his people.

The commons, though they conducted the great business of the exclusion with extreme violence and even imprudence, had yet much reason for the jealousy which gave rise to it; but their vehement prosecution of the popish plot, even after so long an interval, discovers such a spirit, either of credulity or injustice, as admits of no apology. The impeachment of the catholic lords in the Tower was revived; and as viscount Stafford, from his age, infirmities, and narrow capacity, was deemed the least capable of defending himself, it was determined to make him the first victim, that his condemnation might pave the way for a sentence against the rest. The chancellor, now created earl of Nottingham, was appointed high-steward for conducting the trial.

TRIAL OF STAFFORD. *November* 30.

Three witnesses were produced against the prisoner; Oates, Dugdale, and Turberville. Oates swore, that he saw Fenwic, the Jesuit, deliver to Stafford a commission signed by de Oliva, general of the jesuits, appointing him paymaster to the papal army, which was to be levied for the subduing of England: for this ridiculous imposture still maintained its credit with the commons. Dugdale gave testimony, that the prisoner, at Tixal, a seat of lord Aston's, had endeavoured to engage him in the design of murdering the king; and had promised him, besides the honour of being sainted by the church, a reward of 500 pounds for that service. Turberville deposed, that the prisoner, in his own house at Paris, had made him a like proposal. To offer money for murdering a king, without laying down any scheme by which the assassin may ensure some probability or possibility of escape, is so incredible in itself, and may so easily be maintained by any prostitute evidence, that an accusation of that nature, not accompanied with circumstances, ought very little to be attended to by any court of judicature. But notwithstanding the small hold which the witnesses afforded, the prisoner was able, in

many material particulars, to discredit their testimony. It was sworn by Dugdale, that Stafford had assisted in a great consult of the catholics held at Tixal; but Stafford proved by undoubted testimony, that at the time assigned he was in Bath, and in that neighbourhood. Turberville had served a noviciate among the Dominicans; but having deserted the convent, he had enlisted as a trooper in the French army; and being dismissed that service, he now lived in London, abandoned by all his relations, and exposed to great poverty. Stafford proved, by the evidence of his gentleman and his page, that Turberville had never, either at Paris or at London, been seen in his company; and it might justly appear strange, that a person, who had so important a secret in his keeping, was so long entirely neglected by him.

The clamour and outrage of the populace, during the trial, were extreme: great abilities and eloquence were displayed by the managers, sir William Jones, sir Francis Winnington, and serjeant Maynard: yet did the prisoner, under all these disadvantages, make a better defence than was expected, either by his friends or his enemies: the unequal contest in which he was engaged, was a plentiful source of compassion to every mind seasoned with humanity. He represented that, during a course of forty years, from the very commencement of the civil wars, he had, through many dangers, difficulties, and losses, still maintained his loyalty: and was it credible, that now, in his old age, easy in his circumstances, but dispirited by infirmities, he would belie the whole course of his life, and engage against his royal master, from whom he had ever received kind treatment, in the most desperate and most bloody of all conspiracies? He remarked the infamy of the witnesses; the contradictions and absurdities of their testimony; the extreme indigence in which they had lived, though engaged, as they pretended, in a conspiracy with kings, princes, and nobles; the credit and opulence to which they were at present raised. With a simplicity and tenderness more persuasive than the greatest oratory, he still made protestations of his innocence, and could not forbear, every moment, expressing the most lively surprise and indignation at the audacious impudence of the witnesses.

It will appear astonishing to us, as it did to Stafford himself, that the peers, after a solemn trial of six days, should, by a majority of twenty-four voices, give sentence against him. He received however with resignation the fatal verdict. "God's holy name be praised!" was the only exclamation which he uttered. When the high-steward told him that the peers would intercede with the king for remitting the more cruel and ignominious parts of the sentence, hanging and quartering, he burst into tears; but he told the lords that he was moved to this weakness, by his sense of their goodness, not by any terror of that fate which he was doomed to suffer.

It is remarkable that, after Charles, as is usual in such cases, had remitted to Stafford the hanging and quartering, the two sheriffs, Bethel and Cornish, indulging their own republican humour, and complying with the prevalent spirit of their party, ever jealous of monarchy, stated a doubt with regard to the king's power of exercising even this small degree of lenity. "Since he cannot pardon the whole," said they, "how can he have power to remit any part of the sentence?" They proposed the doubt to both houses: the peers pronounced it superfluous; and even the commons, apprehensive lest a question of this nature might make way for Stafford's escape, gave this singular answer: "This house is *content*, that the sheriffs do execute William late viscount Stafford by severing his head from his body *only*." Nothing can be a stronger proof of the fury of the times, than that lord Russel, notwithstanding the virtue and humanity of his character, seconded in the house this barbarous scruple of the sheriffs.

In the interval between the sentence and execution, many efforts were made to shake the resolution of the infirm and aged prisoner, and to bring him to some confession of the treason for which he was condemned. It was even rumoured, that he had confessed; and the zealous party-men, who, no doubt, had secretly, notwithstanding their credulity, entertained some doubts with regard to the reality of the popish conspiracy, expressed great triumph on the occasion. But Stafford, when again called before the house of peers, discovered many schemes, which had been laid by himself and others for procuring a toleration to the catholics, at least a mitigation of the penal laws enacted against them: and he protested that this was the sole treason of which he had ever been guilty.

Stafford now prepared himself for death with the intrepidity which became his birth and station, and which was the natural result of the innocence and integrity which, during the course of a long life, he had ever maintained; his mind seemed even to collect new force from the violence and oppression under which he laboured. When going to execution, (29th December,) he called for a cloak, to defend him against the rigour of the season. "Perhaps," said he, "I may shake with cold; but I trust in God not for fear." On the scaffold, he continued, with reiterated and earnest asseverations, to make protestations of his innocence: all his fervour was exercised on that point: when he mentioned the witnesses, whose perjuries had bereaved him of life, his expressions were full of mildness and of charity. He solemnly disavowed all those immoral principles, which over-zealous protestants had ascribed without distinction to the church of Rome: and he hoped, he said, that the time was now approaching, when the present delusion would be dissipated; and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

The populace, who had exulted at Stafford's trial and condemnation, were now melted into tears at the sight of that tender fortitude which shone forth in each feature, and motion, and accent of this aged noble. Their profound silence was only interrupted by sighs and groans. With difficulty they found speech to assent to those protestations of innocence, which he frequently repeated. "We believe you, my lord!" "God bless you, my lord." These expressions with a faltering accent flowed from them. The executioner himself was touched with sympathy. Twice he lifted up the axe, with an intent to strike the fatal blow; and as often felt his resolution to fail him. A deep sigh was heard to accompany his last effort, which laid Stafford for ever at rest. All the spectators seemed to feel the blow. And when the head was held up to them with the usual cry, "This is the head of a traitor," no clamour of assent was uttered. Pity, remorse, and astonishment had taken possession of every heart, and displayed itself in every countenance.

This is the last blood which was shed on account of the popish plot: an incident which, for the credit of the nation, it were better to bury in eternal oblivion; but which it is necessary to perpetuate, as well to maintain the truth of history, as to warn, if possible, their posterity and all mankind never again to fall into so shameful, so barbarous a delusion. The execution of Stafford gratified the prejudices of the country party; but it contributed nothing to their power and security: on the contrary, by exciting commiseration, it tended still further to increase that disbelief of the whole plot, which began now to prevail. The commons, therefore, not to lose the present opportunity, resolved to make both friends and enemies sensible of their power. They passed a bill for easing the protestant dissenters, and for repealing the persecuting statute of the thirty-fifth of Elizabeth: this laudable bill was likewise carried through the house of peers. The chief-justice was very obnoxious for dismissing the grand-jury in an irregular manner, and thereby disappointing that bold measure of Shaftesbury and his friends, who had presented the duke as a recusant. For this crime the commons sent up an impeachment against him; as also against Jones and Weston, two

of the judges, who, in some speeches from the bench, had gone so far as to give to many of the first reformers the appellation of fanatics.

The king, in rejecting the exclusion bill, had sheltered himself securely behind the authority of the house of peers; and the commons had been deprived of the usual pretence, to attack the sovereign himself, under colour of attacking his ministers and counsellors. In prosecution, however, of the scheme which he had formed, of throwing the blame on the commons in case of any rupture, he made them a new speech. After warning them, that a neglect of this opportunity would never be retrieved, he added these words: "I did promise you the fullest satisfaction, which your hearts could wish, for the security of the protestant religion, and to concur with you in any remedies, which might consist with preserving the succession of the crown in its due and legal course of descent. I do again, with the same reservations, renew the same promises to you: and being thus ready on my part to do all that can reasonably be expected from me, I should be glad to know from you, as soon as may be, how far I shall be assisted by you, and what it is you desire from me."

VIOLENCE OF THE COMMONS.

The most reasonable objection against the limitations proposed by the king, is, that they introduced too considerable an innovation in the government, and almost totally annihilated the power of the future monarch. But considering the present disposition of the commons and their leaders, we may fairly presume, that this objection would have small weight with them, and that their disgust against the court would rather incline them to diminish than support regal authority. They still hoped, from the king's urgent necessities and his usual facility, that he would throw himself wholly into their hands; and that thus, without waiting for the accession of the duke, they might immediately render themselves absolute masters of the government. The commons, therefore, besides insisting still on the exclusion, proceeded to bring in bills of an important, and some of them of an alarming nature: one to renew the triennial act, which had been so inadvertently repealed in the beginning of the reign: a second to make the office of judge during good behaviour: a third to declare the levying of money without consent of parliament to be high-treason: a fourth to order an association for the safety of his majesty's person, for defence of the protestant religion, for the preservation of the protestant subjects against all invasions and opposition whatever, and for preventing the duke of York or any papist from succeeding to the crown. The memory of the covenant was too recent for men to overlook the consequences of such an association; and the king, who was particularly conversant in Davila, could not fail of recollecting a memorable foreign instance to fortify this domestic experience.

The commons also passed many votes, which, though they had not the authority of laws, served however to discover the temper and disposition of the house. They voted, that whoever had advised his majesty to refuse the exclusion bill were promoters of popery and enemies to the king and kingdom. In another vote, they named the marquis of Worcester, the earls of Clarendon, Feversham, and Halifax, Laurence Hyde, and Edward Seymour, as those dangerous enemies; and they requested his majesty to remove them from his person and councils for ever: they voted that, till the exclusion bill were passed, they could not, consistent with the trust reposed in them, grant the king any manner of supply. And lest he should be enabled by any other expedient, to support the government, and preserve himself independent, they passed another vote, in which they declared that, whoever should hereafter lend, by way of advance, any money upon those branches of the king's revenue, arising from customs, excise, or hearth-money, should be judged a hinderer of the sitting of parliament, and be responsible for the same in parliament.

DISSOLUTION OF THE PARLIAMENT.

January 10, 1681.

The king might presume that the peers, who had rejected the exclusion bill, would still continue to defend the throne, and that none of the dangerous bills, introduced into the other house, would ever be presented for the royal assent and approbation. But as there remained no hopes of bringing the commons to any better temper, and as their further sitting served only to keep faction alive, and to perpetuate the general ferment of the nation, he came secretly to a resolution of proroguing them. They got intelligence about a quarter of an hour before the black rod came to their door. Not to lose such precious time, they passed in a tumultuous manner some extraordinary resolutions. They voted, *that* whosoever advised his majesty to prorogue this parliament to any other purpose than in order to pass the bill of exclusion, was a betrayer of the king, of the protestant religion, and of the kingdom of England; a promoter of the French interest, and a pensioner of France; *that* thanks be given to the city of London for their manifest loyalty, and for their care and vigilance in the preservation of the king, and of the protestant religion; *that* it is the opinion of this house, that that city was burned in the year 1666 by the papists, designing thereby to introduce arbitrary power and popery into the kingdom; *that* humble application be made to his majesty for restoring the duke of Monmouth to all his offices and commands, from which, it appears to the house, he had been removed by the influence of the duke of York; and *that* it is the opinion of the house that the prosecution of the protestant dissenters upon the penal laws is at this time grievous to the subject, a weakening of the protestant interest, an encouragement of popery, and dangerous to the peace of the kingdom.

The king passed some laws of no great importance; but the bill for repealing the thirty-fifth of Elizabeth, he privately ordered the clerk of the crown not to present to him. By this artifice, which was equally disobliging to the country party as if the bill had been rejected, and at the same time implied some timidity in the king, that salutary act was for the present eluded. The king had often of himself attempted, and sometimes by irregular means, to give indulgence to nonconformists; but besides that he had usually expected to comprehend the catholics in this liberty, the present refractory disposition of the sectaries had much incensed him against them; and he was resolved, if possible, to keep them still at mercy.

The last votes of the commons seemed to be an attempt of forming indirectly an association against the crown, after they found that their association-bill could not pass: the dissenting interest, the city, and the duke of Monmouth, they endeavoured to connect with the country party. A civil war indeed never appeared so likely as at present; and it was high time for the king to dissolve a parliament, which seemed to have entertained such dangerous projects. Soon after, he summoned another. Though he observed, that the country party had established their interest so strongly in all the electing boroughs, that he could not hope for any disposition more favourable in the new parliament, this expedient was still a prosecution of his former project, of trying every method by which he might form an accommodation with the commons; and if all failed, he hoped that he could the better justify to his people, at least to his party, a final breach with them.

It had always been much regretted by the royalists, during the civil wars, that the long parliament had

been assembled at Westminster, and had thereby received force and encouragement from the vicinity of a potent and factious city, which had zealously embraced their party. Though the king was now possessed of guards, which in some measure overawed the populace, he was determined still further to obviate all inconveniencies; and he summoned the new parliament to meet at Oxford. The city of London showed how just a judgment he had formed of their dispositions. Besides re-electing the same members, they voted thanks to them for their former behaviour, in endeavouring to discover the depth of the *horrid* and *hellish* popish plot, and to exclude the duke of York, the principal cause of the ruin and misery impending over the nation. Monmouth with fifteen peers presented a petition against assembling the parliament at Oxford, "where the two houses," they said, "could not be in safety; but would be easily exposed to the swords of the papists and their adherents, of whom too many had crept into his majesty's guards." These insinuations which pointed so evidently at the king himself, were not calculated to persuade him, but to inflame the people.

The exclusionists might have concluded, both from the king's dissolution of the last parliament, and from his summoning of the present to meet at Oxford, that he was determined to maintain his declared resolution of rejecting their favourite bill; but they still flattered themselves that his urgent necessities would influence his easy temper, and finally gain them the ascendant. The leaders came to parliament, attended not only by their servants, but by numerous bands of their partisans. The four city members in particular were followed by great multitudes, wearing ribbons, in which were woven these words, *No popery! no slavery!* The king had his guards regularly mustered: his party likewise endeavoured to make a show of their strength; and on the whole, the assembly at Oxford rather bore the appearance of a tumultuous Polish diet, than of a regular English parliament.

NEW PARLIAMENT AT OXFORD. *March* 21.

The king, who had hitherto employed the most gracious expressions to all his parliaments, particularly the two last, thought proper to address himself to the present in a more authoritative manner. He complained of the unwarrantable proceedings of the former house of commons; and said that, as he would never use arbitrary government himself, neither would he ever suffer it in others. By calling, however, this parliament so soon, he had sufficiently shown that no past irregularities could inspire him with a prejudice against those assemblies. He now afforded them, he added, yet another opportunity of providing for the public safety; and to all the world had given one evidence more, that on his part he had not neglected the duty incumbent on him.

The commons were not overawed by the magisterial air of the king's speech. They consisted almost entirely of the same members; they chose the same speaker; and they instantly fell into the same measures, the impeachment of Danby, the repeal of the persecuting statute of Elizabeth, the inquiry into the popish plot, and the bill of exclusion. So violent were they on this last article, that no other expedient, however plausible, could so much as be hearkened to. Ernley, one of the king's ministers, proposed that the duke should be banished, during life, five hundred miles from England, and that on the king's demise the next heir should be constituted regent with regal power: yet even this expedient, which left the duke only the bare title of king, could not, though seconded by sir Thomas Littleton and sir Thomas Mompesson, obtain the attention of the house. The past disappointments of the country party, and the opposition made by the court, had only rendered them more united, more haughty, and more determined. No method but their own, of excluding the duke, could give them any satisfaction.

FITZ-HARRIS'S CASE.

There was one Fitz-harris, an Irish catholic, who had insinuated himself into the duchess of Portsmouth's acquaintance, and had been very busy in conveying to her intelligence of any libel written by the country party, or of any designs entertained against her or against the court. For services of this kind, and perhaps too, from a regard to his father, sir Edward Fitz-harris, who had been an eminent royalist, he had received from the king a present of 250 pounds. This man met with one Everard, a Scotchman, a spy of the exclusionists, and an informer concerning the popish plot: and he engaged him to write a libel against the king, the duke, and the whole administration. What Fitz-harris's intentions were, cannot well be ascertained: it is probable, as he afterwards asserted, that he meant to carry this libel to his patron, the duchess, and to make a merit of the discovery. Everard, who suspected some other design, and who was well pleased on his side to have the merit of a discovery with his patrons, resolved to betray his friend: he posted sir William Waller, a noted justice of peace, and two persons more, behind the hangings, and gave them an opportunity of seeing and hearing the whole transaction. The libel, sketched out by Fitz-harris, and executed partly by him, partly by Everard, was the most furious, indecent, and outrageous performance imaginable; and such as was fitter to hurt than serve any party, which should be so imprudent as to adopt it. Waller carried the intelligence to the king, and obtained a warrant for committing Fitz-harris, who happened, at that very time, to have a copy of the libel in his pocket. Finding himself now delivered over to the law, he resolved to pay court to the popular party, who were alone able to protect him, and by whom he observed almost all trials to be governed and directed. He affirmed, that he had been employed by the court to write the libel, in order to throw the odium of it on the exclusionists; but this account, which was within the bounds of credibility, he disgraced by circumstances which are altogether absurd and improbable. The intention of the ministers, he said, was to send about copies to all the heads of the country party; and the moment they received them they were to be arrested, and a conspiracy to be imputed to them. That he might merit favour by still more important intelligence, he commenced a discoverer of the great popish plot; and he failed not to confirm all the tremendous circumstances insisted on by his predecessors. He said, that the second Dutch war was entered into with a view of extirpating the protestant religion, both abroad and at home; that father Parry, a jesuit, on the disappointment by the peace, told him, that the catholics resolved to murder the king, and had even engaged the queen in that design; that the envoy of Modena offered him 10,000 pounds to kill the king, and upon his refusal the envoy said, that the duchess of Mazarine, who was as expert at poisoning as her sister, the countess of Soissons, would, with a little phial, execute that design; that upon the king's death, the army in Flanders was to come over, and massacre the protestants; that money was raised in Italy for recruits and supplies, and there should be no more parliaments; and that the duke was privy to this whole plan, and had even entered into the design of Godfrey's murder, which was executed in the manner related by Prance.

The popular leaders had, all along, been very desirous of having an accusation against the duke; and though Oates and Bedloe, in their first evidence, had not dared to go so far, both Dugdale and Dangerfield had afterwards been encouraged to supply so material a defect, by comprehending him in the conspiracy. The commons, therefore, finding that Fitz-harris was also will-

ing to serve this purpose, were not ashamed to adopt his evidence; and resolved for that end to save him from the destruction with which he was at present threatened. The king had removed him from the city-prison, where he was exposed to be tampered with by the exclusionists; had sent him to the Tower; and had ordered him to be prosecuted by an indictment at common law. In order to prevent his trial and execution, an impeachment was voted by the commons against him, and sent up to the lords. That they might show the greater contempt of the court, they ordered, by way of derision, that the impeachment should be carried up by secretary Jenkins: who was so provoked by the intended affront, that he at first refused obedience; though afterwards, being threatened with commitment, he was induced to comply. The lords voted to remit the affair to the ordinary courts of justice, before whom, as the attorney-general informed them, it was already determined to try Fitz-harris. The commons maintained, that the peers were obliged to receive every impeachment from the commons; and this indeed seems to have been the first instance of their refusal: they therefore voted, that the lords, in rejecting their impeachment, had denied justice, and had violated the constitution of parliament. They also declared, that whatever inferior court should proceed against Fitz-harris, or any one that lay under impeachment, would be guilty of a high breach of privilege. Great heats were likely to ensue; and as the king saw no appearance of any better temper in the commons, he gladly laid hold of the opportunity, afforded by a quarrel between the two houses; and he proceeded to a dissolution of the parliament. The secret was so well kept, that the commons had no intimation of it, till the black rod came to their doors, and summoned them to attend the king at the house of peers.

This vigorous measure, though it might have been foreseen, excited such astonishment in the country party, as deprived them of all spirit, and reduced them to absolute despair. They were sensible, though too late, that the king had finally taken his resolution, and was determined to endure any extremity rather than submit to those terms which they had resolved to impose upon him. They found that he had patiently waited till affairs should come to full maturity; and having now engaged a national party on his side, had boldly set his enemies at defiance. No parliament, they knew, would be summoned for some years, and during that long interval, the court, though perhaps at the head of an inferior party, yet being possessed of all authority, would have every advantage over a body dispersed and disunited. These reflections crowded upon every one; and all the exclusionists were terrified, lest Charles should follow the blow by some action more violent, and immediately take vengeance on them for their long and obstinate opposition to his measures. The king on his part was no less apprehensive, lest despair might prompt them to have recourse to force, and make some sudden attempt upon his person. Both parties therefore hurried from Oxford; and in an instant that city, so crowded and busy, was left in its usual emptiness and tranquillity.

VICTORY OF THE ROYALISTS.

The court party gathered force from the dispersion and astonishment of their antagonists, and adhered more firmly to the king, whose resolutions, they now saw, could be entirely depended on. The violence of the exclusionists were everywhere exclaimed against and aggravated; and even the reality of the plot, that great engine of their authority, was openly called in question. The clergy especially were busy in this great revolution; and being moved, partly by their own fears, partly by the insinuations of the court, they represented all their antagonists as sectaries and republicans, and rejoiced in escaping those perils, which they believed to have been hanging over them. Principles the most opposite to civil liberty were everywhere enforced from the pulpit, and adopted in numerous addresses; where the king was flattered in his present measures, and congratulated on his escape from parliaments. Could words have been depended on, the nation appeared to be running fast into voluntary servitude, and seemed even ambitious of resigning into the king's hands all the privileges transmitted to them, through so many ages, by their gallant ancestors.

But Charles had sagacity enough to distinguish between men's real internal sentiments, and the language which zeal and opposition to a contrary faction may sometimes extort from them. Notwithstanding all these professions of duty and obedience, he was resolved not to trust, for a long time, the people with a new election, but to depend entirely on his own economy for alleviating those necessities under which he laboured. Great retrenchments were made in the household; even his favourite navy was neglected; Tangiers, though it had cost great sums of money, was a few years after abandoned and demolished. The mole was entirely destroyed; and the garrison, being brought over to England, served to augment that small army, which the king relied on, as the solid basis of his authority. It had been happy for the nation, had Charles used his victory with justice and moderation equal to the prudence and dexterity with which he obtained it.

The first step, taken by the court, was the trial of Fitz-harris. Doubts were raised by the jury with regard to their power of trying him, after the concluding vote of the commons: but the judges took upon them to decide the question in the affirmative; and the jury were obliged to proceed. The writing of the libel was clearly proved upon Fitz-harris: the only question was with regard to his intentions. He asserted, that he was a spy of the court, and had accordingly carried the libel to the duchess of Portsmouth; and he was desirous that the jury should, in this transaction, consider him as a cheat, not as a traitor. He failed, however, somewhat in the proof; and was brought in guilty of treason by the jury.

Finding himself entirely in the hands of the king, he now retracted all his former impostures with regard to the popish plot; and even endeavoured to atone for them by new impostures against the country party. He affirmed, that these fictions had been extorted from him by the suggestions and artifices of Treby, the recorder, and of Bethel and Cornish, the two sheriffs; this account he persisted in even at his execution; and though men knew that nothing could be depended on which came from one so corrupt, and so lost to all sense of honour; yet were they inclined, from his perseverance, to rely somewhat more on his veracity in these last asseverations. But it appears, that his wife had some connexions with Mrs. Wall, the favourite maid of the duchess of Portsmouth; and Fitz-harris hoped, if he persisted in a story agreeable to the court, that some favour might, on that account, be shown to his family.

It is amusing to reflect on the several lights in which this story has been represented by the opposite factions. The country party affirmed, that Fitz-harris had been employed by the court, in order to throw the odium of the libel on the exclusionists, and thereby give rise to a protestant plot: the court party maintained, that the exclusionists had found out Fitz-harris, a spy of the ministers, and had set him upon this undertaking, from an intention of loading the court with the imputation of such a design upon the exclusionists. Rather than acquit their antagonists, both sides were willing to adopt an account the most intricate and incredible. It was a strange situation, in which the people, at this time, were placed; to be every day tortured with these perplexed stories, and inflamed with such dark suspicions against their fellow-citizens. This was no less than the fifteenth false plot, or sham-plot, as they were then called, with which the court, it

was imagined, had endeavoured to load their adversaries.

The country party had intended to make use of Fitz-harris's evidence against the duke and the catholics; and his execution was therefore a great mortification to them. But the king and his ministers were resolved not to be contented with so slender an advantage. They were determined to pursue the victory, and to employ against the exclusionists those very offensive arms, however unfair, which that party had laid up in store against their antagonists. The whole gang of spies, witnesses, informers, suborners, who had so long been supported and encouraged by the leading patriots, finding now that the king was entirely master, turned short upon their old patrons, and offered their service to the ministers. To the disgrace of the court and of the age, they were received with hearty welcome; and their testimony or rather perjury made use of in order to commit legal murder upon the opposite party. With an air of triumph and derision it was asked, "Are not these men good witnesses, who have established the popish plot, upon whose testimony Stafford and so many catholics have been executed, and whom you yourselves have so long celebrated as men of credit and veracity? You have admitted them into your bosom: they are best acquainted with your treasons; they are determined in another shape to serve their king and country: and you cannot complain, that the same measure which you meted to others, should now, by a righteous doom or vengeance, be measured out to you."

It is certain, that the principle of retaliation may serve in some cases as a full apology, in others as an alleviation, for a conduct which would otherwise be exposed to great blame. But these infamous arts, which poison justice in its very source, and break all the bands of human society, are so detestable and dangerous, that no pretence of retaliation can be pleaded as an apology or even an alleviation of the crime incurred by them. On the contrary, the greater indignation the king and his ministers felt, when formerly exposed to the perjuries of abandoned men, the more reluctance should they now have discovered against employing the same instruments of vengeance upon their antagonists.

The first person on whom the ministers fell, was one College, a London joiner, who had become extremely noted for his zeal against popery, and was much connected with Shaftesbury and the leaders of the country party: for as they relied much upon the populace, men of College's rank and station were useful to them. College had been in Oxford armed with sword and pistol during the sitting of the parliament; and this was made the foundation of his crime. It was pretended that a conspiracy had been entered into to seize the king's person, and detain him in confinement, till he should make the concessions demanded of him. The sheriffs of London were in strong opposition to the court; and it was not strange that the grand-jury named by them rejected the bill against College. The prisoner was therefore sent to Oxford, where the treason was said to have been committed. Lord Norris, a courtier, was sheriff of the county; and the inhabitants were in general devoted to the court party. A jury was named, consisting entirely of royalists; and though they were men of credit and character, yet such was the factious rage which prevailed, that little justice could be expected by the prisoner. Some papers containing hints and directions for his defence, were taken from him, as he was conducted to his trial —an iniquity which some pretended to justify by alleging that a like violence had been practised against a prisoner during the fury of the popish plot. Such wild notions of retaliation were at that time propagated by the court party.

The witnesses produced against College were Dugdale, Turberville, Haynes, Smith; men who had before given evidence against the catholics; and whom the jury, for that very reason, regarded as the most perjured villains. College, though beset with so many toils, and oppressed with so many iniquities, defended himself with spirit, courage, capacity, presence of mind; and he invalidated the evidence of the crown, by convincing arguments and undoubted testimony: yet did the jury, after half-an-hour's deliberation, bring in a verdict against him. The inhuman spectators received the verdict with a shout of applause: but the prisoner was nowise dismayed. At his execution, he maintained the same manly fortitude, and still denied the crime imputed to him. His whole conduct and demeanour prove him to have been a man led astray only by the fury of the times, and to have been governed by an honest, but indiscreet zeal for his country and his religion.

Thus the two parties, actuated by mutual rage, but cooped up within the narrow limits of the law, levelled with poisoned daggers the most deadly blows against each other's breast, and buried in their factious divisions all regard to truth, honour, and humanity.

CHAPTER LXIX.

State of Affairs in Ireland—Shaftesbury acquitted—Argyle's Trial—State of Affairs in Scotland—State of the Ministry in England—New Nomination of Sheriffs—Quo Warrantos—Great Power of the Crown—A Conspiracy—Shaftesbury retires and dies—Rye-House Plot—Conspiracy discovered—Execution of the Conspirators—Trial of Lord Russel—His Execution—Trial of Algernon Sidney—His Execution—State of the Nation—State of Foreign Affairs—King's Sickness and Death—His Character.

STATE OF AFFAIRS IN IRELAND.

WHEN the Cabal entered into the mysterious alliance with France, they took care to remove the duke of Ormond from the committee of foreign affairs; and nothing tended further to increase the national jealousy, entertained against the new measures, than to see a man of so much loyalty, as well as probity and honour, excluded from public councils. They had even so great interest with the king as to get Ormond recalled from the government of Ireland; and lord Robarts, afterwards earl of Radnor, succeeded him in that important employment. Lord Berkeley succeeded Robarts, and the earl of Essex, Berkeley. At last, in the year 1667, Charles cast his eye again upon Ormond, whom he had so long neglected; and sent him over lieutenant to Ireland. "I have done everything," said the king, "to disoblige that man; but it is not in my power to make him my enemy." Ormond, during his disgrace, had never joined the malcontents, nor encouraged those clamours, which, with too much reason, but often for bad purposes, were raised against the king's measures. He even thought it his duty, regularly, though with dignity, to pay his court at Whitehall; and to prove that his attachments were founded on gratitude, inclination, and principle, not on any temporary advantages. All the expressions, which dropped from him, while neglected by the court, shewed more of good humour, than any prevalence of spleen and indignation. "I can do you no service," said he to his friends; "I have only the power left by my applications to do you some hurt." When colonel Cary Dillon solicited him to second his pretensions for an office, and urged that he had no friends but God and his grace: "Alas! poor Cary," replied the duke, "I pity thee: thou couldst not have two friends that possess less interest at court."—"I am thrown by," said he, on another occasion, "like an old rusty clock; yet even that neglected machine, twice in twenty-four hours, points right."

On such occasions, when Ormond, from decency, paid his attendance at court, the king, equally ashamed to show him civility and to neglect him, was abashed

and confounded. "Sir," said the profligate Buckingham, "I wish to know whether it be the duke of Ormond that is out of favour with your majesty, or your majesty with the duke of Ormond; for, of the two, you seem the most out of countenance."

When Charles found it his interest to show favour to the old royalists, and to the church of England, Ormond, who was much revered by that whole party, could not fail of recovering together with the government of Ireland, his former credit and authority. His administration, when lord-lieutenant, corresponded to the general tenor of his life; and tended equally to promote the interests of prince and people, of protestant and catholic. Ever firmly attached to the established religion, he was able, even during those jealous times, to escape suspicion, though he gratified not vulgar prejudices by any persecution of the popish party. He increased the revenue of Ireland to three hundred thousand pounds a year: he maintained a regular army of ten thousand men: he supported a well-disciplined militia of twenty thousand: and though the act of settlement had so far been infringed, that catholics were permitted to live in corporate towns, they were guarded with so careful an eye, that the most timorous protestant never apprehended any danger from them.

The chief object of Essex's ambition was to return to the station of lord-lieutenant, where he had behaved with honour and integrity: Shaftesbury and Buckingham bore an extreme hatred to Ormond, both from personal and party considerations; the great aim of the anti-courtiers was to throw reflections on every part of the king's government. It could be no surprise, therefore, to the lord-lieutenant to learn, that his administration was attacked in parliament, particularly by Shaftesbury; but he had the satisfaction, at the same time, to hear of the keen, though polite defence, made by his son, the generous Ossory. After justifying several particulars of Ormond's administration against that intriguing patriot, Ossory proceeded in the following words: "Having spoken of what the lord-lieutenant has done, I presume with the same truth to tell your lordships what he has not done. He never advised the breaking of the triple league; he never advised the shutting up of the exchequer; he never advised the declaration for a toleration; he never advised the falling out with the Dutch and the joining with France: he was not the author of that most excellent position, *Delenda est Carthago*, that Holland, a protestant country, should, contrary to the true interests of England, be totally destroyed. I beg that your lordships will be so just as to judge of my father and all men, according to their actions and their counsels." These few sentences, pronounced by a plain gallant soldier, noted for probity, had a surprising effect upon the audience, and confounded all the rhetoric of his eloquent and factious adversary. The prince of Orange, who esteemed the former character as much as he despised the latter, could not forbear congratulating by letter the earl of Ossory on this new species of victory which he had obtained.

Ossory, though he ever kept at a distance from faction, was the most popular man in the kingdom; though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. An universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the signal merit of Ossory. "I would not exchange my dead son," said he, "for any living son in Christendom."

These particularities may appear a digression; but it is with pleasure, I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that scene of fury and faction, fraud and violence, in which at present our narration has unfortunately engaged us.

Besides the general interest of the country party to decry the conduct of all the king's ministers, the prudent and peaceable administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite an universal panic on account of insurrections, and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards, therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a commission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them: they threw innocent men into prison, and took bribes for their release: and after all their diligence, it was with difficulty that that country, commonly fertile enough in witnesses, could furnish them with any fit for their purpose.

At last, one Fitzgerald appeared, followed by Ivey, Sanson, Dennis, Bourke, two Macnamaras, and some others. These men were immediately sent over to England: and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported, and recommended by the earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely satisfied in the reality of the *horrid* and *damnable* Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority; and the public still remained somewhat indifferent and incredulous.

After the dissolution of the parliament, and the subsequent victory of the royalists, Shaftesbury's evidences, with Turberville, Smith, and others, addressed themselves to the ministers, and gave information of high-treason, against their former patron. It is sufficiently scandalous, that intelligence, conveyed by such men, should have been attended to; but there is some reason to think, that the court agents, nay, the ministers, nay, the king himself, went further, and were active in endeavouring, though in vain, to find more reputable persons to support the blasted credit of the Irish witnesses. Shaftesbury was committed to prison, and his indictment was presented to the grand-jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country party; and they took care to name a jury devoted to the same cause: a precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury; or rather so closely as to merit no kind of credit or attention. That veteran leader of a party, inured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his treasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draught of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and dangerous inferences might be drawn from many clauses of that paper. But it did not appear, that it had been framed by Shaftesbury, or so much as approved by him. And as projects of an association had been proposed in parliament, it was very natural for this nobleman, or his correspondents, to be thinking of some plan, which it might be proper to lay before that

assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment; and the people who attended the hall, testified their joy by the loudest acclamations, which were echoed throughout the whole city.

About this time a scheme of oppression was laid in Scotland, after a manner still more flagrant, against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the good fortune to succeed.

ARGYLE'S TRIAL.

The earl of Argyle, from his youth, had distinguished himself by his loyalty and his attachment to the royal family. Though his father was head of the covenanters, he himself refused to concur in any of their measures; and when a commission of colonel was given him by the convention of states, he forbore to act upon it, till it should be ratified by the king. By his respectful behaviour, as well as by his services, he made himself acceptable to Charles, when that prince was in Scotland: and even after the battle of Worcester, all the misfortunes, which attended the royal cause, could not engage him to desert it. Under Middleton he obstinately persevered to harass and infest the victorious English; and it was not till he received orders from that general, that he would submit to accept of a capitulation. Such jealousy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was soon after fallen upon to commit him to prison; and his confinement was rigorously continued till the Restoration. The king, sensible of his services, had remitted to him his father's forfeiture, and created him earl of Argyle; and when a most unjust sentence was passed upon him by the Scottish parliament, Charles had anew remitted it. In the subsequent part of this reign, Argyle behaved himself dutifully; and though he seemed not disposed to go all lengths with the court, he always appeared, even in his opposition, to be a man of mild dispositions and peaceable deportment.

A parliament was summoned at Edinburgh this summer, and the duke was appointed commissioner. Besides granting money to the king, and voting the indefeasible right of succession, this parliament enacted a test, which all persons, possessed of offices, civil, military, or ecclesiastical, were bound to take. In this test, the king's supremacy was asserted, the covenant renounced, passive obedience assented to, and all obligations disclaimed of endeavouring any alteration in civil or ecclesiastical establishments. This was the state of the test, as proposed by the courtiers; but the country party proposed also to insert a clause, which could not with decency be refused, expressing the person's adherence to the protestant religion. The whole was of an enormous length, considered as an oath; and, what was worse, a confession of faith was there ratified, which had been imposed a little after the Reformation, and which contained many articles altogether forgotten by the parliament and nation. Among others, the doctrine of resistance was inculcated; so that the test, being voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it: the bishops and many of the clergy remonstrated: the earl of Queensbury refused to swear, except he might be allowed to add an explanation: and even the privy-council thought it necessary to publish for general satisfaction a solution of some difficulties attending the test.

Though the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a necessary mark of respect, that all princes of the blood should be exempted from taking the oath. This exception was zealously opposed by Argyle; who observed, that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

When Argyle took the test as a privy-counsellor, he subjoined, in the duke's presence, an explanation, which he had beforehand communicated to that prince, and which he believed to have been approved by him. It was in these words: "I have considered the test, and am very desirous of giving obedience as far as I can. I am confident that the parliament never intended to impose contradictory oaths: therefore I think no man can explain it but for himself. Accordingly, I take it as far as it is consistent with itself, and the protestant religion. And I do declare, that I mean not to bind myself, in my station, and in a lawful way, from wishing and endeavouring any alteration, which I think to the advantage of church or state, and not repugnant to the protestant religion and my loyalty: and this I understand as a part of my oath." The duke, as was natural, heard these words with great tranquillity; no one took the least offence: Argyle was admitted to sit that day in council: and it was impossible to imagine that a capital offence had been committed, where occasion seemed not to have been given, so much as for a frown or reprimand.

Argyle was much surprised, a few days after, to find that a warrant was issued for committing him to prison; that he was indicted for high-treason, leasing-making, and perjury; and that from these innocent words an accusation was extracted, by which he was to forfeit honours, life, and fortune. It is needless to enter into particulars, where the iniquity of the whole is so apparent. Though the sword of justice was displayed even her semblance was not put on; and the forms alone of law were preserved in order to sanctify, or rather aggravate, the oppression. Of five judges, three did not scruple to find the guilt of treason and leasing-making to be incurred by the prisoner: a jury of fifteen noblemen gave verdict against him; and the king, being consulted, ordered the sentence to be pronounced; but the execution of it to be suspended till further orders.

It was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and that the sole reason for pushing the trial to such extremities against him was in order to make him renounce some hereditary jurisdictions, which gave his family a dangerous authority in the highlands, and obstructed the course of public justice. But allowing the end to be justifiable, the means were infamous; and such as were incompatible, not only with a free, but a civilized government. Argyle had therefore no reason to trust any longer to the justice or mercy of such enemies: he made his escape from prison; and till he should find a ship for Holland, he concealed himself during some time in London. The king heard of his lurking-place, but would not allow him to be arrested. All the parts, however, of his sentence, as far as the government in Scotland had power, were rigorously executed; his estate confiscated, his arms reversed and torn.

STATE OF AFFAIRS IN SCOTLAND.

It would seem that the genuine passion for liberty was at this time totally extinguished in Scotland. there was only preserved a spirit of mutiny and sedition, encouraged by a mistaken zeal for religion. Cameron and Cargil, two furious preachers, went a step beyond all their brethren: they publicly excommunicated the king for his tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Airs-Moss; Cargil was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would say, *God save the king:* but they would only agree to pray for his repentance. This obstinacy was much insisted on as an

apology for the rigours of the administration: but, if duly considered, it will rather afford reason for a contrary inference. Such unhappy delusion is an object rather of commiseration than of anger: and it is almost impossible that men could have been carried to such a degree of frenzy, unless provoked by a long train of violence and oppression.

1682. As the king was master in England, and no longer dreaded the clamours of the country party, he permitted the duke to pay him a visit; and was soon after prevailed on to allow of his return to England, and of his bearing a part in the administration. The duke went to Scotland, in order to bring up his family, and settle the government of that country; and he chose to take his passage by sea. The ship struck on a sandbank, and was lost: the duke escaped in the barge: and it is pretended that, while many persons of rank and quality were drowned, and among the rest Hyde, his brother-in-law, he was careful to save several of his dogs and priests: for these two species of favourites are coupled together by some writers. It has likewise been asserted, that the barge might safely have held more persons, and that some who swam to it were thrust off, and even their hands cut, in order to disengage them. But every action of every eminent person, during this period, is so liable to be misinterpreted and misrepresented by faction, that we ought to be very cautious in passing judgment on too slight evidence. It is remarkable, that the sailors on board the ship, though they felt themselves sinking, and saw inevitable death before their eyes, yet, as soon as they observed the duke to be in safety, gave a loud shout, in testimony of their joy and satisfaction.

The duke, during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanour had much won upon their affections: but his treatment of the enthusiasts was still somewhat rigorous; and in many instances he appeared to be a man of a severe, if not an unrelenting temper. It is even asserted, that he sometimes assisted at the torture of criminals, and looked on with tranquillity, as if he were considering some curious experiment.* He left the authority in the hands of the earl of Aberdeen, chancellor, and the earl of Queensbury, treasurer. A very arbitrary spirit appeared in their administration: a gentleman of the name of Weir was tried, because he had kept company with one who had been in rebellion; though that person had never been marked out by process or proclamation. The inferences upon which Weir was condemned (for a prosecution by the government and a condemnation were in Scotland the same thing) hung upon each other after the following manner: No man, it was supposed, could have been in a rebellion without being exposed to suspicion in the neighbourhood: if the neighbourhood had suspected him, it was to be presumed that each individual had likewise heard of the grounds of suspicion: every man was bound to declare to the government his suspicion against every man, and to avoid the company of traitors: to fail in this duty was to participate in the treason: the conclusion on the whole was, You have conversed with a rebel; therefore you are yourself a rebel. A reprieve was, with some difficulty, procured for Weir; but it was seriously determined to make use of the precedent. Courts of judicature were erected in the southern and western counties, and a strict inquisition carried on against this new species of crime. The term of three years was appointed for the continuance of these courts; after which an indemnity was promised. Whoever would take the test, was instantly entitled to the benefit of this indemnity. The presbyterians, alarmed with such tyranny, from which no man could deem himself safe, began to think of leaving the country; and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to their living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

Above two thousand persons were outlawed on pretence of their conversing or having intercourse with rebels, and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put ensnaring questions to people living peaceably in their own houses; such as, "Will you renounce the covenant? Do you esteem the rising at Bothwel to be rebellion? Was the killing of the archbishop of St. Andrews murder?" And when the poor deluded creatures refused to answer, capital punishments were inflicted on them. Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, had published a seditious declaration; renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy-council a pretence for an unusual kind of oppression. Soldiers were dispersed over the country, and power was given to all commission-officers, even the lowest, to oblige every one they met with to abjure the declaration; and, upon refusal, instantly, without further questions, to shoot the delinquent. It were endless, as well as shocking, to enumerate all the instances of persecution, or, in other words, of absurd tyranny, which at that time prevailed in Scotland. One of them, however, is so singular, that I cannot forbear relating it.

Three women were seized; and the customary oath was tendered to them, by which they were to abjure the seditious declaration above mentioned. They all refused, and were condemned to a capital punishment by drowning. One of them was an elderly woman: the other two were young; one eighteen years of age, the other only thirteen. Even these violent persecutors were ashamed to put the youngest to death: but the other two were conducted to the place of execution, and were tied to stakes within the sea-mark at low-water: a contrivance which rendered their death lingering and dreadful. The elderly woman was placed furthest in, and by the rising of the waters was first suffocated. The younger, partly terrified with the view of her companion's death, partly subdued by the entreaty of her friends, was prevailed with to say, *God save the king.* Immediately, the spectators called out that she had submitted; and she was loosened from the stake. Major Winram, the officer who guarded the execution, again required her to sign the abjuration; and upon her refusal, he ordered her instantly to be plunged in the water, where she was suffocated.

The severity of the administration in Scotland is in part to be ascribed to the duke's temper, to whom the king had consigned over the government of that country, and who gave such attention to affairs as to allow nothing of moment to escape him. Even the government of England, from the same cause, began to be somewhat infected with the same severity. The duke's credit was great at court. Though neither so much beloved nor esteemed as the king, he was more dreaded; and thence an attendance more exact, as well as submission more obsequious, was paid to him. The saying of Waller was remarked, that Charles, in spite to the parliament, who had determined that the duke should not succeed him, was resolved that he should reign even in his lifetime.

STATE OF THE MINISTRY IN ENGLAND.

The king, however, who loved to maintain a balance in his councils, still supported Halifax, whom he created

* Burnet, vol. i. p. 584. Wodrow, vol. ii. p. 169. This last author, who is much the better authority, mentions only one instance, that of Spreul, which seems to have been an extraordinary one.

a marquis, and made privy-seal, though ever in opposition to the duke. This man, who possessed the finest genius and most extensive capacity of all employed in public affairs during the present reign, affected a species of neutrality between the parties, and was esteemed the head of that small body known by the denomination of *Trimmers*. This conduct, which is more natural to men of integrity than of ambition, could not, however, procure him the former character; and he was always, with reason, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the exclusion bill, and who had been displaced on that account, was again, with the duke's consent, brought into the administration. The extreme duplicity, at least variableness, of this man's conduct, through the whole course of his life, made it be suspected that it was by the king's direction he had mixed with the country party. Hyde, created earl of Rochester, was first commissioner of the treasury, and was entirely in the duke's interests.

The king himself was obliged to act as the head of a party; a disagreeable situation for a prince, and always the source of much injustice and oppression. He knew how obnoxious the dissenters were to the church; and he resolved, contrary to the maxims of toleration which he had hitherto supported in England, to gratify his friends by the persecution of his enemies. The laws against conventicles were now rigorously executed; an expedient which, the king knew, would diminish neither the numbers nor influence of the nonconformists; and which is therefore to be deemed more the result of passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

NEW NOMINATION OF SHERIFFS.

Though the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malcontents. The juries, in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people; and, after the experiments already made in the case of Shaftesbury and that of College, treason, it was apprehended, might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moore, the mayor, was gained by secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted of that expensive office. The country party said, that being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff; and here began the contest. The majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of appointing one sheriff, but insisted that both must be elected by the livery. Papillon and Dubois were the persons whom the country-party agreed to elect: (24th June:) Box was pointed out by the courtiers. The poll was opened; but as the mayor would not allow the election to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who voted with the sheriffs for Papillon and Dubois, were much more numerous than those who voted with the mayor for Box; but as the mayor insisted, that his poll was the only legal one, he declared Box to be duly elected. All difficulties, however, were not surmounted. Box, apprehensive of the consequences which might attend so dubious an election, fined off; and the mayor found it necessary to proceed to a new choice. When the matter was proposed to the common-hall, a loud cry was raised, "No election! No election!" The two sheriffs already elected, Papillon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew; and during the tumult and confusion of the citizens, a few of the mayor's partisans elected Rich, unknown to and unheeded by the rest of the livery. North and Rich were accordingly sworn in sheriffs for the ensuing year; but it was necessary to send a guard of the train-bands to protect them in entering upon their office. A new mayor of the court party was soon after chosen (25th October,) by means, as is pretended, still more violent and irregular.

Thus the country party were dislodged from their stronghold in the city; where, ever since the commencement of factions in the English government, they had, without interruption, almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind: but in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views; and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen When it was first reported, that the duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, "He has already burned the city; and he is now coming to cut all our throats." For these scandalous expressions, the duke sued Pilkington; and enormous damages, to the amount of 100,000 pounds, were decreed him. By the law of England, ratified in the Great Charter, no fines or damages ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was sued for perjury and condemned to the pillory: a severe sentence, and sufficient to deter all witnesses from appearing in favour of those who were prosecuted by the court.

But though the crown had obtained so great a victory in the city, it was not quite decisive, and the contest might be renewed every year at the election of magistrates. An important project, therefore, was formed, not only to make the king master of the city, but by that precedent to gain him uncontrolled influence in all the corporations of England, and thereby give the greatest wound to the legal constitution, which the most powerful and most arbitrary monarchs had ever yet been able to inflict. A writ of *quo warranto* was issued against the city; that is, an inquiry into the validity of its charter. It was pretended, that the city had forfeited all its privileges, and ought to be declared no longer a corporation, on account of two offences which the court of aldermen and common-council had committed. After the great fire in 1666, all the markets had been rebuilt, and had been fitted up with many conveniences; and, in order to defray the expense, the magistrates had imposed a small toll on goods brought to market: in the year 1679, they had addressed the king against the prorogation of parliament, and had employed the following terms: "Your petitioners are greatly surprised at the late prorogation, whereby the prosecution of the public justice of the kingdom, and the making of necessary provisions for the preservation of your majesty and your protestant subjects, have received interruption." These words were pretended to contain a scandalous reflection on the king and his measures. The cause of the city was defended against the attorney and solicitor-generals by Treby and Pollexfen.

These last pleaded that, since the foundation of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity; that a corporation, as such, was incapable of all crime or offence, and none were answerable for any iniquity

but the persons themselves who committed it; that the members in choosing magistrates, had intrusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation; that such had ever been the practice of England, except at the Reformation, when the monasteries were abolished; but this was an extraordinary case; and it was even thought necessary to ratify afterwards the whole transaction by act of parliament: that corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: that even a private estate, if entailed, could not be forfeited to the crown, on account of treason committed by the tenant for life; but upon his demise went to the next in remainder: that the offences, objected to the city, far from deserving so severe a punishment, were not even worthy of the smallest reprehension: that all corporations were invested with the power of making bye-laws; and the smallest borough in England had ever been allowed to carry the exercise of this power further than London had done in the instance complained of: that the city, having, at its own expense, repaired the markets, which were built too on its own estate, might as lawfully claim a small recompence from such as brought commodities thither, as a man might require rent for a house of which he was possessed: that those who disliked the condition might abstain from the market; and whoever paid had done it voluntarily: that it was an avowed right of the subjects to petition; nor had the city in their address abused this privilege: that the king himself had often declared, the parliament often voted, the nation to be in danger from the popish plot; which, it is evident, could not be fully prosecuted but in a parliamentary manner: that the impeachment of the popish lords was certainly obstructed by the frequent prorogations; as was also the enacting of necessary laws, and providing for the defence of the nation: that the loyalty of the city, no less than their regard to self-preservation, might prompt them to frame the petition; since it was acknowledged, that the king's life was every moment exposed to the most imminent danger from the popish conspiracy: that the city had not accused the king of obstructing justice, much less of having any such intention; since it was allowed, that evil counsellors were alone answerable for all the pernicious consequences of any measure; and that it was unaccountable, that two public deeds which had not, during so long a time, subjected to any, even the smallest penalty, the persons guilty of them, should now be punished so severely upon the corporation, which always was, and always must be, innocent.

It is evident, that those who would apologise for the measures of the court, must, in this case, found their arguments not on law, but reasons of state. The judges, therefore, who condemned the city, are inexcusable; since the sole object of their determinations must ever be the pure principles of justice and equity. But the office of judge was at that time held during pleasure; and it was impossible that any cause, where the court bent its force, could ever be carried against it. After sentence was pronounced, the city applied in a humble manner to the king; (12th June;) and he agreed to restore their charter, but in return they were obliged to submit to the following regulations: that no mayor, sheriff, recorder, common-serjeant, town-clerk, or coroner, should be admitted to the exercise of his office without his majesty's approbation: that if the king disapprove twice of the mayor or sheriffs elected, he may by commission appoint these magistrates; that the mayor and court of aldermen may, with his majesty's leave, displace any magistrate: and that no alderman, in case of vacancy, shall be elected without consent of the court of aldermen; who, if they disapprove twice of the choice, may fill the vacancy.

GREAT POWER OF THE CROWN.

All the corporations in England, having the example of London before their eyes, saw how vain it would prove to contend with the court, and were, most of them, successively induced to surrender their charters into the king's hands. Considerable sums were exacted for restoring the charters; and all offices of power and profit were left at the disposal of the crown. It seems strange, that the independent royalists, who never meant to make the crown absolute, should yet be so elated with the victory obtained over their adversaries, as to approve of a precedent, which left no national privileges in security, but enabled the king, under like pretences, and by means of like instruments, to recall anew all those charters, which at present he was pleased to grant. And every friend to liberty must allow, that the nation, whose constitution was thus broken in the shock of faction, had a right, by every prudent expedient, to recover that security, of which it was so unhappily bereaved.

A CONSPIRACY.

While so great a faction adhered to the crown, it is apparent, that resistance, however justifiable, could never be prudent; and all wise men saw no expedient, but peaceably to submit to the present grievances. There was, however, a party of malcontents, so turbulent in their disposition, that, even before this last iniquity, which laid the whole constitution at the mercy of the king, they had meditated plans of resistance, at a time when it could be as little justifiable as prudent. In the spring, 1681,* a little before the Oxford parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The duke of Monmouth, lord Russel, lord Grey, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms, and to oppose the succession of the duke. Charles recovered; but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it; and they engaged some leaders among the commons in the same desperate measure. They went so far as to detain several lords in the house, under pretence of signing a protest against rejecting Fitz-harris's impeachment: but hearing that the commons had broken up in great consternation, they were likewise obliged at last to separate. Shaftesbury's imprisonment and trial put an end for some time to these machinations; and it was not till the new sheriffs were imposed on the city that they were revived. The leaders of the country party began then to apprehend themselves in imminent danger; and they were well pleased to find that the citizens were struck with the same terror, and were thence inclined to undertake the most perilous enterprises. Besides the city, the gentry and nobility in several counties of England were solicited to rise in arms. Monmouth engaged the earl of Macclesfield, lord Brandon, sir Gilbert Gerard, and other gentlemen in Cheshire; lord Russel fixed a correspondence with sir William Courtenay, sir Francis Rowes, sir Francis Drake, who promised to raise the west; and Trenchard in particular, who had interest in the disaffected town of Taunton, assured him of considerable assistance from that neighbourhood. Shaftesbury, and his emissary Ferguson, an independent clergyman, and a restless plotter, managed the correspondence in the city, upon which the confederates chiefly relied.

* Lord Grey's Secret History of the Rye-house Plot. This is the most full and authentic account of all these transactions; but is in the main confirmed by bishop Sprat, and even Burnet, as well as by the trials and dying confessions of the conspirators; so that nothing can be more unaccountable than that any one should pretend that this conspiracy was an imposture, like the popish plot. Monmouth's declaration, published in the next reign, confesses a consult for extraordinary remedies

The whole train was ready to take fire; but was prevented by the caution of lord Russel, who induced Monmouth to delay the enterprise. Shaftesbury, in the mean time, was so much affected with the sense of his danger, that he had left his house, and secretly lurked in the city; meditating all those desperate schemes, which disappointed revenge and ambition could inspire. He exclaimed loudly against delay, and represented to his confederates, that having gone so far, and intrusted the secret into so many hands, there was no safety for them but in a bold and desperate prosecution of their purpose. The projects were therefore renewed: meetings of the conspirators were appointed in different houses, particularly in Shephard's, an eminent wine-merchant in the city; the plan of an insurrection was laid in London, Cheshire, Devonshire, and Bristol; the several places of rendezvous were concerted; and all the operations fixed; the state of the guards was even viewed by Monmouth and Armstrong, and an attack on them pronounced practicable: a declaration to justify the enterprise to the public was read and agreed to; and every circumstance seemed now to render an insurrection unavoidable; when a new delay was procured by Trenchard, who declared, that the rising in the west could not for some weeks be in sufficient forwardness.

SHAFTESBURY RETIRES AND DIES.

Shaftesbury was enraged at these perpetual cautions and delays in an enterprise which, he thought, nothing but courage and celerity could render effectual. He threatened to commence the insurrection with his friends in the city alone; and he boasted, that he had ten thousand *brisk boys*, as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Russel, and the other conspirators, were, during some time, in apprehensions lest despair should push him into some dangerous measure; when they heard that, after a long combat between fear and rage, he had at last abandoned all hopes of success, and had retired into Holland. He lived in a private manner at Amsterdam; and for greater security desired to be admitted into a magistracy of that city: but his former violent counsels against the Dutch commonwealth were remembered; and all applications from him were rejected. He died soon after; and his end gave neither sorrow to his friends, nor joy to his enemies. His furious temper, notwithstanding his capacity, had done great injury to the cause in which he was engaged. The violences and iniquities which he suggested and encouraged, were greater than even faction itself could endure; and men could not forbear sometimes recollecting, that the same person, who had become so zealous a patriot, was once a most prostitute courtier. It is remarkable, that this man, whose principles and conduct were, in all other respects, so exceptionable, proved an excellent chancellor; and that all his decrees, while he possessed that high office, were equally remarkable for justness and for integrity. So difficult is it to find in history a character either wholly bad or perfectly good; though the prejudices of party make writers run easily into the extremes both of panegyric and of satire.

After Shaftesbury's departure, the conspirators found some difficulty in renewing the correspondence with the city malcontents, who had been accustomed to depend solely on that nobleman. Their common hopes, however, as well as common fears, made them at last have recourse to each other; and a regular project of an insurrection was again formed. A council of six was erected, consisting of Monmouth, Russel, Essex, Howard, Algernon Sidney, and John Hambden, grandson of the great parliamentary leader. These men entered into an agreement with Argyle and the Scottish malcontents; who engaged, that, upon the payment of 10,000 pounds for the purchase of arms in Holland, they would bring the covenanters into the field. Insurrections, likewise, were anew projected in Cheshire, and the west, as well as in the city; and some meetings of the leaders were held, in order to reduce these projects into form. The conspirators differed extremely in their views. Sidney was passionate for a commonwealth. Essex had embraced the same project. But Monmouth had entertained hopes of acquiring the crown for himself. Russel, as well as Hambden, was much attached to the ancient constitution, and intended only the exclusion of the duke, and the redress of grievances. Lord Howard was a man of no principle, and was ready to embrace any party which his immediate interest should recommend to him. But notwithstanding this difference of characters and of views, their common hatred of the duke, and the present administration united them in one party; and the dangerous experiment of an insurrection was fully resolved on.

RYE-HOUSE PLOT.

While these schemes were concerting among the leaders, there was an inferior order of conspirators, who held frequent meetings; and, together with the insurrection, carried on projects quite unknown to Monmouth and the cabal of six. Among these men were colonel Rumsey, an old republican officer, who had distinguished himself in Portugal, and had been recommended to the king by mareschal Schomberg; lieutenant-colonel Walcot, likewise a republican officer; Goodenough, under-sheriff of London, a zealous and noted party-man; West, Tyler, Norton, Ayloffe, lawyers; Ferguson, Rouse, Hone, Keiling, Holloway, Bourne, Lee, Rumbald. Most of these last were merchants or tradesmen; and the only persons of this confederacy, who had access to the leaders of the party, were Rumsey and Ferguson. When these men met together, they indulged themselves in the most desperate and most criminal discourse; they frequently mentioned the assassination of the king and the duke, to which they had given the familiar appellation of *lopping*: they even went so far as to have thought of a scheme for that purpose. Rumbald, who was a maltster, possessed a farm called the Rye-house, which lay on the road to Newmarket, whither the king commonly went once a year, for the diversion of the races. A plan of this farm had been laid before some of the conspirators by Rumbald, who showed them how easy it would be, by overturning a cart, to stop at that place the king's coach; while they might fire upon him from the hedges, and be enabled afterwards, through bye-lanes, and cross the fields, to make their escape. But though the plausibility of this scheme gave great pleasure to the conspirators, no concerted design was as yet laid, nor any men, horses, or arms, provided; the whole was little more than loose discourse, the overflowings of their zeal and rancour. The house, in which the king lived at Newmarket, took fire accidentally; and he was obliged to leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed, when the conspiracy was detected; and the court party could not sufficiently admire the wise dispensations of Providence. It is indeed certain, that as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret, what a fine opportunity was thus unfortunately lost.

CONSPIRACY DISCOVERED. *June* 12.

Among the conspirators, I have mentioned Keiling, a salter in London. This man had been engaged in a bold measure, of arresting the mayor of London at the suit of Papillon and Dubois, the outed sheriffs, and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in which he was deeply concerned.

He brought to secretary Jenkins intelligence of the assassination plot; but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling, therefore, in order to fortify his testimony, engaged his brother in treasonable discourse with Goodenough, one of the conspirators; and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger in which they were involved, and all of them concealed themselves. One person alone, of the name of Barber, an instrument maker, was seized; and as his confession concurred in many particulars with Keiling's information, the affair seemed to be put out of all question; and a more diligent search was everywhere made after the conspirators.

West, the lawyer, and colonel Rumsey, finding the perils to which they were exposed in endeavouring to escape, resolved to save their own lives at the expense of their companions; and they surrendered themselves with an intention of becoming evidence. West could do little more than confirm the testimony of Keiling, with regard to the assassination plot; but Rumsey, besides giving additional confirmation of the same design, was at last, though with much difficulty, led to reveal the meetings at Shephard's. Shephard was immediately apprehended; and had not courage to maintain fidelity to his confederates. Upon his information, orders were issued for arresting the great men engaged in the conspiracy. Monmouth absconded: Russel was sent to the Tower: Gray was arrested, but escaped from the messenger: Howard was taken, while he concealed himself in a chimney; and being a man of profligate morals, as well as indigent circumstances, he scrupled not, in hopes of a pardon and a reward, to reveal the whole conspiracy. Essex, Sidney, and Hambden were immediately apprehended upon his evidence. Every day some of the conspirators were detected in their lurking-places, and thrown into prison.

EXECUTION OF THE CONSPIRATORS.

Lieutenant-colonel Walcot was first brought to his trial. This man, who was once noted for bravery, had been so far overcome by the love of life, that he had written to secretary Jenkins, and had offered, upon promise of pardon, to turn evidence: but no sooner had he taken this mean step than he felt more generous sentiments arise in him; and he endeavoured, though in vain, to conceal himself. The witnesses against him were Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged at their execution, the justness of the sentence; and from their trial and confession it is sufficiently apparent, that the plan of an insurrection had been regularly formed; and that even the assassination had been often talked of, and not without the approbation of many of the conspirators.

TRIAL OF LORD RUSSEL.

The condemnation of these criminals was probably intended as a preparative to the trial of lord Russel, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner, were Rumsey, Shephard, and lord Howard. Rumsey swore, that he himself had been introduced at the cabal at Shephard's, where Russel was present; and had delivered them a message from Shaftesbury, urging them to hasten the intended insurrection: but had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for some time, rest contented. This answer, he said, was delivered by Ferguson; but was assented to by the prisoner. He added, that some discourse had been entered into about taking a survey of the guards; and he thought that Monmouth, Gray, and Armstrong, undertook to view them. Shephard deposed, that his house had beforehand been bespoken by Ferguson for the secret meeting of the conspirators, and that he had been careful to keep all his servants from approaching them, and had served them himself. Their discourse, he said, ran chiefly upon the means of surprising the guards; and it was agreed, that Monmouth and his two friends should take a survey of them. The report, which they brought next meeting, was, that the guards were remiss, and that the design was practicable: but he did not affirm that any resolution was taken of executing it. The prisoner, he thought, was present at both these meetings; but he was sure that at least he was present at one of them. A declaration, he added, had been read by Ferguson in Russel's presence: the reasons of the intended insurrection were there set forth, and all the public grievances fully displayed.

Lord Howard had been one of the cabal of six, established after Shaftesbury's flight; and two meetings had been held by the conspirators, one at Hambden's, another at Russel's. Howard deposed, that at the first meeting it was agreed to begin the insurrection in the country before the city; the places were fixed, the proper quantity and kind of arms agreed on, and the whole plan of operations concerted: that at the second meeting, the conversation chiefly turned upon their correspondence with Argyle and the discontented Scots, and that the principal management of that affair was intrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations, no question was put, or votes collected; but there was no contradiction; and, as he took it, all of them, and the prisoner among the rest, gave their consent.

Rumsey and Shephard were very unwilling witnesses against lord Russel; and it appears from Gray's Secret History, that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty in recollecting circumstances of a conversation which had passed above eight months before, and which the persons had not at that time any intention to reveal, may beget some slight objection to their evidence. But on the whole, it was undoubtedly proved, that the insurrection had been deliberated on by the prisoner, and fully resolved; the surprisal of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned nor imagined by him. So far the matter of fact seems certain: but still, with regard to law, there remained a difficulty, and that of an important nature.

The English laws of treason, both in the manner of defining that crime, and in the proof required, are the mildest and most indulgent, and consequently the most equitable, that are anywhere to be found. The two chief species of treason, contained in the statute of Edward III., are the compassing and intending of the king's death, and the actual levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required that the two witnesses should testify the same precise overt act: it was sufficient, that they both testified some overt act of the same treason: and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of lord Stafford. The lawyers had used the same freedom with the law of Edward III. They had observed, that, by that



From a Painting

statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he were detected, and no rebellion ensued, he could not be tried for treason. To prevent this inconvenience, which it had been better to remedy by a new law, they had commonly laid their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding, by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable was, that a law had passed soon after the Restoration, in which the consulting or the intending of a rebellion was, during Charles's lifetime, declared treason; and it was required, that the prosecution should be commenced within six months after the crime was committed. But notwithstanding this statute, the lawyers had persevered, as they still do persevere, in the old form of indictment; and both sir Harry Vane and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror entertained against the old republicans and the popish conspirators, that no one had murmured against this interpretation of the statute; and the lawyers thought that they might follow the precedent, even in the case of the popular and beloved lord Russel. Russel's crime fell plainly within the statute of Charles II.; but the facts sworn to by Rumsey and Shephard were beyond the six months required by law, and to the other facts Howard was a single witness. To make the indictment, therefore, more extensive, the intention of murdering the king was comprehended in it: and for proof of this intention the conspiracy for raising a rebellion was assigned; and, what seemed to bring the matter still nearer, the design of attacking the king's guards.

Russel perceived this irregularity, and desired to have the point argued by counsel: the chief-justice told him, that this favour could not be granted unless he previously confessed the facts charged upon him. The artificial confounding of the two species of treason, though a practice supported by many precedents, is the chief, but not the only hardship, of which Russel had reason to complain on his trial. His defence was feeble; and he contented himself with protesting, that he never had entertained any design against the life of the king: his veracity would not allow him to deny the conspiracy for an insurrection. The jury were men of fair and reputable characters, but zealous royalists: after a short deliberation, they brought in the prisoner guilty.

Applications were made to the king for a pardon: even money, to the amount of a hundred thousand pounds, was offered to the duchess of Portsmouth by the old earl of Bedford, father to Russel. The king was inexorable. He had been extremely harassed with the violence of the country party; and he had observed, that the prisoner, besides his secret designs, had always been carried to the highest extremity of opposition in parliament. Russel had even adopted a sentiment, similar to what we meet with in a letter of the younger Brutus. Had his father, he said, advised the king to reject the exclusion bill, he would be the first to move for a parliamentary impeachment against him. When such determined resolution was observed, his popularity, his humanity, his justice, his very virtues, became so many crimes, and were used as arguments against sparing him. Charles therefore would go no further than remitting the more ignominious part of the sentence, which the law requires to be pronounced against traitors. "Lord Russel," said he, "shall find, that I am possessed of that prerogative, which, in the case of lord Stafford, he thought proper to deny me." As the fury of the country party had rendered it impossible for the king, without the imminent danger of his crown, to pardon so many catholics, whom he firmly believed innocent, and even affectionate and loyal to him; he probably thought, that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect that he would interpose to save them.

Russel's consort, a woman of virtue, daughter and heir of the good earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which his honest, however mistaken, principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured by her example to strengthen the resolution of her unfortunate lord. With a tender and decent composure they took leave of each other on the day of his execution. "The bitterness of death is now past," said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russel, and deserted not his friend in the present calamity. He offered to manage his escape by changing clothes with him, and remaining at all hazards in his place. Russel refused to save his own life, by an expedient which might expose his friend to so many hardships. When the duke of Monmouth by message offered to surrender himself, if Russel thought that this measure would anywise contribute to his safety; "It will be no advantage to me," he said, "to have my friends die with me." Some of his expressions discover, not only composure, but good humour in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. "I shall not now let blood to divert this distemper," said he to Dr. Burnet, who attended him; "that will be done to-morrow." A little before the sheriffs conducted him to the scaffold, he wound up his watch, "Now I have done," said he, "with time, and henceforth must think solely of eternity."

LORD RUSSEL'S EXECUTION *July* 21.

The scaffold was erected in Lincoln's-Inn Fields, a place distant from the Tower; and it was probably intended, by conducting Russel through so many streets, to show the mutinous city their beloved leader, once the object of all their confidence, now exposed to the utmost rigours of the law. As he was the most popular among his own party; so was he ever the least obnoxious to the opposite faction: and his melancholy fate united every heart, sensible of humanity, in a tender compassion for him. Without the least change of countenance, he laid his head on the block; and at two strokes, it was severed from his body.

In the speech, which he delivered to the sheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government: he could not explicitly confess the projected insurrection without hurting his friends, who might still be called in question for it: but he did not purge himself of that design, which, in the present condition of the nation, he regarded as no crime. By many passages in his speech he seems to the last to have lain under the influence of party zeal; a passion which, being nourished by a social temper, and clothing itself under the appearance of principle, it is almost impossible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He professed his entire belief in the popish plot: and he said, that, though he had often heard the seizure of the guards mentioned, he had ever disapproved of that attempt. To which he added, that the massacring of so many innocent men in cool blood was so like a popish practice, that he could not but abhor it. Upon the whole, the integrity and virtuous intentions, rather than the

capacity, of this unfortunate nobleman, seem to have been the shining parts of his character.

TRIAL AND EXECUTION OF ALGERNON SIDNEY.

Algernon Sidney was next brought to his trial. This gallant person, son of the earl of Leicester, had entered deeply into the war against the late king; and though nowise tainted with enthusiasm, he had so far shared in all the counsels of the independent republican party, as to have been named on the high-court of justice, which tried and condemned that monarch: he thought not proper, however, to take his seat among the judges. He ever opposed Cromwell's usurpation with zeal and courage; and after making all efforts against the Restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family which he abhorred. As long as the republican party had any existence, he was active in every scheme, however unpromising, which tended to promote their cause: but at length, in 1677, finding it necessary for his private affairs to return to England, he had applied for the king's pardon, and had obtained it. When the factions, arising from the popish plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic.

From this imperfect sketch of the character and conduct of this singular personage, it may easily be conceived how obnoxious he was become to the court and ministry: what alone renders them blameable was the illegal method which they took for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators; a topic more fit to condemn one party than to justify the other. The only witness who deposed against Sidney, was lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closets, some discourses on government were found; in which he had maintained principles, favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness and even to many witnesses. The prisoner replied, that there was no other reason for ascribing these papers to him as the author besides a similitude of hand; a proof which was never admitted in criminal prosecutions: that allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world or even communicated them to any single person: that when examined they appeared, by the colour of the ink, to have been written many years before, and were in vain produced as evidence of a present conspiracy against the government: and that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice; much less, when supported by a circumstance so weak and precarious. All these arguments, though urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jeffries was now chief-justice; and by his direction a partial jury was easily prevailed on to give verdict against Sidney. His execution followed a few days after: (17th December:) he complained, and with reason, of the iniquity of the sentence; but he had too much greatness of mind to deny those conspiracies with Monmouth and Russel, in with he had been engaged. He rather gloried, that he now suffered for that *good old cause*, in which, from his earliest youth, he said, he had enlisted himself.

The execution of Sidney is regarded as one of the greatest blemishes of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were for that reason very blameable. But that after sentence passed by a court of judicature, the king should interpose and pardon a man, who, though otherwise possessed of merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the king's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty. Howard was also the sole evidence against Hambden; and his testimony was not supported by any material circumstance. The crown-lawyers therefore found it in vain to try the prisoner for treason: they laid the indictment only for a misdemeanour, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

Holloway a merchant of Bristol, one of the conspirators, had fled to the West-Indies, and was now brought over. He had been outlawed; but the year allowed him for surrendering himself was not expired. A trial was therefore offered him; but as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourse of an assassination, though he had not approved of it, he thought it more expedient to throw himself on the king's mercy. He was executed, persisting in the same confession.

Sir Thomas Armstrong, who had been seized in Holland, and sent over by Chidley, the king's minister, was precisely in the same situation with Holloway; but the same favour, or rather justice, was refused him. The lawyers pretended, that, unless he had voluntarily surrendered himself before the expiration of the time assigned, he could not claim the privilege of a trial; not considering that the seizure of his person ought in equity to be supposed the accident which prevented him. The king bore a great enmity against this gentleman, by whom he believed the duke of Monmouth to have been seduced from his duty: he also asserted, that Armstrong had once promised Cromwell to assassinate him; though it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice which was now done him. It was apprehended that sufficient evidence of his guilt could not be produced; and that even the partial juries, which were now returned, and which allowed themselves to be entirely directed by Jeffries, and other violent judges, would not give sentence against him.

On the day that Russel was tried, Essex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inquest brought in their verdict, *self-murder*; yet because two children ten years old (one of whom too departed from his evidence) had affirmed that they heard a great noise from his window, and that they saw a hand throw out a bloody razor; these circumstances were laid hold of, and the murder was ascribed to the king and the duke, who happened that morning to pay a visit to the Tower. Essex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment; he was accustomed to maintain the lawfulness of suicide; and his countess upon a strict inquiry, which was committed to the care of Dr. Burnet, found no reason to confirm the suspicion: yet could not all these circumstances, joined to many

others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds; for, besides that it inflames all the passions, it tends much to remove those great restraints, honour and shame, when men find, that no iniquity can lose them the applause of their own party, and no innocence secure them against the calumnies of the opposite.

But though there is no reason to think that Essex had been murdered by any orders from court, it must be acknowledged that an unjustifiable use in Russel's trial was made of that incident. The king's counsel mentioned it in their pleadings as a strong proof of the conspiracy; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

STATE OF THE NATION.

Some memorable causes, tried about this time, though they have no relation to the Rye-house conspiracy, show the temper of the bench and of the juries. Oates was convicted of having called the duke a popish traitor; was condemned in damages to the amount of one hundred thousand pounds; and was adjudged to remain in prison till he should make payment. A like sentence was passed upon Dutton-Colt for a like offence. Sir Samuel Barnardiston was fined ten thousand pounds, because in some private letters which had been intercepted, he had reflected on the government. This gentleman was obnoxious, because he had been foreman of that jury which rejected the bill against Shaftesbury. A pretence was therefore fallen upon for punishing him; though such a precedent may justly be deemed a very unusual act of severity, and sufficient to destroy all confidence in private friendship and correspondence.

There is another remarkable trial, which shows the disposition of the courts of judicature, and which, though it passed in the ensuing year, it may not be improper to relate in this place. One Rosewel, a presbyterian preacher, was accused by three women of having spoken treasonable words in a sermon. They swore to two or three periods, and agreed so exactly together, that there was not the smallest variation in their depositions. Rosewel, on the other hand, made a very good defence. He proved, that the witnesses were lewd and infamous persons; he proved, that even during Cromwell's usurpations, he had always been a royalist; that he prayed constantly for the king and his family; and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon of which he was accused, several witnesses, who heard it, and some who wrote it in short-hand, deposed, that he had used no such expressions as those which were imputed to him. He offered his own notes as a further proof. The women could not show, by any circumstance or witness, that they were at his meeting. And the expressions, to which they deposed, were so gross, that no man in his senses could be supposed to employ them before a mixed audience. It was also urged, that it appeared next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue: he would pronounce, with his usual tone of voice, a period as long as that to which they had sworn; and then let them try to repeat it, if they could. What was more unaccountable, they had forgotten even the text of his sermon; nor did they remember any single passage, but the words to which they gave evidence. After so strong a defence, the solicitor-general thought not proper to make any reply: even Jeffries went no further than some general declamations against conventicles and presbyterians: yet so violent were party prejudices, that the jury gave a verdict against the prisoner; which however appeared so palpably unjust, that it was not carried into execution.

The duke of Monmouth had absconded on the first discovery of the conspiracy; and the court could get no intelligence of him. At length, Halifax, who began to apprehend the too great prevalence of the royal party, and who thought that Monmouth's interest would prove the best counterpoise to the duke's, discovered his retreat, and prevailed on him to write two letters to the king, full of the tenderest and most submissive expressions. The king's fondness was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother; and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But, in order to put the country party to silence, he called next day an extraordinary council, and informed them, that Monmouth had showed great penitence for the share which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprises. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence till he had obtained his pardon in form; but finding that, by taking this step, he was entirely disgraced with his party, and that even, though he should not be produced in court as an evidence, his testimony, being so publicly known, might have weight with juries on any future trial, he resolved at all hazards to retrieve his honour. His emissaries, therefore, received orders to deny that he had ever made any such confession as that which was imputed to him; and the party exclaimed that the whole was an imposture of the court. The king, provoked at this conduct, banished Monmouth his presence, and afterwards ordered him to depart the kingdom.

The court was aware, that the malcontents in England had held a correspondence with those of Scotland; and that Baillie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbel, had come to London under pretence of negociating the settlement of the Scottish presbyterians in Carolina, but really with a view of concerting measures with the English conspirators. Baillie was sent prisoner to Edinburgh; but as no evidence appeared against him, the council required him to swear that he would answer all questions which should be propounded to him. He refused to submit to so iniquitous a condition; and a fine of six thousand pounds was imposed upon him. At length, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the earl of Tarras and some others, who, in order to save themselves, were reduced to accuse Baillie. He was brought to trial; and being in so languishing a condition from the treatment which he had met with in prison, that it was feared he would not survive that night, he was ordered to be executed the very afternoon on which he received sentence.

The severities exercised during this part of the present reign, were much contrary to the usual tenor of the king's conduct; and though those who studied his character more narrowly have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the duke, into whose hands the king had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The crown indeed gained great advantage from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators: the horror entertained against the assassination plot, which was generally confounded with the project for an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the court. The most loyal addresses came from all parts; and the doctrine of submission to the civil magistrate, and even of an unlimited passive

obedience, became the reigning principle of the times. The university of Oxford passed a solemn decree, condemning some doctrines which they termed republican, but which indeed are, most of them, the only tenets on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the king's feet; and were as much fallen in their spirit as in their credit with the nation. Nothing that had the least appearance of opposition to the court, could be hearkened to by the public.*

1684. The king endeavoured to increase his present popularity by every art; and knowing, that the suspicion of popery was of all others the most dangerous, he judged it proper to marry his niece, the lady Anne, to prince George, brother to the king of Denmark. All the credit, however, and persuasion of Halifax, could not engage him to call a parliament, or trust the nation with the election of a new representative. Though his revenues were extremely burdened, he rather chose to struggle with the present difficulties, than try an experiment which, by raising afresh so many malignant humours, might prove dangerous to his repose. The duke likewise zealously opposed this proposal, and even engaged the king in measures which could have no tendency, but to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to the orders of the house: a breach of privilege, which it seemed not likely any future house of commons would leave unquestioned. Danby and the popish lords, who had so long been confined in the Tower, and who saw no prospect of a trial in parliament, applied by petition, and were admitted to bail; a measure just in itself, but deemed a great encroachment on the privileges of that assembly. The duke, contrary to law, was restored to the office of high-admiral, without taking the test.

STATE OF FOREIGN AFFAIRS.

Had the least grain of jealousy or emulation been mixed in the king's character; had he been actuated by that concern for his people's or even for his own honour, which his high station demanded, he would have hazarded many domestic inconveniences, rather than allow France to domineer in so haughty a manner as that which at present she assumed in every negociation. The peace of Nimeguen, imposed by the Dutch on their unwilling allies, had disjointed the whole confederacy; and all the powers engaged in it had disbanded their supernumerary troops, which they found it difficult to subsist. Louis alone still maintained a powerful army, and by his preparations, rendered himself every day more formidable. He now acted as if he were the sole sovereign in Europe, and as if all other princes were soon to become his vassals. Courts or chambers were erected in Metz and Brisac, for reuniting such territories as had ever been members of any part of his new conquests. They made inquiry into titles buried in the most remote antiquity. They cited the neighbouring princes to appear before them, and issued decrees, expelling them the contested territories. The important town of Strasbourg, an ancient and a free state, was seized by Louis: Alost was demanded of the Spaniards, on a frivolous, and even ridiculous pretence; and upon their refusal to yield it, Luxembourg was blockaded, and soon after taken.† Genoa had been bombarded, because the Genoese had stipulated to build some galleys for the Spaniards; and in order to avoid more severe treatment, that republic was obliged to yield to the most mortifying conditions. The empire was insulted in its head and principal members; and used no other expedient for redress, than impotent complaints and remonstrances.

Spain was so enraged at the insolent treatment which she met with, that, without considering her present weak condition, she declared war against her haughty enemy: she hoped that the other powers of Europe, sensible of the common danger, would fly to her assistance. The prince of Orange, whose ruling passions were love of war and animosity against France, seconded everywhere the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into closer measures with the confederates. He also proposed to the States to make an augmentation of their forces; but several of the provinces and even the town of Amsterdam, had been gained by the French, and the proposal was rejected. The prince's enemies derived the most plausible reasons of their opposition from the situation of England, and the known and avowed attachments of the English monarch.

No sooner had Charles dismissed his parliament, and embraced the resolution of governing by prerogative alone, than he dropped his new alliance with Spain, and returned to his former dangerous connexions with Louis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, sensible of Charles's partiality, had refused to submit to such a disadvantageous proposal. Whether any money was now remitted to England, we do not certainly know: but we may fairly presume, that the king's necessities were, in some degree, relieved by France.* And though Charles had reason to apprehend the utmost danger from the great and still increasing naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

It is here we are to fix the point of the highest exaltation, which the power of Louis, or that of any European prince, since the age of Charlemagne, had ever attained. The monarch, most capable of opposing his progress, was entirely engaged in his interests; and the Turks, invited by the malcontents of Hungary, were preparing to invade the emperor, and to disable that prince from making head against the progress of the French power. Louis may even be accused of oversight, in not making sufficient advantage of such favourable opportunities, which he was never afterwards able to recall. But that monarch, though more governed by motives of ambition than by those of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe; and he thereby provoked their resentment without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness, all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers, in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection.

1685. The French greatness never, during his whole reign, inspired Charles with any apprehensions; and

* In the month of November this year died prince Rupert, in the sixty-third year of his age. He had left his own country so early, that he had become an entire Englishman, and was even suspected, in his latter days, of a bias to the country party. He was for that reason much neglected at court. The duke of Lauderdale died also this year.

† It appears from sir John Dalrymple's Appendix, that the king received from France a million of livres for his connivance at the seizure of Luxembourg, besides his ordinary pension

* The following passage is an extract from M. Barillon's letters, kept in the Depôt des Affaires étrangeres at Versailles. It was lately communicated to the author while in France. "Convention verbale arretée le 1 Avril, 1681. Charles II. s'engage a ne rien omettre pour pouvoir faire connoître à sa majesté qu'elle avoit raison de prendre confiance en lui; a se dégager peu à peu de l'alliance avec l'Espagne, et a se mettre en etat de ne point être contraint par son parlement de faire quelque chose d'opposé aux nouveaux engagemens qu'il prenoit. En consequence, le roi promet un subside de deux millions la premiere des trois années de cet engagement, et 500,000 écus les deux autres, se contentant de la parole de sa majesté Britannique, d'agir à l'egard de sa majesté conformement aux obligations qu'il lui avoit. Le Sr. Hyde demanda que le roi s'engageat a ne point attaquer les Pays Bas et même Strasbourg, temoignant que le roi son maitre ne pourroit s'empecher de secourir les Pays Bas, quand même son parlement ne seroit point assemblé. M. Barillon lui repondit en termes generaux par ordre du roi, que sa majesté n'avoit point intention de rompre la paix, et qu'il n engageroit pas sa majesté Britannique en choses contraires à ses veritables interêts."

Clifford, it is said, one of his most favoured ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrolled power of Louis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction which had shaken his throne, and menaced his family, was totally subdued; and by their precipitate indiscretion had exposed themselves both to the rigour of the laws and to public hatred. He had recovered his former popularity in the nation; and, what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain, that the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humour from the present arbitrary measures, is uncertain. Perhaps the violent imprudent temper of the duke, by pushing Charles upon dangerous attempts, gave him apprehension and uneasiness. He was overheard one day to say, in opposing some of the duke's hasty counsels, "Brother, I am too old to go again to my travels: you may, if you choose it." Whatever was the cause of the king's dissatisfaction, it seems probable, that he was meditating some change of measures, and had formed a new plan of administration. He was determined, it is thought, to send the duke to Scotland, to recall Monmouth, to summon a parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good-will and affections of his subjects.*

KING'S SICKNESS AND DEATH. *February 6.*

Amidst these truly wise and virtuous designs, he was seized with a sudden fit, which resembled an apoplexy; and though he was recovered from it by bleeding, he languished only a few days, and then expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as great a surprise into his subjects, as if he had been in the flower of his youth. And their great concern for him, owing to their affection for his person, as well as their dread of his successor, very narrowly, when joined to the critical time of his death, begat the suspicion of poison. All circumstances however considered, the suspicion must be allowed to vanish; like many others, of which all histories are full.

During the few days of the king's illness, clergymen of the church of England attended him; but he discovered a total indifference towards their devotions and exhortations. Catholic priests were brought, and he received the sacrament from them, accompanied with the other rites of the Romish church. Two papers were found in his cabinet, written with his own hand, and containing arguments in favour of that communion. The duke had the imprudence immediately to publish these papers, and thereby both confirmed all the reproaches of those who had been the greatest enemies to his brother's measures, and afforded to the world a specimen of his own bigotry.

CHARACTER OF THE KING.

If we survey the character of Charles II. in the different lights which it will admit of, it will appear various, and give rise to different and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men; and, indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive; his propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it: his wit, to use the expression of one who knew him well, and who was himself a good judge, could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though, perhaps, he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This, indeed, is the most shining part of the king's character; and he seems to have been sensible of it; for he was fond of dropping the formality of state, and of relapsing every moment into the companion.

In the duties of private life, his conduct, though not free from exception, was, in the main, laudable. He was an easy, generous lover, a civil, obliging husband, a friendly brother, an indulgent father, and a good-natured master. The voluntary friendships, however, which this prince contracted, nay, even his sense of gratitude, were feeble; and he never attached himself to any of his ministers or courtiers with a sincere affection. He believed them to have no motive in serving him but self-interest; and he was still ready, in his turn, to sacrifice them to present ease or convenience.

With a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his conduct may admit of some apology, but can deserve small applause. He was, indeed, so much fitted for private life, preferably to public, that he even possessed order, frugality, and economy in the former; was profuse, thoughtless, and negligent in the latter. When we consider him as a sovereign, his character, though not altogether destitute of virtue, was in the main dangerous to his people, and dishonourable to himself. Negligent of the interests of the nation, careless of its glory, averse to its religion, jealous of its liberty, lavish of its treasure, sparing only of its blood; he exposed it by his measures, though he ever appeared but in sport, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conquest. Yet may all these enormities, if fairly and candidly examined, be imputed, in a great measure, to the indolence of his temper; a fault which, however unfortunate in a monarch, it is impossible for us to regard with great severity.

It has been remarked of Charles, that he never said a foolish thing, nor ever did a wise one: a censure which, though too far carried, seems to have some foundation in his character and deportment. When the king was informed of this saying, he observed, that the matter was easily accounted for; for that his discourse was his own, his actions were the ministry's.

If we reflect on the appetite for power, inherent in human nature, and add to it the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late usurpations of popular assemblies upon the rights of monarchy; it is not surprising that civil liberty should not find in him a very zealous patron. Harassed with domestic faction, weary of calumnies and complaints, oppressed with debts, straitened in his revenue, he sought, though with feeble efforts, for a form of government more simple in its structure and more easy in its management. But his attachment to France, after all the pains which we have taken, by inquiry and conjecture, to fathom it, contains still something, it must be confessed, mysterious and inexplicable. The hopes of rendering himself absolute by Louis's assistance seems so chimerical, that they could scarcely be retained with such obstinacy by a prince of Charles's penetration; and as to pecuniary subsidies, he surely spent much greater sums in one season, during the second Dutch

* King James's Memoirs confirm this rumour, as also D'Avaux's Negociations, December 14, 1684.

war, than were remitted him from France during the whole course of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepossession in favour of the French nation. He considered that people as gay, sprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith; and for these reasons he cordially loved them. The opposite character of the Dutch had rendered them the objects of his aversion; and even the uncourtly humours of the English made him very indifferent towards them. Our notions of interest are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biassed by private and personal friendship.

The character of this prince has been elaborately drawn by two great masters, perfectly well acquainted with him, the duke of Buckingham and the marquis of Halifax; not to mention several elegant strokes given by sir William Temple. Dr. Welwood likewise, and bishop Burnet have employed their pencil on the same subject; but the former is somewhat partial in his favour; as the latter is by far too harsh and malignant. Instead of finding an exact parallel between Charles II. and the emperor Tiberius, as asserted by that prelate, it would be more just to remark a full contrast and opposition. The emperor seems as much to have surpassed the king in abilities, as he falls short of him in virtue. Provident, wise, active, jealous, malignant, dark, sullen, unsociable, reserved, cruel, unrelenting, unforgiving; these are the lights under which the Roman tyrant has been transmitted to us. And the only circumstance in which it can justly be pretended he was similar to Charles, is his love of women, a passion which is too general to form any striking resemblance, and which that detestable and detested monster shared also with unnatural appetites.

CHAPTER LXX.

JAMES II.

King's first Transactions——A Parliament——Arguments for and against a Revenue for Life——Oates convicted of Perjury——Monmouth's Invasion——His Defeat and Execution——Cruelties of Kirke and of Jefferies——State of Affairs in Scotland——Argyle's Invasion——Defeat, and Execution——A Parliament——French Persecutions——The Dispensing Power——State of Ireland——Breach betwixt the King and the Church——Court of Ecclesiastical Commission——Sentence against the Bishop of London——Suspension of the Penal Laws——State of Ireland——Embassy to Rome——Attempt upon Magdalen College——Imprisonment, Trial, and Acquittal of the Bishops——Birth of the Prince of Wales.

THE KING'S FIRST TRANSACTIONS. 1685.

THE first act of James's reign was to assemble the privy-council; where, after some praises bestowed on the memory of his predecessor, he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had heretofore ventured his life in defence of the nation, he would still go as far as any man in maintaining all its just rites and liberties.

This discourse was received with great applause, not only by the council, but by the nation. The king universally passed for a man of great sincerity and great honour; and as the current of favour ran at that time for the court, men believed that his intentions were conformable to his expressions. "We have now," it is said, "the word of a king; and a word never yet broken." Addresses came from all quarters, full of duty, nay, of the most servile adulation. Every one hastened to pay court to the new monarch:* and James had reason to think, that notwithstanding the violent efforts made by so potent a party for his exclusion, no throne in Europe was better established than that of England.

The king, however, in the first exercise of his authority, showed, that either he was not sincere in his professions of attachment to the laws, or that he had entertained so lofty an idea of his own legal power, that even his utmost sincerity would tend very little to secure the liberties of the people. All the customs and the greater part of the excise had been settled by parliament on the late king during life, and consequently the grant was now expired: nor had the successor any right to levy these branches of revenue. But James issued a proclamation, ordering the customs and excise to be paid as before; and this exertion of power he would not deign to qualify by the least act or even appearance of condescension. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entries should be made, and bonds for the sums be taken from the merchants and brewers: but the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws: but for that very reason, probably, it was rejected by the king, who thought that the commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power of the crown, as dependent on their good will and pleasure.

The king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting: and by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles: those two great characteristics of his reign, and bane of his administration. He even sent Caryl, as his agent, to Rome, in order to make submission to the pope, and to pave the way for a solemn readmission of England into the bosom of the catholic church. The pope, Innocent the XIth, prudently advised the king not to be too precipitate in his measures, nor rashly attempt what repeated experience might convince him was impracticable. The Spanish ambassador, Ronquillo, deeming the tranquillity of England necessary for the support of Spain, used the freedom to make like remonstrances. He observed to the king, how busy the priests appeared at court, and advised him not to assent with too great facility to their dangerous counsels. "Is it not the custom in Spain," said James, "for the king to consult with his confessor?" "Yes," replied the ambassador; "and it is for that very reason our affairs succeed so ill."

James gave hopes on his accession, that he would hold the balance of power more steadily than his predecessor; and that France, instead of rendering England subservient to her ambitious projects, would now meet with strong opposition from that kingdom. Besides applying himself to business with industry, he seemed jealous of national honour, and expressed great care, that no more respect should be paid to the French ambassador at London than his own received at Paris. But these appearances were not sufficiently supported, and he found himself immediately under the necessity of falling into a union with that great monarch, who by his power as well as his zeal, seemed alone able to assist him in the projects formed for promoting the catholic religion in England.

Notwithstanding the king's prejudices, all the chief offices of the crown continued still in the hands of protestants. Rochester was treasurer; his brother Clarendon chamberlain; Godolphin chamberlain to the queen,

* The quakers' address was esteemed somewhat singular for its plainness and simplicity. It was conceived in these terms: "We are come to testify our sorrow for the death of our good friend Charles, and our joy for thy being made our governor. We are told thou art not of the persuasion of the church of England, no more than we: Wherefore we hope thou wilt grant us the same liberty which thou allowest thyself. Which doing, we wish thee all manner of happiness."

Sunderland secretary of state; Halifax president of the council. This nobleman had stood in opposition to James during the last years of his brother's reign; and when he attempted, on the accession, to make some apology for his late measures, the king told him, that he would forget everything past, except his behaviour during the bill of exclusion. On other occasions, however, James appeared not of so forgiving a temper. When the principal exclusionists came to pay their respects to the new sovereign, they either were not admitted, or were received very coldly, sometimes even with frowns. This conduct might suit the character, which the king so much affected, of sincerity: but by showing, that a king of England could resent the quarrels of a duke of York, he gave his people no high idea either of his lenity or magnanimity.

On all occasions, the king was open in declaring that men must now look for a more active and more vigilant government, and that he would retain no ministers, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular till she arrived at that high dignity. She was much governed by the priests, especially the jesuits; and as these were also the king's favourites, all public measures were taken originally from the suggestions of these men, and bore evident marks of their ignorance in government, and of the violence of their religious zeal.

The king however had another attachment, seemingly not very consistent with this devoted regard to his queen and to his priests: it was to Mrs. Sedley, whom he soon after created countess of Dorchester, and who expected to govern him with the same authority which the duchess of Portsmouth had possessed during the former reign. But James, who had entertained the ambition of converting his people, was told, that the regularity of his life ought to correspond to the sanctity of his intentions; and he was prevailed with to remove Mrs. Sedley from court: a resolution in which he had not the courage to persevere. Good agreement between the mistress and the confessor of princes is not commonly a difficult matter to compass: but in the present case these two potent engines of command were found very incompatible. Mrs. Sedley, who possessed all the wit and ingenuity of her father, sir Charles, made the priests and their counsels the perpetual objects of her raillery; and it is not to be doubted, but they, on their part, redoubled their exhortations with their penitent to break off so criminal an attachment.

How little inclination soever the king, as well as his queen and priests, might bear to an English parliament, it was absolutely necessary, at the beginning of the reign, to summon that assembly. The low condition, to which the whigs or country party had fallen during the last years of Charles's reign, the odium under which they laboured on account of the Rye-house conspiracy; these causes made that party meet with little success in the elections. The general resignation too of the charters had made the corporations extremely dependent; and the recommendations of the court, though little assisted, at that time, by pecuniary influence, were become very prevalent. The new house of commons, therefore, consisted almost entirely of zealous tories and churchmen; and were of consequence strongly biassed, by their affections, in favour of the measures of the crown.

The discourse which the king made on the parliament (19th May) was more fitted to work on their fears than their affections. He repeated indeed, and with great solemnity, the promise which he had made before the privy-council, of governing according to the laws, and of preserving the established religion. But at the same time he told them, that he positively expected they would settle his revenue, and during life too, as in the time of his brother. "I might use many arguments," said he, "to enforce this demand; the benefit of trade, the support of the navy, the necessities of the crown, and the well-being of the government itself, which I must not suffer to be precarious: but I am confident, that your own consideration, and your sense of what is just and reasonable, will suggest to you whatever on this occasion might be enlarged upon. There is indeed one popular argument," added he, "which may be urged against compliance with my demand: men may think, that by feeding me from time to time with such supplies as they think convenient, they will better secure frequent meetings of parliament: but as this is the first time I speak to you from the throne, I must plainly tell you, that such an expedient would be very improper to employ with me, and that the best way to engage me to meet you often, is always to use me well."

It was easy to interpret this language of the king's. He plainly intimated, that he had resources in his prerogative for supporting the government, independent of their supplies; and that so long as they complied with his demands, he would have recourse to them; but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

REASONS FOR AND AGAINST A REVENUE DURING LIFE.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle to which the nation was beholden for all that liberty which they enjoy above the subjects of other monarchies. That this jealousy, though, at different periods, it may be more or less intense, can never safely be laid asleep, even under the best and wisest princes. That the character of the present sovereign afforded cause for the highest vigilance, by reason of the arbitrary principles which he had imbibed; and still more, by reason of his religious zeal, which it is impossible for him ever to gratify, without assuming more authority than the constitution allows him. That power is to be watched in its very first encroachments; nor is anything ever gained by timidity and submission. That every concession adds new force to usurpation; and at the same time, by discovering the dastardly dispositions of the people, inspires it with new courage and enterprise. That as arms were intrusted altogether in the hands of the prince, no check remained upon him but the dependent condition of his revenue; a security therefore which it would be the most egregious folly to abandon. That all the other barriers which, of late years, had been erected against arbitrary power, would be found, without this capital article, to be rather pernicious and destructive. That new limitations in the constitution stimulated the monarch's inclination to surmount the laws, and required frequent meetings of parliament, in order to repair all the breaches, which either time or violence may have made upon that complicated fabric. That recent experience, during the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be

refused; since it is evident, that his purpose in making it cannot possibly be justifiable.

On the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in realty it involved consequences which led much further than at first sight might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament, he thought himself fully entitled to employ. That if the parliament openly discovered an intention of reducing him to dependence, matters must presently be brought to a crisis, at a time the most favourable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or, what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country party, during the late reign, by their violent, and in many respects unjustifiable, measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother, in point of revenue, or any attempts made to keep the crown in dependence. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it necessary, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, everything would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice; and there was therefore the greater necessity for waiting till time and incidents had fully prepared the nation for it. That the king's prejudices in favour of popery, though in the main pernicious, were yet so far fortunate, that they rendered the connexion inseparable between the national religion and the national liberty. And that if any illegal attempts were afterwards made, the church, which was at present the chief support of the crown, would surely catch the alarm, and would soon dispose the people to an effectual resistance.

These last reasons, enforced by the prejudices of party, prevailed in parliament; and the commons, besides giving thanks for the king's speech, voted unanimously, that they would settle on his present majesty during life, all the revenue enjoyed by the late king, at the time of his demise. That they might not detract from this generosity by any symptoms of distrust, they also voted unanimously, that the house entirely relied on his majesty's royal word and repeated declarations to support the religion of the church of England; but they added, that that religion was dearer to them than their lives. The speaker, in presenting the revenue bill, took care to inform the king of their vote with regard to religion; but could not, by so signal a proof of confidence, extort from him one word in favour of that religion on which, he told his majesty, they set so high a value. Notwithstanding the grounds of suspicion which this silence afforded, the house continued in the same liberal disposition. The king having demanded a further supply for the navy and other purposes, they revived those duties on wines and vinegar, which had once been enjoyed by the late king; and they added some impositions on tobacco and sugar. This grant amounted on the whole to about six hundred thousand pounds a year.

The house of lords were in a humour no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot; that once formidable engine of bigotry and faction.

OATES CONVICTED OF PERJURY.

A little before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing that he was present at a consult of jesuits in London the twenty-fourth of April, 1679: another for deposing that father Ireland was in London between the eighth and twelfth of August, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two and twenty persons, who had been students at Saint Omers, most of them men of credit and family, gave evidence, that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent one night till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed that father Ireland, on the 3rd of August, 1679, had gone to Staffordshire, where he resided till the middle of September; and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined a thousand marks on each indictment, to be whipped on two different days from Aldgate to Newgate, and from Newgate to Tyburn, to be imprisoned during life, and to be pilloried five times every year. The impudence of the man supported itself under the conviction, and his courage under the punishment. He made solemn appeals to Heaven, and protestations of the veracity of his testimony: though the whipping was so cruel, that it was evidently the intention of the court to put him to death by that punishment, he was enabled, by the care of his friends, to recover: and he lived to king William's reign; when a pension of four hundred pounds a year was settled on him. A considerable number still adhered to him in his distresses, and regarded him as the martyr of the protestant cause. The populace were affected with the sight of a punishment, more severe than is commonly inflicted in England. And the sentence of perpetual imprisonment was deemed illegal.

The conviction of Oates's perjury was taken notice of by the house of peers. Besides freeing the popish lords, Powis, Arundel, Bellasis, and Tyrone, together with Danby, from the former impeachment by the commons, they went so far as to vote a reversal of Stafford's attainder, on account of the falsehood of that evidence on which he had been condemned. This bill fixed so deep a reproach on the former proceedings of the exclusionists, that it met with great opposition among the lords; and it was at last, after one reading, dropped by the commons. Though the reparation of injustice be the second honour which a nation can attain; the present emergence seemed very improper for granting so full a justification to the catholics, and throwing so foul a stain on the protestants.

MONMOUTH'S INVASION.

The course of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the west with three ships from Holland. No sooner was this intelligence conveyed to the parliament, than they voted that they would adhere to his majesty with their lives and fortunes. They passed a bill of attainder against Monmouth; and they granted a supply of four hundred thousand pounds for suppressing his rebellion. Having thus strengthened the hands of the king, they adjourned themselves.

Monmouth, when ordered to depart the kingdom, during the late reign, had retired to Holland; and as



it was well known that he still enjoyed the favour of his indulgent father, all marks of honour and distinction were bestowed upon him by the prince of Orange. After the accession of James, the prince thought it necessary to dismiss Monmouth and all his followers; and that illustrious fugitive retired to Brussels. Finding himself still pursued by the king's severity, he was pushed, contrary to his judgment as well as inclination, to make a rash and premature attempt upon England. He saw that James had lately mounted the throne, not only without opposition, but seemingly with the good will and affections of his subjects. A parliament was sitting, which discovered the greatest disposition to comply with the king, and whose adherence, he knew, would give a sanction and authority to all public measures. The grievances of this reign were hitherto of small importance; and the people were not as yet in a disposition to remark them with great severity. All these considerations occurred to Monmouth; but such was the impatience of his followers, and such the precipitate humour of Argyle, who set out for Scotland a little before him, that no reasons could be attended to: and this unhappy man was driven upon his fate.

The imprudence, however, of this enterprise did not at first appear. Though on his landing at Lime in Dorsetshire (11th June) he had scarcely a hundred followers; so popular was his name, that in four days he had assembled above two thousand horse and foot. They were, indeed, almost all of them the lowest of the people; and the declaration which he published, was chiefly calculated to suit the prejudices of the vulgar, or the most bigoted of the whig party. He called the king duke of York; and denominated him a traitor, a tyrant, an assassin, and a popish usurper. He imputed to him the fire of London, the murder of Godfrey and of Essex, nay, the poisoning of the late king. And he invited all the people to join in opposition to his tyranny.

The duke of Albemarle, son to him who had restored the royal family, assembled the militia of Devonshire to the number of 4000 men, and took post at Axminster, in order to oppose the rebels; but observing that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many proofs of personal courage, had not the vigour of mind requisite for an undertaking of this nature. From an ill-grounded diffidence of his men, he neglected to attack Albemarle; an easy enterprise, by which he might both have acquired credit, and have supplied himself with arms. Lord Grey, who commanded his horse, discovered himself to be a notorious coward; yet such was the softness of Monmouth's nature, that Gray was still continued in his command. Fletcher, of Salton, a Scotchman, a man of signal probity and fine genius, had been engaged by his republican principles in this enterprise, and commanded the cavalry together with Gray: but being insulted by one who had newly joined the army, and whose horse he had in a hurry made use of, he was prompted by passion, to which he was much subject, to discharge a pistol at the man; and he killed him on the spot. This incident obliged him immediately to leave the camp; and the loss of so gallant an officer was a great prejudice to Monmouth's enterprise.

The next station of the rebels was Taunton, a disaffected town, which gladly and even fondly received them, and re-enforced them with considerable numbers. Twenty young maids of some rank presented Monmouth with a pair of colours of their handiwork, together with a copy of the Bible. Monmouth was here persuaded to take upon him the title of king, and assert the legitimacy of his birth; a claim which he advanced in his first declaration, but whose discussion he was determined, he then said, during some time to postpone. His numbers had now increased to six thousand; and he was obliged every day, for want of arms, to dismiss a great many who crowded to his standard. He entered Bridgewater, Wells, Frome; and was proclaimed in all these places; but forgetting that such desperate enterprises can only be rendered successful by the most adventurous courage, he allowed the expectations of the people to languish, without attempting any considerable undertaking.

While Monmouth, by his imprudent and misplaced caution, was thus wasting time in the west, the king employed himself in making preparations to oppose him. Six regiments of British troops were called over from Holland: the army was considerably augmented; and regular forces, to the number of 3000 men, were dispatched, under the command of Feversham and Churchill, in order to check the progress of the rebels.

MONMOUTH DEFEATED. *July* 5.

Monmouth, observing that no considerable men joined him, finding that an insurrection, which was projected in the city, had not taken place, and hearing that Argyle, his confederate, was already defeated, and taken; sunk into such despondency, that he had once resolved to withdraw himself, and leave his unhappy followers to their fate. His followers expressed more courage than their leader, and seemed determined to adhere to him in every fortune. The negligent disposition, made by Feversham, invited Monmouth to attack the king's army at Sedgemoor near Bridgewater; and his men in this action showed what a native courage and a principle of duty, even when unassisted by discipline, is able to perform. They threw the veteran forces into disorder; drove them from their ground; continued the fight till their ammunition failed them; and would at last have obtained a victory, had not the misconduct of Monmouth and the cowardice of Gray prevented it. After a combat of three hours the rebels gave way; and were followed with great slaughter. About 1500 fell in the battle and pursuit. And thus was concluded in a few weeks this enterprise, rashly undertaken, and feebly conducted.

EXECUTION OF MONMOUTH. *July* 15.

Monmouth fled from the field of battle above twenty miles, till his horse sunk under him. He then changed clothes with a peasant in order to conceal himself. The peasant was discovered by the pursuers, who now redoubled the diligence of their search. At last, the unhappy Monmouth was found lying in the bottom of a ditch, and covered with fern: his body depressed with fatigue and hunger; his mind by the memory of past misfortunes, by the prospect of future disasters. Human nature is unequal to such calamitous situations; much more, the temper of a man, softened by early prosperity, and accustomed to value himself solely on military bravery. He burst into tears when seized by his enemies; and he seemed still to indulge the fond hope and desire of life. Though he might have known, from the greatness of his own offences, and the severity of James's temper, that no mercy could be expected, he wrote him the most submissive letters, and conjured him to spare the issue of a brother, who had ever been so strongly attached to his interest. James, finding such symptoms of depression and despondency in the unhappy prisoner, admitted him to his presence, in hopes of extorting a discovery of his accomplices: but Monmouth would not purchase life, however loved, at the price of so much infamy. Finding all efforts vain, he assumed courage from despair; and prepared himself for death, with a spirit better suited to his rank and character. This favourite of the people was attended to the scaffold with a plentiful effusion of tears. He warned the executioner not to fall into the error which he had committed in beheading Russel, where it had been

necessary to repeat the blow. This precaution served only to dismay the executioner. He struck a feeble blow on Monmouth, who raised his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a second time; and the executioner struck him again and again to no purpose. He then threw aside the axe, and cried out that he was incapable of finishing the bloody office. The sheriff obliged him to renew the attempt; and at two blows more the head was severed from the body.

Thus perished, in the thirty-sixth year of his age, a nobleman, who, in less turbulent times, was well qualified to be an ornament of the court, even to be serviceable to his country. The favour of his prince, the caresses of faction, and the allurements of popularity, seduced him into enterprises which exceeded his capacity. The good will of the people still followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of seeing him once more at their head. They believed that the person executed was not Monmouth, but one who, having the fortune to resemble him nearly, was willing to give this proof of his extreme attachment, and to suffer death in his stead.

This victory, obtained by the king in the commencement of his reign, would naturally, had it been managed with prudence, have tended much to increase his power and authority. But by reason of the cruelty with which it was prosecuted, and of the temerity with which it afterwards inspired him, it was a principal cause of his sudden ruin and downfal.

Such arbitrary principles had the court instilled into all its servants, that Feversham, immediately after the victory, hanged above twenty prisoners; and was proceeding in his executions, when the bishop of Bath and Wells warned him that these unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murder. This remonstrance, however, did not stop the savage nature of colonel Kirke, a soldier of fortune, who had long served at Tangiers, and had contracted, from his intercourse with the Moors, an inhumanity less known in European and in free countries. At his first entry into Bridgewater, he hanged nineteen prisoners, without the least inquiry into the merits of their cause. As if to make sport with death, he ordered a certain number to be executed, while he and his company should drink the king's health, or the queen's, or that of chief-justice Jeffries. Observing their feet to quiver in the agonies of death, he cried that he would give them music to their dancing, and he immediately commanded the drums to beat and the trumpets to sound. By way of experiment, he ordered one man to be hung up three times, questioning him at each interval, whether he repented of his crime: but the man obstinately asserting, that notwithstanding the past, he still would willingly engage in the same cause, Kirke ordered him to be hung in chains. One story, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it.

A young maid pleaded for the life of her brother, and flung herself at Kirke's feet, armed with all the charms which beauty and innocence, bathed in tears, could bestow upon her. The tyrant was inflamed with desire, not softened into love or clemency. He promised to grant her request, provided that she, in her turn, would be equally compliant to him. The maid yielded to the conditions: but, after she had passed the night with him, the wanton savage, next morning, showed her from the window, her brother, the darling object for whom she had sacrificed her virtue, hanging on a gibbet, which he had secretly ordered to be there erected for the execution. Rage and despair and indignation took possession of her mind, and deprived her for ever of her senses.

All the inhabitants of that country, innocent as well as guilty, were exposed to the ravages of this barbarian. The soldiery were let loose to live at free quarters: and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them *his lambs*; an appellation which was long remembered with horror in the west of England.

The violent Jeffries succeeded after some interval; and showed the people, that the rigours of law might equal, if not exceed, the ravages of military tyranny. This man, who wantoned in cruelty, had already given a specimen of his character in many trials where he presided; and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester; and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by their free confessions, the trouble of trying them: and when twenty-nine were found guilty, he ordered them, as an additional punishment of their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with this example, pleaded guilty; and no less than two hundred and ninety-two received sentence at Dorchester. Of these eighty were executed. Exeter was the next stage of his cruelty; two hundred and forty-three were there tried, of whom a great number were condemned and executed. He also opened his commission at Taunton and Wells; and everywhere carried consternation along with him. The juries were so struck with his menaces, that they gave their verdict with precipitation; and many innocent persons, it is said, were involved with the guilty. And on the whole, besides those who were butchered by the military commanders, two hundred and fifty-one are computed to have fallen by the hand of justice. The whole country was strewed with the heads and limbs of traitors. Every village almost beheld the dead carcase of a wretched inhabitant. And all the rigours of justice, unabated by any appearance of clemency, were fully displayed to the people by the inhuman Jeffries.

Of all the executions during this dismal period, the most remarkable were those of Mrs. Gaunt and lady Lisle, who had been accused of harbouring traitors. Mrs. Gaunt was an anabaptist, noted for her beneficence, which she extended to persons of all professions and persuasions. One of the rebels, knowing her humane disposition, had recourse to her in his distress, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to such as discovered criminals, he betrayed his benefactress, and bore evidence against her. He received a pardon as a recompense for his treachery; she was burned alive for her charity.

Lady Lisle was widow of one of the regicides who had enjoyed great favour and authority under Cromwell, and who having fled, after the Restoration, to Lauzanne in Switzerland, was there assassinated by three Irish ruffians, who hoped to make their fortune by this piece of service. His widow was now prosecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jeffries pushed on the trial with an unrelenting violence. In vain did the aged prisoner plead, that these criminals had been put into no proclamation; had been convicted by no verdict; nor could any man be denominated a traitor, till the sentence of some legal court was passed upon him: that it appeared not by any proof, that she was so much as acquainted with the guilt of the persons, or had heard of their joining the rebellion of Monmouth: that though she might be obnoxious on account of her family, it was well known, that her heart was ever loyal, and that no person in England had shed more tears for that tragical event, in which her husband had unfortunately borne too great a share: and that the same principles, which she herself had ever embraced, she had carefully instilled into her son, and had, at that very time, sent him to fight against those rebels, whom she was now accused of harbouring. Though these arguments did not move Jeffries, they had influence on

the jury. Twice they seemed inclined to bring in a favourable verdict: they were as often sent back with menaces and reproaches: and at last were constrained to give sentence against the prisoner. Notwithstanding all applications for pardon, the cruel sentence was executed. The king said, that he had given Jeffries a promise not to pardon her: an excuse which could serve only to aggravate the blame against himself.

It might have been hoped, that, by all these bloody executions, a rebellion, so precipitate, so ill supported, and of such short duration, would have been sufficiently expiated: but nothing could satiate the spirit of rigour which possessed the administration. Even those multitudes, who received pardon, were obliged to atone for their guilt by fines, which reduced them to beggary; or where their former poverty made them incapable of paying, they were condemned to cruel whippings or severe imprisonments. Nor could the innocent escape the hands, no less rapacious than cruel, of the chief-justice. Prideaux, a gentleman of Devonshire, being thrown into prison, and dreading the severe and arbitrary spirit, which at that time met with no control, was obliged to buy his liberty of Jeffries at the price of fifteen thousand pounds; though he could never so much as learn the crime of which he was accused.

Goodenough, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life by an accusation of Cornish, the sheriff, whom he knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation; and the prosecution was so hastened, that the prisoner was tried, condemned, and executed in the space of a week. The perjury of the witnesses appeared immediately after; and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

The injustice of this sentence against Cornish, was not wanted to disgust the nation with the court: the continued rigour of the other executions had already impressed an universal hatred against the ministers of justice, attended with compassion for the unhappy sufferers, who, as they had been seduced into this crime, by mistaken principles, bore their punishment with the spirit and zeal of martys. The people might have been willing on this occasion to distinguish between the king and his ministers: but care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jeffries, on his return, was immediately, for those eminent services, created a peer; and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them by orders, as soon as proper information of them was conveyed to him.

STATE OF AFFAIRS IN SCOTLAND.

We must now take a view of the state of affairs in Scotland; where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh; and all affairs there were conducted by the duke of Queensberry, the commissioner, and the earl of Perth, chancellor. The former had resolved to make an entire surrender of the liberties of his country; but was determined still to adhere to its religion: the latter entertained no scruple of paying court even by the sacrifice of both. But no courtier, even the most prostitute, could go further than the parliament itself towards a resignation of their liberties. In a vote, which they called an offer of duty, after adopting the fabulous history of a hundred and eleven Scottish monarchs, they acknowledged that all these princes, by the primary and fundamental law of the state, had been vested with a *solid* and *absolute* authority. They declared their abhorrence of all principles and positions derogatory to the king's sacred, supreme, sovereign, absolute power, of which none, they said, whether single persons or collective bodies, can participate, but in dependence on him, and by commission from him. They promised, that the whole nation, between sixteen and sixty, shall be in readiness for his majesty's service, where and as oft as it shall be his royal pleasure to require them. And they annexed the whole excise, both of inland and foreign commodities, for ever to the crown.

All the other acts of this assembly savoured of the same spirit. They declared it treason for any person to refuse the test, if tendered by the council. To defend the obligation of the covenant, subjected a person to the same penalty. To be present at any conventicle, was made punishable with death and confiscation of moveables. Even such as refused to give testimony, either in cases of treason or nonconformity, were declared equally punishable as if guilty of those very crimes—an excellent prelude to all the rigours of an inquisition. It must be confessed, that nothing could equal the abject servility of the Scottish nation during this period, but the arbitrary severity of the administration.

ARGYLE'S INVASION.

It was in vain that Argyle summoned a people, so lost to all sense of liberty, so degraded by repeated indignities, to rise in vindication of their violated laws and privileges. Even those who declared for him, were, for the greater part, his own vassals; men who, if possible, were still more sunk in slavery than the rest of the nation. He arrived, after a prosperous voyage, in Argyleshire, attended by some fugitives from Holland; among the rest, by sir Patrick Hume, a man of mild dispositions, who had been driven to this extremity by a continued train of oppression. The privy-council was beforehand apprized of Argyle's intentions. The whole militia of the kingdom, to the number of twenty-two thousand men, were already in arms; and a third part of them, with the regular forces, were on their march to oppose him. All the considerable gentry of his clan were thrown into prison. And two ships of war were on the coast to watch his motions. Under all these discouragements he yet made a shift, partly from terror, partly from affection, to collect and arm a body of about two thousand five hundred men; but soon found himself surrounded on all sides with insuperable difficulties. His arms and ammunition were seized: his provisions cut off; the marquis of Athole pressed him on one side; lord Charles Murray on another; the duke of Gordon hung upon his rear; the earl of Dunbarton met him in front. His followers daily fell off from him; but Argyle, resolute to persevere, broke at last with the shattered remains of his troops into the disaffected part of the low countries, which he had endeavoured to allure to him by declarations for the covenant. No one showed either courage or inclination to join him; and his small and still decreasing army, after wandering about for a little time, was at last defeated and dissipated without an enemy. Argyle himself was seized and carried to Edinburgh; where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence which had been passed upon him. The rest of his followers either escaped or were punished by transportation: Rumbold and Ayloffe, two Englishmen, who had attended Argyle on this expedition, were executed.

A PARLIAMENT. *November* 9.

The king was so elated with this continued tide of prosperity, that he began to undervalue even an English parliament, at all times formidable to his family;

and from his speech to that assembly, which he had assembled early in the winter, he seems to have thought himself exempted from all rules of prudence, or necessity of dissimulation. He plainly told the two houses, that the militia, which had formerly been so much magnified, was now found, by experience in the last rebellion, to be altogether useless; and he required a new supply, in order to maintain those additional forces which he had levied. He also took notice, that he had employed a great many catholic officers, and that he had, in their favour, dispensed with the law requiring the test to be taken by every one that possessed any public office. And, to cut short all opposition, he declared, that, having reaped the benefit of their service during such times of danger, he was determined, neither to expose them afterwards to disgrace, nor himself, in case of another rebellion, to the want of their assistance.

Such violent aversion did this parliament bear to opposition; so great dread had been instilled of the consequences attending any breach with the king; that it is probable, had he used his dispensing power without declaring it, no inquiries would have been made, and time might have reconciled the nation to this dangerous exercise of prerogative. But to invade at once their constitution, to threaten their religion, to establish a standing army, and even to require them, by their concurrence, to contribute towards all these measures, exceeded the bounds of their patience; and they began, for the first time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the commons, many severe reflections were thrown out against the present measures; and the house was with seeming difficulty engaged to promise, in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power; and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply; and as one million two hundred thousand pounds were demanded by the court, and two hundred thousand proposed by the country party, a middle course was chosen; and seven hundred thousand, after some dispute, were at last voted. The address against the dispensing power was expressed in most respectful and submissive terms: yet it was very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The commons were so daunted with this reply, that they kept silence a long time; and when Coke, member for Derby, rose up and said, "I hope we are all Englishmen, and not to be frightened with a few hard words;" so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer; and on their next meeting, they submissively proceeded to the consideration of the supply, and even went so far as to establish funds for paying the sum voted in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the commons; and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown; and by rendering the king in some degree independent, contributed to increase those dangers with which they had so much reason to be alarmed.

The next opposition came from the house of peers, which has not commonly taken the lead on these occasions; and even from the bench of bishops, where the court usually expects the greatest complaisance and submission. The upper house had been brought, in the first days of the session, to give general thanks for the king's speech; by which compliment they were understood, according to the practice of that time, to have acquiesced in every part of it: yet notwithstanding that step, Compton, bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration: he was seconded by Halifax, Nottingham, and Mordaunt. Jeffries, the chancellor, opposed the motion; and seemed inclined to use in that house the same arrogance to which on the bench he had so long been accustomed. But he was soon taught to know his place, and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The bishop of London's motion prevailed.

The king might reasonably have presumed, that even if the peers should so far resume courage as to make an application against his dispensing power, the same steady answer which he had given to the commons would make them relapse into the same timidity; and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests, that, without any delay, without waiting for any further provocation, he immediately proceeded to a prorogation. He continued the parliament during a year and a half by four more prorogations; but having in vain tried, by separate applications, to break the obstinacy of the leading members, he at last dissolved that assembly. And as it was plainly impossible for him to find among his protestant subjects a set of men more devoted to royal authority, it was universally concluded, that he intended thenceforth to govern entirely without parliaments.

Never king mounted the throne of England with greater advantages than James; nay, possessed greater facility, if that were any advantage, of rendering himself and his posterity absolute: but all these fortunate circumstances tended only, by his own misconduct, to bring more sudden ruin upon him. The nation seemed disposed of themselves to resign their liberties, had he not, at the same time, made an attempt upon their religion: and he might even have succeeded in surmounting at once their liberties and religion, had he conducted his schemes with common prudence and discretion. Openly to declare to the parliament, so early in his reign, his intention to dispense with the tests, struck an universal alarm throughout the nation; infused terror into the church, which had hitherto been the chief support of monarchy; and even disgusted the army, by whose means alone he could now purpose to govern. The former horror against popery was revived by polemical books and sermons; and in every dispute the victory seemed to be gained by the protestant divines, who were heard with more favourable ears, and who managed the controversy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animosity of the nation against the catholic communion.

Louis XIV. having long harassed and molested the protestants, at last revoked entirely the edict of Nantz; which had been enacted by Harry IV. for securing them the free exercise of their religion; which had been declared irrevocable; and which, during the experience of near a century, had been attended with no sensible inconvenience. All the iniquities inseparable from persecution were exercised against those unhappy religionists; who became obstinate in proportion to the oppressions which they suffered, and either covered under a feigned conversion a more violent abhorrence of the catholic communion, or sought among foreign nations for that liberty of which they were bereaved in their native country. Above half a million of the most useful and industrious subjects deserted France; and exported, together with immense sums of money, those arts and manufactures which had chiefly tended to enrich that kingdom. They propagated everywhere the most tragical accounts of the tyranny exercised

against them, and revived among the protestants all that resentment against the bloody and persecuting spirit of popery, to which so many incidents in all ages had given too much foundation. Near fifty thousand refugees passed over into England; and all men were disposed, from their representations, to entertain the utmost horror against the projects which they apprehended to be formed by the king for the abolition of the protestant religion. When a prince of so much humanity, and of such signal prudence as Louis, could be engaged, by the bigotry of his religion alone, without any provocation, to embrace such sanguinary and impolitic measures, what might not be dreaded, they asked, from James, who was so much inferior in these virtues, and who had already been irritated by such obstinate and violent opposition? In vain did the king affect to throw the highest blame on the persecutions in France: in vain did he afford the most real protection and assistance to the distressed hugonots. All these symptoms of toleration were regarded as insidious; opposite to the avowed principles of his sect, and belied by the severe administration which he himself had exercised against the nonconformists in Scotland.

1686. The smallest approach towards the introduction of popery, must, in the present disposition of the people, have afforded reason of jealousy; much more so wide a step as that of dispensing with the tests, the sole security which the nation, being disappointed of the exclusion bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose; and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of the judges. Sir Edward Hales, a new proselyte, had accepted a commission of colonel; and directions were given his coachman to prosecute him for the penalty of five hundred pounds, which the law, establishing the tests, had granted to informers. By this feigned action, the king hoped, both from the authority of the decision, and the reason of the thing, to put an end to all questions with regard to his dispensing power.

It could not be expected that the lawyers appointed to plead against Hales would exert great force on that occasion: but the cause was regarded with such anxiety by the public, that it has been thoroughly canvassed in several elaborate discourses;* and could men divest themselves of prejudice, there want not sufficient materials on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England: and though it seems at first to have been copied from papal usurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to secure their private property than to share in the public administration; and provided no innovations were attempted on their rights and possessions, the care of executing the laws, and insuring general safety, was without jealousy intrusted to the sovereign. Penal statutes were commonly intended to arm the prince with more authority for that purpose; and being in the main calculated for promoting his influence as first magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. That practice had so much prevailed, that the parliament itself had more than once acknowledged this prerogative of the crown; particularly during the reign of Henry the Fifth, when they enacted the law against aliens, and also when they passed the statute of provisors.† But though the general tenor of the penal statutes was such as gave the king a superior interest in their execution beyond any of his subjects, it could not but sometimes happen in a mixed government, that the parliament would desire to enact laws by which the regal power, in some particulars, even where private property was not immediately concerned, might be regulated and restrained. In the twenty-third of Henry VI. a law of this kind was enacted, prohibiting any man from serving in a county as sheriff above a year; and a clause was inserted by which the king was disabled from granting a dispensation. Plain reason might have taught, that this law, at least, should be exempted from the king's prerogative: but as the dispensing power still prevailed in other cases, it was soon able, aided by the servility of the courts of judicature, even to overpower this statute, which the legislature had evidently intended to secure against violation. In the reign of Henry VII. the case was brought to a trial before all the judges in the exchequer-chamber; and it was decreed, that, notwithstanding the strict clause above mentioned, the king might dispense with the statute: he could first, it was alleged, dispense with the prohibitory clause, and then with the statute itself. This opinion of the judges, though seemingly absurd, had ever since passed for undoubted law: the practice of continuing the sheriffs had prevailed: and most of the property in England had been fixed by decisions, which juries, returned by such sheriffs, had given in the courts of judicature. Many other dispensations of a like nature may be produced; not only such as took place by intervals, but such as were uniformly continued. Thus the law was dispensed with, which prohibited any man from going a judge of assize into his own county; that which rendered all Welchmen incapable of bearing offices in Wales; and that which required every one, who received a pardon for felony, to find sureties for his good behaviour. In the second of James I. a new consultation of all the judges had been held upon a like question: this prerogative of the crown was again unanimously affirmed; and it became an established principle in English jurisprudence, that though the king could not allow of what was morally unlawful, he could permit what was only prohibited by positive statute. Even the jealous house of commons, who extorted the Petition of Right from Charles I., made no scruple, by the mouth of Glanville, their manager, to allow of the dispensing power in its full extent; and in the famous trial of ship-money, Holborne, the popular lawyer, had freely, and in the most explicit terms, made the same concession. Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative, but seems even to believe it so inherent in the crown, that an act of parliament itself could not abolish it. And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with; because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests; nor can the dangerous consequence of granting dispensations in that case be ever allowed to be pleaded before a court of judicature. Every prerogative of the crown, it may be said, admits of abuse: should the king pardon all criminals, law must be totally dissolved; should he declare and continue perpetual war against all nations, inevitable ruin must ensue: yet these powers are intrusted to the sovereign; and we must be content, as our ancestors were, to depend upon his prudence and discretion in the exercise of them.

Though this reasoning seems founded on such principles as are usually admitted by lawyers, the people had entertained such violent prepossessions against the use which James here made of his prerogative, that he was obliged, before he brought on Hales's cause, to displace four of the judges, Jones, Montague, Charleton, and Nevil: and even sir Edward Herbert, the chief-justice, though a man of acknowledged virtue, yet, because he here supported the pretensions of the crown,

* Particularly sir Edward Herbert's Defence in the State Trials, and sir Robert Atkins's Enquiry concerning the Dispensing Power.

† It is remarkable, however, that in the reign of Richard the Second, the parliament granted the king only a temporary power of dispensing with the statute of provisors.—Rot. Parl. 15 Rich. II. n. i. A plain implication that he had not, of himself, such prerogative. So uncertain were many of these points at that time.

was exposed to great and general reproach. Men deemed a dispensing to be in effect the same with a repealing power; and they could not conceive that less authority was necessary to repeal than to enact any statute. If one penal law was dispensed with, any other might undergo the same fate: and by what principle could even the laws which define property be afterwards secured from violation. The test act had ever been conceived the great barrier of the established religion under a popish successor: as such, it had been insisted on by the parliament; as such, granted by the king; as such, during the debates with regard to the exclusion, recommended by the chancellor. By what magic, what chicane of law, is it now annihilated, and rendered of no validity? These questions were everywhere asked; and men, straitened by precedents and decisions of great authority, were reduced either to question the antiquity of this prerogative itself, or to assert, that even the practice of near five centuries could not bestow on it sufficient authority. It was not considered, that the present difficulty or seeming absurdity had proceeded from late innovations introduced into the government. Ever since the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and establishing principles favourable to law and liberty: the authority of the crown had been limited in many important particulars: and penal statutes were often calculated to secure the constitution against the attempts of ministers, as well as to preserve a general peace, and repress crimes and immoralities. A prerogative, however, derived from very ancient, and almost uniform practice, the dispensing power, still remained, or was supposed to remain, with the crown; sufficient in an instant to overturn this whole fabric, and to throw down all fences of the constitution. If this prerogative, which carries on the face of it such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of liberty in the subject; this fact only proves, that scarcely any human government, much less one erected in rude and barbarous times, is entirely consistent and uniform in all its parts. But to expect that the dispensing power could, in any degree, be rendered compatible with those accurate and regular limitations, which had of late been established, and which the people were determined to maintain, was a vain hope; and though men knew not upon what principles they could deny that prerogative, they saw that, if they would preserve their laws and constitution, there was an absolute necessity for denying, at least for abolishing it. The Revolution alone, which soon succeeded, happily put an end to all these disputes: by means of it, a more uniform edifice was at last erected; the monstrous inconsistence, so visible between the ancient Gothic parts of the fabric and the recent plans of liberty, was fully corrected; and, to their mutual felicity, king and people were finally taught to know their proper boundaries.*

Whatever topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal to liberty, and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands lie long idle and unemployed. Four catholic lords were brought into the privy-council, Powis, Arundel, Bellasis, and Dover. Halifax, finding that, notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition; and his office of privy-seal was given to Arundel. The king was open as well as zealous, in the desire of making converts; and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion. Sunderland, some time after, scrupled not to gain favour at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance, was turned out of his office; the treasury was put in commission, and Bellasis was placed at the head of it. All the courtiers were disgusted, even such as had little regard to religion. The dishonour, as well as distrust, attending renegades, made most men resolve, at all hazards, to adhere to their ancient faith.

STATE OF SCOTLAND.

In Scotland, James's zeal for proselytism wa more successful. The earls of Murray, Perth, and Melfort were brought over to the court religion; and the two latter noblemen made use of a very courtly reason for their conversion; they pretended, that the papers found in the late king's cabinet had opened their eyes, and had convinced them of the preference due to the catholic religion. Queensberry, who showed not the same complaisance, fell into total disgrace, notwithstanding his former services, and the important sacrifices which he had made to the measures of the court. These merits could not even insure him of safety against the vengeance to which he stood exposed. His rival, Perth, who had been ready to sink under his superior interest, now acquired the ascendant; and all the complaints exhibited against him were totally obliterated. His faith, according to a saying of Halifax, had made him whole.

STATE OF IRELAND.

But it was in Ireland chiefly that the mask was wholly taken off, and that the king thought himself at liberty to proceed to the full extent of his zeal and his violence. The duke of Ormond was recalled; and though the primate and lord Granard, two protestants, still possessed the authority of justices, the whole power was lodged in the hands of Talbot, the general, soon after created earl of Tyrconnel: a man who, from the blindness of his prejudices and fury of his temper, was transported with the most immeasurable ardour for the catholic cause. After the suppression of Monmouth's rebellion, orders were given by Tyrconnel to disarm all the protestants, on pretence of securing the public peace, and keeping their arms in a few magazines for the use of the militia. Next, the army was new modelled; and a great number of officers were dismissed, because it was pretended that they or their fathers had served under Cromwell and the republic. The injustice was not confined to them. Near three hundred officers more were afterwards broken, though many of them had purchased their commissions: about four or five thousand private soldiers, because they were protestants, were dismissed; and being stripped even of their regimentals, were turned out to starve in the streets. While these violences were carrying on, Clarendon, who had been named lord-lieutenant, came over; but he soon found, that, as he had refused to give the king the desired pledge of fidelity, by changing his religion, he possessed no credit or authority. He was even a kind of prisoner in the hands of Tyrconnel; and as he gave all opposition in his power to the precipitate measures of the catholics, he was soon after recalled, and Tyrconnel substituted in his place. The unhappy protestants now saw all the civil authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and

* It is remarkable, that the convention, summoned by the Prince of Orange, did not, even when they had the making of their own terms in "the declaration of rights," venture to condemn the dispensing power in general, which had been uniformly exercised by the former kings of England. They only condemned it so far, "as it had been assumed and exercised of late," without being able to tell wherein the difference lay. But in "the bill of rights" which passed about a twelvemonth after, the parliament took care to secure themselves more effectually against a branch of prerogative incompatible with all legal liberty and limitations; and they excluded, in positive terms, all dispensing power in the crown. Yet even then the house of lords rejected that clause of the bill, which condemned the exercise of this power in former kings, and obliged the commons to rest content with abolishing it for the future. There needs no other proof of the irregular nature of the old English government than the existence of such a prerogative, always exercised and never questioned, till the acquisition of real liberty discovered, at last, the danger of it. See the Journals.

stimulated by every motive, which the passion either for power, property, or religion, could inspire. Even the barbarous banditti were let loose to prey on them in their present defenceless condition. A renewal of the ancient massacres was apprehended; and great multitudes, struck with the best-grounded terror, deserted the kingdom, and infused into the English nation a dread of those violences, to which after some time, they might justly, from the prevalence of the catholics, think themselves exposed.

All judicious persons of the catholic communion were disgusted with these violent measures, and could easily foresee the consequences. But James was entirely governed by the rash counsels of the queen and of his confessor, father Peters, a jesuit, whom he soon after created a privy-counsellor. He thought too, that, as he was now in the decline of life, it was necessary for him, by hasty steps, to carry his designs into execution; lest the succession of the princess of Orange should overturn all his projects. In vain did Arundel, Powis, and Bellasis remonstrate, and suggest more moderate and cautious measures. These men had seen and felt, during the prosecution of the popish plot, the extreme antipathy which the nation bore to their religion; and though some subsequent incidents had seemingly allayed that spirit, they knew that the settled habits of the people were still the same, and that the smallest incident was sufficient to renew the former animosity. A very moderate indulgence, therefore, to the catholic religion would have satisfied them; and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive.

BREACH BETWIXT THE KING AND THE CHURCH.

On the first broaching of the popish plot, the clergy of the church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation: but dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the measures of the court; and to their assistance chiefly James had owed his succession to the crown. Finding that all these services were forgotten, and that the catholic religion was the king's sole favourite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was no reason to expect that orders founded on no legal authority would be rigidly obeyed by preachers, who saw no security to themselves but in preserving the confidence and regard of the people. Instead of avoiding controversy, according to the king's injunctions, the preachers everywhere declaimed against popery; and among the rest, Dr. Sharpe, a clergyman of London, particularly distinguished himself, and affected to throw great contempt on those who had been induced to change their religion by such pitiful arguments as the Romish missionaries could suggest. This topic, being supposed to reflect on the king, gave great offence at court; and positive orders were issued to the bishop of London, his diocesan, immediately to suspend Sharpe, till his majesty's pleasure should be further known. The prelate replied, that he could not possibly obey these commands; and that he was not empowered, in such a summary manner, to inflict any punishment even upon the greatest delinquent. But neither this obvious reason, nor the most dutiful submissions, both of the prelate and of Sharpe himself, could appease the court. The king was determined to proceed with violence in the prosecution of this affair. The bishop himself he resolved to punish for disobedience to his commands; and the expedient, which he employed for that purpose was of a nature at once the most illegal and most alarming.

COURT OF ECCLESIASTICAL COMMISSION.

Among all the engines of authority formerly employed by the crown, none had been more dangerous, or even destructive, to liberty, than the court of high-commission, which, together with the star-chamber, had been abolished in the reign of Charles I. by act of parliament; in which a clause was also inserted, prohibiting the erection, in all future times, of that court, or any of a like nature. But this law was deemed by James no obstacle; and an ecclesiastical commission was anew issued, by which seven commissioners were vested with full and unlimited authority over the church of England.* On them were bestowed the same inquisitorial powers, possessed by the former court of high-commission: they might proceed upon bare suspicion; and, the better to set the law at defiance, it was expressly inserted in their patent itself, that they were to exercise their jurisdiction, notwithstanding any law or statute to the contrary. The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given, both to national liberty and religion: and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the bishop of London.

SENTENCE AGAINST THE BISHOP OF LONDON.

The prelate was cited before the commissioners. After denying the legality of the court, and claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans; he pleaded in his own defence, that as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial: that he had by petition represented this difficulty to his majesty; and not receiving any answer, he had reason to think that his petition had given entire satisfaction: that in order to show further his deference, he had advised Sharpe to abstain from preaching, till he had justified his conduct to the king; advice which, coming from his superior, was equivalent to a command, and had accordingly met with the proper obedience: that he had thus, in his apprehension, conformed himself to his majesty's pleasure; but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect: it was determined to have an example: orders were accordingly sent to the commissioners to proceed; and by a majority of votes the bishop, as well as the doctor, was suspended.

PENAL LAWS SUSPENDED. 1687.

Almost the whole of this short reign consists of attempts, always imprudent, often illegal, sometimes both, against whatever was most loved and revered in the nation: even such schemes of the king's as might be laudable in themselves, were so disgraced by his intentions, that they serve only to aggravate the charge against him. James was become a great patron of toleration, and an enemy to all those persecuting laws which, from the influence of the church, had been

* The persons named were the archbishop of Canterbury, Sancroft; the bishop of Durham, Crew; of Rochester, Sprat; the earl of Rochester, Sunderland; chancellor Jeffries; and lord-chief-justice Herbert. The archbishop refused to act, and the bishop of Chester was substituted in his place.

enacted both against the dissenters and catholics. Not content with granting dispensations to particular persons, he assumed a power of issuing a declaration of general indulgence, and of suspending at once all the penal statutes, by which a conformity was required to the established religion. This was a strain of authority, it must be confessed, quite inconsistent with law and a limited constitution; yet was it supported by many strong precedents in the history of England. Even after the principles of liberty were become more prevalent, and began to be well understood, the late king had, oftener than once, and without giving much umbrage, exerted this dangerous power: he had, in 1662, suspended the execution of a law which regulated carriages: during the two Dutch wars, he had twice suspended the act of navigation: and the commons, in 1666, being resolved, contrary to the king's judgment, to enact that iniquitous law against the importation of Irish cattle, found it necessary, in order to obviate the exercise of this prerogative, which they desired not at that time entirely to deny or abrogate, to call that importation a nuisance.

Though the former authority of the sovereign was great in civil affairs, it was still greater in ecclesiastical; and the whole despotic power of the popes was often believed, in virtue of the supremacy, to have devolved to the crown. The last parliament of Charles I., by abolishing the power of the king and convocation to frame canons without consent of parliament, had somewhat diminished the supposed extent of the supremacy; but still very considerable remains of it, at least very important claims, were preserved, and were occasionally made use of by the sovereign. In 1662, Charles, pleading both the rights of his supremacy and his suspending power, had granted a general indulgence or toleration; and in 1672 he renewed the same edict: though the remonstrances of his parliament obliged him, on both occasions, to retract; and in the last instance, the triumph of law over prerogative was deemed very great and memorable. In general we may remark, that where the exercise of the suspending power was agreeable and useful, the power itself was little questioned: where the exercise was thought liable to exceptions, not men only opposed it, but proceeded to deny altogether the legality of the prerogative on which it was founded.

James, more imprudent and arbitrary than his predecessor, issued his proclamation, suspending all the penal laws in ecclesiastical affairs; and granting a general liberty of conscience to all his subjects. He was not deterred by the reflection, both that this scheme of indulgence was already blasted by two fruitless attempts; and that in such a government as that of England, it was not sufficient that a prerogative be approved of by some lawyers and antiquaries: if it was condemned by the general voice of the nation, and yet was still exerted, the victory over national liberty was no less signal than if obtained by the most flagrant injustice and usurpation. These two considerations indeed would rather serve to recommend this project to James; who deemed himself superior in vigour and activity to his brother, and who probably thought that his people enjoyed no liberties, but by his royal concession and indulgence.

In order to procure a better reception for his edict of toleration, the king, finding himself opposed by the church, began to pay court to the dissenters; and he imagined that, by playing one party against another, he should easily obtain the victory over both; a refined policy which it much exceeded his capacity to conduct. His intentions were so obvious, that it was impossible for him ever to gain the sincere confidence and regard of the nonconformists. They knew that the genius of their religion was diametrically opposite to that of the catholics, the sole object of the king's affection. They were sensible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had seen that, on his accession, as well as during his brother's reign, he had courted the church at their expense; and it was not till his dangerous schemes were rejected by the prelates, that he had recourse to the nonconformists. All his favours, therefore, must, to every man of judgment among the sectaries, have appeared insidious: yet such was the pleasure reaped from present ease, such the animosity of the dissenters against the church, who had so long subjected them to the rigours of persecution, that they everywhere expressed the most entire duty to the king, and compliance with his measures; and could not forbear rejoicing extremely in the present depression of their adversaries.

But had the dissenters been ever so much inclined to shut their eyes with regard to the king's intentions, the manner of conducting his scheme in Scotland was sufficient to discover the secret. The king first applied to the Scottish parliament, and desired an indulgence for the catholics alone, without comprehending the presbyterians: but that assembly, though more disposed than even the parliament of England to sacrifice their civil liberties, resolved likewise to adhere pertinaciously to their religion; and they rejected for the first time the king's application. James therefore found himself obliged to exert his prerogative; and he now thought it prudent to interest a party among his subjects, besides the catholics, in supporting this act of authority. To the surprise of the harassed and persecuted presbyterians, they heard the principles of toleration everywhere extolled, and found that full permission was granted to attend conventicles; an offence, which, even during this reign, had been declared no less than a capital enormity. The king's declaration, however, of indulgence contained clauses sufficient to depress their joy. As if popery were already predominant, he declared, "that he never would use force or *invincible necessity* against any man on account of his persuasion or the protestant religion:" a promise surely of toleration given to the protestants with great precaution, and admitting a considerable latitude for persecution and violence. It is likewise remarkable, that the king declared in express terms, "that he had thought fit, by his sovereign authority, prerogative royal, and *absolute* power, which all his subjects were to obey *without reserve*, to grant this royal toleration." The dangerous designs of other princes are to be collected by a comparison of their several actions, or by a discovery of their more secret councils: but so blinded was James with zeal, so transported by his imperious temper, that even his proclamations and public edicts contain expressions which, without further inquiry, may suffice to his condemnation.

The English well knew, that the king, by the constitution of their government, thought himself entitled, as indeed he was, to as ample authority in his southern, as in his northern kingdom; and therefore, though the declaration of indulgence published for England was more cautiously expressed, they could not but be alarmed by the arbitrary treatment to which their neighbours were exposed. It is even remarkable, that the English declaration contained clauses of a strange import. The king there promised, that he would maintain his loving subjects in all their properties and possessions, as well of church and abbey lands as of any other. Men thought, that if the full establishment of popery were not at hand, this promise was quite superfluous; and they concluded, that the king was so replete with joy on the prospect of that glorious event, that he could not, even for a moment, refrain from expressing it.

STATE OF IRELAND.

But what afforded the most alarming prospect, was the continuance and even increase of the violent and precipitate conduct of affairs in Ireland. Tyrconnel was now vested with full authority; and carried over with him as chancellor one Fitton, a man who was

taken from a jail, and who had been convicted of forgery and other crimes, but who compensated for all his enormities by a headlong zeal for the catholic religion. He was even heard to say from the bench, that the protestants were all rogues, and that there was not one among forty thousand that was not a traitor, a rebel, and a villain. The whole strain of the administration was suitable to such sentiments. The catholics were put in possession of the council-table, of the courts of judicature, and of the bench of justices. In order to make them masters of the parliament, the same violence was exercised that had been practised in England. The charters of Dublin and of all the corporations were annulled; and new charters were granted, subjecting the corporations to the will of the sovereign. The protestant freemen were expelled, catholics introduced; and the latter sect, as they always were the majority in number, were now invested with the whole power of the kingdom. The act of settlement was the only obstacle to their enjoying the whole property; and Tyrconnel had formed a scheme for calling a parliament, in order to reverse that act, and empower the king to bestow all the lands of Ireland on his catholic subjects. But in this scheme he met with opposition from the moderate catholics in the king's council. Lord Bellasis went even so far as to affirm with an oath, "that that fellow in Ireland was fool and madman enough to ruin ten kingdoms." The decay of trade, from the desertion of the protestants, was represented; the sinking of the revenue; the alarm communicated to England: and by these considerations the king's resolutions were for some time suspended; though it was easy to foresee, from the usual tenor of his conduct, which side would at last preponderate.

EMBASSY TO ROME.

But the king was not content with discovering in his own kingdoms the imprudence of his conduct: he was resolved that all Europe should be witness of it. He publicly sent the earl of Castlemaine ambassador extraordinary to Rome, in order to express his obeisance to the pope, and to make advances for reconciling his kingdoms, in form, to the catholic communion. Never man, who came on so important an errand, met with so many neglects, and even affronts, as Castlemaine. The pontiff, instead of being pleased with this forward step, concluded that a scheme, conducted with so much indiscretion, could never possibly be successful. And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy.

The only proof of complaisance which James received from the pontiff was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the pope was made treason: yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The duke of Somerset, one of the bedchamber, because he refused to assist at this ceremony, was dismissed from his employment. The nuncio resided openly in London during the rest of this reign. Four catholic bishops were publicly consecrated in the king's chapel, and sent out under the title of vicars-apostolical, to exercise the episcopal function in their respective dioceses. Their pastoral letters, directed to the lay catholics of England, were printed and dispersed by the express allowance and permission of the king. The regular clergy of that communion appeared at court in the habits of their order; and some of them were so indiscreet as to boast, that, in a little time, they hoped to walk in procession through the capital.

While the king shocked in the most open manner all the principles and prejudices of his protestant subjects, he could not sometimes but be sensible, that he stood in need of their assistance for the execution of his designs. He had himself, by virtue of his prerogative, suspended the penal laws, and dispensed with the test; but he would gladly have obtained the sanction of parliament to these acts of power; and he knew that, without this authority, his edicts alone would never afford a durable security to the catholics. He had employed, therefore, with the members of parliament, many private conferences, which were then called *closetings;* and he used every expedient of reasons, menaces, and promises, to break their obstinacy in this particular. Finding all his efforts fruitless, he had dissolved the parliament, and was determined to call a new one, from which he expected more complaisance and submission. By the practice of annulling the charters, the king was become master of all the corporations, and could at pleasure change everywhere the whole magistracy. The church party, therefore, by whom the crown had been hitherto so remarkably supported, and to whom the king visibly owed his safety from all the efforts of his enemies, was deprived of authority; and the dissenters, those very enemies, were, first in London, and afterwards in every other corporation, substituted in their place. Not content with this violent and dangerous innovation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all such as adhered to the test and penal statutes.* Queries to this purpose were openly proposed in all places, in order to try the sentiments of men, and enable the king to judge of the proceedings of the future parliament. The power of the crown was at this time so great, and the revenue, managed by James's frugality, so considerable and independent, that, if he had embraced any national party, he had been insured of success, and might have carried his authority to what length he pleased. But the catholics, to which he had entirely devoted himself, were scarcely the hundredth part of the people. Even the protestant nonconformists, whom he so much courted, were little more than the twentieth; and, what was worse, reposed no confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their usual practice in all ages, seemed at present to be adopted by that sect. The king, therefore, finding little hopes of success, delayed the summoning of parliament, and proceeded still in the exercise of his illegal and arbitrary authority.

The whole power in Ireland had been committed to catholics. In Scotland, all the ministers whom the king chiefly trusted, were converts to that religion. Every great office in England, civil and military, was gradually transferred from the protestants. Rochester and Clarendon, the king's brothers-in-law, though they had ever been faithful to his interests, could not, by all their services, atone for their adherence to the national religion; and had been dismissed from their employment. The violent Jeffries himself, though he had sacrificed justice and humanity to the court; yet, because he refused also to give up his religion, was declining in favour and interest. Nothing now remained but to open the door in the church and universities to the intrusion of the catholics. It was not long before the king made this rash effort; and by constraining the prelacy and established church to seek protection in the principles of liberty, he at last left himself entirely without friends and adherents.

Father Francis, a Benedictine, was recommended by the king's mandate to the university of Cambridge for the degree of master of arts; and as it was usual for the university to confer that degree on persons eminent for learning, without regard to their religion; and as they had even admitted lately the secretary to the ambassador of Morocco; the king on that account thought himself the better entitled to compliance. But the

* The elections in some places, particularly in York, were transferred from the people to the magistrates, who, by the new charter, were all named by the crown.—Sir John Reresby's Memoirs, p. 372. This was in reality nothing different from the king's naming the members. The same act of authority had been employed in all the boroughs of Scotland.

university considered, that there was a great difference between a compliment bestowed on foreign rs, and degrees which gave a title to vote in all the elections and statutes of the university, and which, if conferred on the catholics, would infallibly in time render that sect entirely superior. They therefore refused to obey the king's mandate, and were cited to appear before the court of ecclesiastical commission. The vice-chancellor was suspended by that court; but as the university chose a man of spirit to succeed him, the king thought proper for the present to drop his pretensions.

ATTEMPT UPON MAGDALEN COLLEGE.

The attempt upon the university of Oxford was prosecuted with more inflexible obstinacy, and was attended with more important consequences. This university had lately, in their famous decree, made a solemn profession of passive obedience; and the court probably expected, that they would show their sincerity, when their turn came to practise that doctrine; which, though, if carried to the utmost extent, it be contrary both to reason and to nature, is apt to meet with the more effectual opposition from the latter principle. The president of Magdalen college, one of the richest foundations in Europe, dying about this time, a mandate was sent in favour of Farmer, a new convert, but one who, besides his being a catholic, had not, in other respects, the qualifications required by the statutes for enjoying that office. The fellows of the college made submissive applications to the king for recalling his mandate; but before they received an answer, the day came, on which, by their statutes, they were obliged to proceed to an election. They chose Dr. Hough, a man of virtue, as well as of the firmness and vigour requisite for maintaining his own rights and those of the university. In order to punish the college for this contumacy, as it was called, an inferior ecclesiastical commission was sent down, and the new president and the fellows were cited before it. So little regard had been paid to any consideration besides religion, that Farmer, on inquiry, was found guilty of the lowest and most scandalous vices; insomuch that even the ecclesiastical commissioners were ashamed to insist on his election. A new mandate, therefore, was issued in favour of Parker, lately created bishop of Oxford, a man of prostitute character, but who, like Farmer, atoned for all his vices by his avowed willingness to embrace the catholic religion. The college represented, that all presidents had ever been appointed by election, and there were few instances of the king's interposing by his recommendation in favour of any candidate; that having already made a regular election of a president, they could not deprive him of his office, and, during his lifetime, substitute any other in his place; that, even if there were a vacancy, Parker, by the statutes of their founder, could not be chosen; that they had all of them bound themselves by oath to observe these statutes, and never on any account to accept of a dispensation; and that the college had at all times so much distinguished itself by its loyalty, that nothing but the most invincible necessity could now oblige them to oppose his majesty's inclinations. All these reasons availed them nothing. The president and all the fellows, except two who complied, were expelled the college; and Parker was put in possession of the office. This act of violence, of all those which were committed during the reign of James, is perhaps the most illegal and arbitrary. When the dispensing power was the most strenuously insisted on by court lawyers, it had still been allowed, that the statutes which regard private property, could not legally be infringed by that prerogative. Yet in this instance it appeared, that even these were not now secure from invasion. The privileges of a college were attacked: men are illegally dispossessed of their property, for adhering to their duty, to their oaths, and to their religion: the fountains of the church are attempted to be poisoned; nor would it be long, it was concluded, ere all ecclesiastical, as well as civil preferments, would be bestowed on such as, negligent of honour, virtue, and sincerity, basely sacrificed their faith to the reigning superstition. Such were the general sentiments; and as the universities have an intimate connexion with the ecclesiastical establishments, and mightily interest all those who have there received their education, this arbitrary proceeding begat an universal discontent against the king's administration.

The next measure of the court was an insult still more open on the ecclesiastics, and rendered the breach between the king and that powerful body fatal, as well as incurable. It is strange that James, when he felt, from the sentiments of his own heart, what a mighty influence religious zeal had over him, should yet be so infatuated as never once to suspect that it might possibly have a proportionable authority over his subjects. Could he have profited by repeated experience, he had seen instances enough of their strong aversion to that communion, which, from a violent imperious temper, he was determined, by every possible expedient, to introduce into his kingdoms.

1688. The king published a second declaration of indulgence, almost in the same terms with the former; and he subjoined an order, that, immediately after divine service, it should be read by the clergy in all the churches. As they were known universally to disapprove of the use made of the suspending power, this clause, they thought, could be meant only as an insult upon them; and they were sensible, that, by their compliance, they should expose themselves, both to public contempt, on account of their tame behaviour, and to public hatred, by their indirectly patronizing so obnoxious a prerogative.* They were determined, therefore, almost universally, to preserve the regard of the people; their only protection, while the laws were become of so little validity, and while the court was so deeply engaged in opposite interests. In order to encourage them in this resolution, six prelates, namely, Lloyde, bishop of St. Asaph; Ken, of Bath and Wells; Turner, of Ely; Lake, of Chichester; White, of Peterborough; and Trelawney, of Bristol, met privately with the primate, and concerted the form of a petition to the king. They there represent in few words, that, though possessed of the highest sense of loyalty, a virtue of which the church of England had given such eminent testimonies; and though desirous of affording ease, in a legal way, to all protestant dissenters; yet, because the declaration of indulgence was founded on a prerogative formerly declared illegal by parliament, they could not, in prudence, honour, or conscience, so far make themselves parties as the distribution of it all over the kingdom would be interpreted to amount to. They therefore besought the king, that he would not insist upon their reading that declaration.†

The king was incapable, not only of yielding to the greatest opposition, but of allowing the slightest and most respectful contradiction to pass uncensured. He immediately embraced a resolution (and his resolutions, when once embraced, were inflexible) of punishing the bishops, for a petition so popular in its matter, and so

* When Charles dissolved his last parliament, he set forth a declaration, giving his reasons for that measure; and this declaration the clergy had been ordered to read to the people after divine service. These orders were agreeable to their party prejudices, and they willingly submitted to them. The contrary was now the case.

† The words of the petition were: "That the great averseness found in themselves to their distributing and publishing in all their churches your majesty's late declaration for liberty of conscience, proceeds neither from any want of duty and obedience to your majesty, (our holy mother, the church of England, being both in her principles and her constant practice unquestionably loyal, and having, to her great honour, been more than once publicly acknowledged to be so by your gracious majesty,) nor yet from any want of tenderness to dissenters, in relation to whom we are willing to come to such a temper as shall be thought fit, when the matter shall be considered and settled in parliament and convocation. But among many other considerations, from this especially, because that declaration is founded upon such a dispensing power as hath been often declared illegal in parliament, and particularly in the years 1662 and 1672, and in the beginning of your majesty's reign, and is a matter of so great moment and consequence to the whole nation both in church and state, that your petitioners cannot in prudence, honour, or conscience, so far make themselves parties to it as a distribution of it all over the nation, and the solemn publication of it once and again, even in God's house, and in the time of divine service, must amount in common and reasonable construction,

prudent and cautious in the expression. As the petition was delivered him in private, he summoned them before the council; and questioned them whether they would acknowledge it. The bishops saw his intention, and seemed long desirous to decline answering: but being pushed by the chancellor, they at last avowed the petition. On their refusal to give bail, an order was immediately drawn for their commitment to the Tower; and the crown lawyers received directions to prosecute them for the seditious libel which, it was pretended, they had composed and uttered.

IMPRISONMENT.

The people were already aware of the danger to which the prelates were exposed; and were raised to the highest pitch of anxiety and attention with regard to the issue of this extraordinary affair. But when they beheld these fathers of the church brought from court under the custody of a guard, when they saw them embarked in vessels, on the river, and conveyed towards the Tower, all their affection for liberty, all their zeal for religion, blazed up at once; and they flew to behold this affecting spectacle. The whole shore was covered with crowds of prostrate spectators, who at once implored the blessing of those holy pastors, and addressed their petitions towards Heaven for protection during this extreme danger to which their country and their religion stood exposed. Even the soldiers, seized with the contagion of the same spirit, flung themselves on their knees before the distressed prelates, and craved the benediction of those criminals whom they were appointed to guard. Some persons ran into the water, that they might participate more nearly in those blessings, which the prelates were distributing on all around them. The bishops themselves, during this triumphant suffering, augmented the general favour, by the most lowly submissive deportment; and they still exhorted the people to fear God, honour the king, and maintain their loyalty; expressions more animating than the most inflammatory speeches. And no sooner had they entered the precincts of the Tower than they hurried to chapel, in order to return thanks for those afflictions which Heaven, in defence of its holy cause, had thought them worthy to endure.

TRIAL.

Their passage, when conducted to their trial, was, if possible, attended by greater crowds of anxious spectators. All men saw the dangerous crisis to which affairs were reduced, and were sensible that the king could not have put the issue on a cause more unfavourable for himself than that in which he had so imprudently engaged. Twenty-nine temporal peers (for the other prelates kept aloof) attended the prisoners to Westminster-hall; and such crowds of gentry followed the procession, that scarcely was any room left for the populace to enter. The lawyers for the bishops were, sir Robert Sawyer, sir Francis Pemberton, Pollexfen, Treby, and Sommers. No cause, even during the prosecution of the popish plot, was ever heard with so much zeal and attention. The popular torrent, which, of itself, ran fierce and strong, was now further irritated by the opposition of government.

The counsel for the bishops pleaded, that the law allowed subjects, if they thought themselves aggrieved in any particular, to apply by petition to the king, provided they kept within certain bounds, which the same law prescribed to them, and which, in the present petition, the prelates had strictly observed: that an active obedience in cases which were contrary to conscience, was never pretended to be due to government; and law was allowed to be the great measure of the compliance and submission of subjects: that when any person found commands to be imposed upon him which he could not obey, it was more respectful in him to offer his reasons for refusal, than to remain in a sullen and refractory silence: that it was no breach of duty in subjects, even though not called upon, to discover their sense of public measures, in which every one had so intimate a concern: that the bishops in the present case were called upon, and must either express their approbation by compliance, or their disapprobation by petition: that it could be no sedition to deny the prerogative of suspending the laws, because there really was no such prerogative, nor ever could be, in a legal and limited government: that even if this prerogative were real, it had yet been frequently controverted before the whole nation, both in Westminster-hall, and in both houses of parliament; and no one had ever dreamed of punishing the denial of it as criminal: that the prelates, instead of making an appeal to the people, had applied in private to his majesty, and had even delivered their petition so secretly, that, except by the confession extorted from them before the council, it was found impossible to prove them the authors: and that though the petition was afterwards printed and dispersed, it was not so much as attempted to be proved that they had the least knowledge of the publication.

ACQUITTAL OF THE BISHOPS. *June* 17.

These arguments were convincing in themselves, and were heard with a favourable disposition by the audience. Even some of the judges, though their seats were held during pleasure, declared themselves in favour of the prisoners. The jury, however, from what cause is unknown, took several hours to deliberate, and kept, during so long a time, the people in the most anxious expectation. But when the wished-for verdict, *not guilty*, was at last pronounced, the intelligence was echoed through the hall, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom.

Ever since Monmouth's rebellion, the king had, every summer, encamped his army on Hounslow-heath, that he might both improve their discipline, and by so unusual a spectacle overawe the mutinous people. A popish chapel was openly erected in the midst of the camp, and great pains were taken, though in vain, to bring over the soldiers to that communion. The few converts, whom the priests had made, were treated with such contempt and ignominy, as deterred every one from following the example. Even the Irish officers, whom the king introduced into the army, served rather, from the aversion borne them, to weaken his interest among them. It happened, that the very day on which the trial of the bishops was finished, James had reviewed the troops, and had retired into the tent of lord Feversham, the general, when he was surprised to hear a great uproar in the camp, attended with the most extravagant symptoms of tumultuary joy. He suddenly inquired the cause, and was told by Feversham, "It was nothing but the rejoicing of the soldiers for the acquittal of the bishops." "Do you call that nothing?" replied he "But so much the worse for them."

The king was still determined to rush forward in the same course, in which he was already, by his precipitate career, so fatally advanced. Though he knew that every order of men, except a handful of catholics, were enraged at his past measures, and still more terrified with the future prospect; though he saw that the same discontents had reached the army, his sole resource during the general disaffection; yet he was incapable of changing his measures, or even of remitting his violence in the prosecution of them. He struck out two of the judges, Powel and Holloway, who had appeared to favour the bishops: he issued orders to prosecute all those clergymen who had not read his declaration; that is, the whole church of England, two hundred excepted: he sent a mandate to the new fellows, whom he had obtruded on Magdalen college, to elect for president, in the room of Parker,

lately deceased, one Gifford, a doctor of the Sorbonne, and titular bishop of Madura: and he is even said to have nominated the same person to the see of Oxford. So great an infatuation is perhaps an object of compassion rather than of anger; and is really surprising in a man who, in other respects, was not wholly deficient in sense and accomplishments.

BIRTH OF THE PRINCE OF WALES. *June* 10.

A few days before the acquittal of the bishops, an event happened, which, in the king's sentiments, much overbalanced all the mortifications received on that occasion. The queen was delivered of a son, who was baptized by the name of James. This blessing was impatiently longed for, not only by the king and queen, but by all the zealous catholics both abroad and at home. They saw, that the king was past middle age; and that on his death the succession must devolve to the prince and princess of Orange, two zealous protestants, who would soon replace everything on ancient foundations. Vows therefore were offered at every shrine for a male successor: pilgrimages were undertaken, particularly one to Loretto, by the duchess of Modena; and success was chiefly attributed to that pious journey. But in proportion as this event was agreeable to the catholics, it increased the disgust of the protestants, by depriving them of that pleasing, though somewhat distant prospect, in which at present they flattered themselves. Calumny even went so far as to ascribe to the king the design of imposing on the world a suppositious child, who might be educated in his principles, and after his death support the catholic religion in his dominions. The nation almost universally believed him capable, from bigotry, of committing any crime; as they had seen, that, from like motives, he was guilty of every imprudence; and the affections of nature, they thought, would be easily sacrificed to the superior motive of propagating a catholic and orthodox faith. The present occasion was not the first, when that calumny had been invented. In the year 1682, the queen, then duchess of York, had been pregnant; and rumours were spread that an imposture would at that time be obtruded upon the nation; but happily, the infant proved a female, and thereby spared the party all the trouble of supporting their improbable fiction.*

CHAPTER LXXI.

Conduct of the Prince of Orange — He forms a League against France — Refuses to concur with the King — Resolves to oppose the King — Is applied to by the English — Coalition of Parties — Prince's Preparations — Offers of France to the King — rejected — Supposed League with France — General Discontents — The King retracts his Measures — Prince's Declaration — The Prince lands in England — General Commotion — Desertion of the Army — and of Prince George — and of the Princess Anne — King's Consternation, and Flight — General Confusion — King seized at Feversham — Second Escape — King's Character — Convention summoned — Settlement of Scotland — English Convention meets — Views of the Parties — Free Conference between the Houses — Commons prevail — Settlement of the Crown — Manners and Sciences.

WHILE every motive, civil and religious, concurred to alienate from the king every rank and denomination of men, it might be expected that his throne would, without delay, fall to pieces by its own weight; but such is the influence of established government: so averse are men from beginning hazardous enterprises; that, had not an attack been made from abroad, affairs might long have remained in their present delicate situation, and James might at last have prevailed in his rash and ill-concerted projects.

CONDUCT OF THE PRINCE OF ORANGE.

The prince of Orange, ever since his marriage with the lady Mary, had maintained a very prudent conduct: agreeably to that sound understanding with which he was so eminently endowed. He made it a maxim to concern himself little in English affairs, and never by any measure to disgust any of the factions, or give umbrage to the prince who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch, against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation: but as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favour and affections of that monarch.

James on his accession found it so much his interest to live on good terms with the heir-apparent, that he showed the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion, he immediately dispatched over six regiments of British troops, which were in the Dutch service; and he offered to take the command of the king's forces against the rebels. How little soever he might approve of James's administration, he always kept a total silence on the subject, and gave no countenance to those discontents which were propagated with such industry throughout the nation.

It was from the application of James himself, that the prince first openly took any part in English affairs. Notwithstanding the lofty ideas which the king had entertained of his prerogative, he found that the edicts emitted from it still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favour. An act of parliament alone could insure the indulgence or toleration, which he had laboured to establish; and he hoped that, if the prince would declare in favour of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given, that England would second him in all those enterprises which his active and extensive genius had with such success planned on the continent. He was at this time the centre of all the negociations of Christendom.

HE FORMS A LEAGUE AGAINST FRANCE.

The emperor and the king of Spain, as the prince well knew, were enraged by the repeated injuries which they had suffered from the ambition of Louis, and still more by the frequent insults which his pride had made them undergo. He was apprized of the influence of these monarchs over the catholic princes of the empire: he had himself acquired great authority with the protestants: and he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the independence of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor; and Louis soon found, that besides his weakening France by the banishment of so many useful subjects, the refugees had inflamed all the protestant nations against him, and had raised him enemies, who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other towns in Holland, which had before fallen into a dependence

* This story is taken notice of in a weekly paper, the Observator, published at that very time, 23rd of August, 1682. Party zeal is capable of swallowing the most incredible story; but it is surely singular, that the same calumny, when once baffled, should yet be renewed with such success.

on France, being terrified with the accounts, which they every moment received, of the furious persecutions against the Hugonots, had now dropped all domestic faction, and had entered into an entire confidence with the prince of Orange. The protestant princes of the empire formed a separate league at Magdebourg for the defence of their religion. The English were anew enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate resolutions against him. From a view of the state of Europe during this period, it appears, that Louis, besides sullying an illustrious reign, had wantonly by this persecution raised invincible barriers to his arms, which otherwise it had been difficult, if not impossible, to resist.

The prince of Orange knew how to avail himself of all these advantages. By his intrigues and influence there was formed at Augsbourg a league, in which the whole empire united for its defence against the French monarch. Spain and Holland became parties in the alliance. The accession of Savoy was afterwards obtained. Sweden and Denmark seemed to favour the same cause. But though these numerous states composed the greater part of Europe, the league was still deemed imperfect and unequal to its end, so long as England maintained that neutrality in which she had hitherto persevered.

James, though more prone to bigotry, was more sensible to his own and to national honour than his brother; and had he not been restrained by the former motive, he would have maintained with more spirit the interests and independence of his kingdoms. When a prospect, therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure; and he gave his son-in-law room to hope, that, by concurring with his views in England, he might prevail with him to second those projects which the prince was so ambitious of promoting.

REFUSES TO CONCUR WITH THE KING.

A more tempting offer could not be made to a person of his enterprising character: but the objections to that measure, upon deliberation, appeared to him insurmountable. The king, he observed, had incurred the hatred of his own subjects: great apprehensions were entertained of his designs: the only resource which the nation saw, was in the future succession of the prince and princess: should *he* concur in those dreaded measures, he would draw on himself all the odium under which the king laboured: the nation might even refuse to bear the expense of alliances, which would in that case become so suspicious; and he might himself incur the danger of losing a succession which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature. The prince, therefore, would go no further than to promise his consent to the repeal of the penal statutes, by which the nonconformists as well as catholics were exposed to punishment: the test he deemed a security absolutely necessary for the established religion.

The king did not remain satisfied with a single trial. There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled. By the king's directions, Stuart wrote several letters to pensionary Fagel, with whom he had contracted an acquaintance in Holland; and besides urging all the motives for an unlimited toleration, he desired that his reasons should, in the king's name, be communicated to the prince and princess of Orange. Fagel during a long time made no reply; but finding that his silence was construed into an assent, he at last expressed his own sentiments and those of their highnesses. He said that it was their fixed opinion, that no man, merely because he differed from the established faith, should ever, while he remained a peaceable subject, be exposed to any punishment or even vexation. That the prince and princess gave heartily their consent for repealing legally all the penal statutes, as well those which had been enacted against the catholics as against the protestant nonconformists; and would concur with the king in any measure for that purpose. That the test was not to be considered as a penalty inflicted on the professors of any religion, but as a security provided for the established worship. That it was no punishment on men to be excluded from public offices, and to live peaceably on their own revenues or industry. That even in the United Provinces, which were so often cited as models of toleration, though all sects were admitted, yet civil offices were enjoyed by the professors of the established religion alone. That military commands, indeed, were sometimes bestowed on catholics; but as they were conferred with great precaution, and still lay under the control of the magistrate, they could give no just reason for umbrage. And that their highnesses, however desirous of gratifying the king, and of endeavouring, by every means to render his reign peaceable and happy, could not agree to any measure which would expose their religion to such imminent danger.

When this letter was published, as it soon was, it inspired great courage into the protestants of all denominations, and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the prince of Orange as the United Provinces. He gave the Algerine pirates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some complaints of the East India Company with regard to the affair of Bantam. He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

RESOLVES TO OPPOSE THE KING.

The prince in his turn resolved to push affairs with more vigour, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the catholics. He knew that men of education in England were, many of them, retained in their religion more by honour than by principle; and that, though every one was ashamed to be the first proselyte, yet if the example was once set by some eminent persons, interest would every day make considerable conversions to a communion, which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England; and the prince gave him instructions, besides publicly remonstrating on the conduct of affairs both at home and abroad, to apply in his name, after a proper manner, to every sect and denomination. To the church party, he sent assurances of favour and regard; and protested, that his education in Holland had nowise prejudiced him against episcopal government. The nonconformists were exhorted not to be deceived by the fallacious caresses of a popish court, but to wait patiently till, in the fulness of time, laws, enacted by protestants, should give them that toleration which, with so much reason, they had long demanded. Dykvelt executed his commission with such dexterity, that all orders of men cast their eyes towards Holland, and expected thence a deliverance from those dangers

with which their religion and liberty were so nearly threatened.

IS APPLIED TO BY THE ENGLISH.

Many of the most considerable persons, both in church and state, made secret applications to Dykvelt, and through him to the prince of Orange. Admiral Herbert too, though a man of great expense, and seemingly of little religion, had thrown up his employments, and had retired to the Hague, where he assured the prince of the disaffection of the seamen, by whom that admiral was extremely beloved. Admiral Russel, cousin-german to the unfortunate lord of that name, passed frequently between England and Holland, and kept the communication open with all the great men of the protestant party. Henry Sidney, brother to Algernon, and uncle to the earl of Sunderland, came over under pretence of drinking the waters at Spaw, and conveyed still stronger assurances of an universal combination against the measures of the king Lord Dumblaine, son of the earl of Danby, being master of a frigate, made several voyages to Holland, and carried from many of the nobility tenders of duty, and even considerable sums of money, to the prince of Orange.

There remained, however, some reasons, which retained all parties in awe, and kept them from breaking out into immediate hostility. The prince, on the one hand, was afraid of hazarding, by violent measures, an inheritance which the laws insured to the princess; and the English protestants, on the other, from the prospect of her succession, still entertained hopes of obtaining at last a peaceable and a safe redress of all their grievances. But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests. And thus the event which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfal.

COALITION OF PARTIES.

Zuylestein, who had been sent over to congratulate the king on the birth of his son, brought back to the prince invitation from most of the great men in England, to assist them by his arms, in the recovery of their laws and liberties. The bishop of London, the earls of Danby, Nottingham, Devonshire, Dorset, the duke of Norfolk, the lords Lovelace, Delamere, Paulet, Eland Mr. Hambden, Powle, Lester, besides many eminent citizens of London; all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, which had led them to attempt the exclusion bill, easily agreed to oppose a king, whose conduct had justified whatever his worst enemies had prognosticated concerning his succession. The tories and the church party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop for the present all overstrained doctrines of submission, and attend to the great and powerful dictates of nature The nonconformists, dreading the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince, educated in those principles, and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy and misguided sovereign. The earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for forty thousand pounds, and made a tender of his sword and purse to the prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprise with that ardent and courageous spirit, for which he was so eminent. Even Sunderland, the king's favourite minister, is believed to have entered into a correspondence with the prince; and at the expense of his own honour and his master's interests, to have secretly favoured a cause, which, he foresaw, was likely soon to predominate.*

The prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation, which, during its present fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valour to avenge the injuries, which he himself, his country, and his allies, had sustained from the haughty Louis. But while England remained under the present government, he despaired of ever forming a league which would be able, with any probability of success, to make opposition against that powerful monarch. The ties of affinity could not be supposed to have great influence over a person of the prince's rank and temper; much more as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favours or good offices. Or should any reproach remain upon him for violating the duties of private life, the glory of delivering oppressed nations would, he hoped, be able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprise, that it would lead him to mount the throne of England; but he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage, so great or obvious, which that prince's indiscretion might not afford his enemies.

The prince of Orange, throughout his whole life, was peculiarly happy in the situations in which he was placed. He saved his own country from ruin, he restored the liberties of these kingdoms, he supported the general independency of Europe. And thus, though his virtue, it is confessed, be not the purest which we meet with in history, it will be difficult to find any person, whose actions and conduct have contributed more eminently to the general interests of society and of mankind.

PRINCE'S PREPARATIONS.

The time, when the prince entered on his enterprise, was well chosen, as the people were then in the highest ferment, on account of the insult which the imprisonment and trial of the bishops had put upon the church, and indeed upon all the protestants of the nation. His method of conducting his preparations was no less wise and politic. Under other pretences, he had beforehand made considerable augmentations to the Dutch navy; and the ships were at that time lying in harbour. Some additional troops were also levied; and sums of money, raised for other purposes, were diverted by the prince to the use of this expedition. The States had given him their entire confidence; and, partly from terror of the power of France, partly from disgust at some restraints laid on their commerce in that kingdom, were sensible how necessary success in this enterprise was become to their domestic happiness and security. Many of the neighbouring princes regarded him as their guardian and protector, and were guided by him in all their counsels. He held conferences with Castanaga, governor of the Spanish Netherlands, with the electors of Brandenburgh and Saxony, with the landgrave of Hesse-Cassel, and with the whole house of Lunenbourg. It was agreed, that these princes should replace the troops employed against England, and

* D'Avaux was always of that opinion. See his negociations 6th and 20th of May, 18th, 27th of September, 22nd of November, 1688. On the whole, that opinion is the most probable.

should protect the United Provinces during the absence of the prince of Orange. Their forces were already on their march for that purpose: a considerable encampment of the Dutch army was formed at Nimeguen: every place was in movement; and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's councils, and so fortunate was the situation of affairs, that he could still cover his preparations under other pretences; and little suspicion was entertained of his real intentions.

The king of France, menaced by the league of Augsbourg, had resolved to strike the first blow against the allies; and having sought a quarrel with the emperor and the elector palatine, he had invaded Germany with a great army, and had laid siege to Philipsbourg. The elector of Cologne, who was also bishop of Liege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time; and the candidates for that rich succession were prince Clement of Bavaria, supported by the house of Austria, and the cardinal of Furstemberg, a prelate dependent on France. The pope, who favoured the allies, was able to throw the balance between the parties, and prince Clement was chosen; a circumstance which contributed extremely to the security of the States. But as the cardinal kept possession of many of the fortresses, and had applied to France for succour, the neighbouring territories were full of troops; and by this means the preparations of the Dutch and their allies seemed intended merely for their own defence against the different enterprises of Louis.

OFFERS OF FRANCE TO THE KING.

All the artifices, however, of the prince could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Louis's envoy at the Hague, had been able, by a comparison of circumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Louis conveyed the intelligence to James; and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet; and to send over any number of troops, which James should judge requisite, for his security. When this proposal was rejected, he again offered to raise the siege of Philipsbourg, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception.

James was not, as yet, entirely convinced that his son-in-law intended an invasion upon England. Fully persuaded, himself, of the sacredness of his own authority, he fancied that a like belief had made deep impression on his subjects; and notwithstanding the strong symptoms of discontent which broke out everywhere, such an universal combination in rebellion appeared to him nowise credible. His army, in which he trusted, and which he had considerably augmented, would easily be able, he thought, to repel foreign force, and to suppress any sedition among the populace. A small number of French troops, joined to these, might tend only to breed discontent; and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against the rebellion of his own subjects; but would be able afterwards to reduce him to dependence, and render his authority entirely precarious. Even the French invasion of the Low Countries might be attended with dangerous consequences; and would suffice, in these jealous times, to revive the old suspicion of a combination against Holland, and against the protestant religion; a suspicion, which had already produced such discontents in England. These were the views suggested by Sunderland; and it must be confessed, that the reasons on which they were founded were sufficiently plausible; as indeed the situation to which the king had reduced himself, was, to the last degree, delicate and perplexing.

Still Louis was unwilling to abandon a friend and ally, whose interests he regarded as closely connected with his own. By the suggestion of Skelton, the king's minister at Paris, orders were sent to D'Avaux to remonstrate with the States, in Louis's name, against those preparations which they were making to invade England. The strict amity, said the French minister, which subsists between the two monarchs, will make Louis regard every attempt against his ally as an act of hostility against himself. This remonstrance had a bad effect, and put the States in a flame. What is this alliance, they asked, between France and England, which has been so carefully concealed from us? Is it of the same nature with the former; meant for our destruction, and for the extirpation of the protestant religion? If so, it is high time for us to provide for our own defence, and to anticipate those projects which are forming against us.

Even James was displeased with this officious step taken by Louis for his service. He was not reduced, he said, to the condition of the cardinal of Furstemberg, and obliged to seek the protection of France. He recalled Skelton, and threw him into the Tower for his rash conduct. He solemnly disavowed D'Avaux's memorial; and protested, that no alliance subsisted between him and Louis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head;* and the English, prepossessed against their sovereign, firmly believed that he had concerted a project with Louis for their entire subjection. Portsmouth, it was said, was to be put into the hands of that ambitious monarch; England was to be filled with French and Irish troops; and every man who refused to embrace the Romish superstition, was by these bigoted princes devoted to certain destruction.

These suggestions were everywhere spread abroad, and tended to augment the discontents, of which both the fleet and army, as well as the people, betrayed every day the most evident symptoms. The fleet had begun to mutiny; because Stricland, the admiral, a Roman-catholic, introduced the mass aboard his ship, and dismissed the protestant chaplain. It was with some difficulty the seamen could be appeased; and they still persisted in declaring that they would not fight against the Dutch, whom they called friends and brethren, but would willingly give battle to the French, whom they regarded as national enemies. The king had intended to augment his army with Irish recruits, and he resolved to try the experiment on the regiment of the duke of Berwick, his natural son; but Beaumont, the lieutenant-colonel, refused to admit them; and to this opposition five captains steadily adhered. They were all cashiered; and had not the discontents of the army on this occasion become very apparent, it was resolved to have punished those officers for mutiny.

The king made a trial of the dispositions of his army, in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battalion before the king, and told them, that they were required either to enter into his majesty's views in these particulars, or to lay down their arms. James was surprised to find that two

* That there really was no [illegible] formed between France and England appears from [illegible] D'Avaux [illegible] Dec. 1688. Dalrymple, Append. to p. 1st. [illegible] 27th of Oct. 1688, 9th of March, 6th of May, 10th of Aug. 2nd, 23rd, and 24th of Sept. 3rd [illegible] 11th of Nov. 1688.

captains and a few popish soldiers excepted, the whole battalion immediately embraced the latter part of the alternative. For some time he remained speechless; but having recovered from his astonishment, he commanded them to take up their arms, adding, with a sullen, discontented air, "That for the future, he would not do them the honour to apply for their approbation."

THE KING RETRACTS HIS MEASURES.

September 23.

While the king was dismayed with these symptoms of general disaffection, he received a letter from the marquis of Albeville, his minister at the Hague, which informed him with certainty, that he was soon to look for a powerful invasion from Holland; and that pensionary Fagel had at length acknowledged that the scope of all the Dutch naval preparations was to transport forces into England. Though James could reasonably expect no other intelligence, he was astonished at the news: he grew pale, and the letter dropped from his hand: his eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him. His ministers and counsellors, equally astonished, saw no resource but in a sudden and precipitate retraction of all those fatal measures by which he had created to himself so many enemies, foreign and domestic. He paid court to the Dutch, and offered to enter into any alliance with them for common security: he replaced in all the counties the deputy-lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws: he restored the charters of London, and of all the corporations: he annulled the court of ecclesiastical commission: he took off the bishop of London's suspension: he reinstated the expelled president and fellows of Magdalen college: and he was even reduced to caress those bishops whom he had so lately prosecuted and insulted. All these measures were regarded as symptoms of fear, not of repentance. The bishops, instead of promising succour or suggesting comfort, recapitulated to him all the instances of his maladministration, and advised him thenceforwards to follow more salutary counsel. And as intelligence arrived of a great disaster which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions which he had made to Magdalen college: a bad sign of his sincerity in his other concessions. Nay, so prevalent were his unfortunate prepossessions, that, amidst all his present distresses, he could not forbear, at the baptism of the young prince, appointing the pope to be one of the godfathers.

The report, that a suppositious child was to be imposed on the nation, had been widely spread, and greedily received, before the birth of the prince of Wales: but the king, who, without seeming to take notice of the matter, might easily have quashed that ridiculous rumour, had, from an ill-timed haughtiness, totally neglected it. He disdained, he said, to satisfy those who could deem him capable of so base and villanous an action. Finding that the calumny gained ground, and had made deep impression on his subjects, he was now obliged to submit to the mortifying task of ascertaining the reality of the birth. Though no particular attention had been beforehand given to insure proof, the evidence, both of the queen's pregnancy and delivery was rendered indisputable; and so much the more, as no argument or proof of any importance, nothing but popular rumour and surmise, could be thrown into the opposite scale.

PRINCE'S DECLARATION.

Meanwhile the prince of Orange's declaration was dispersed over the kingdom, and met with universal approbation. All the grievances of the nation were there enumerated: the dispensing and suspending power; the court of ecclesiastical commission; the filling of all offices with catholics, and the raising of a jesuit to be privy-counsellor; the open encouragement given to popery, by building everywhere churches, colleges, and seminaries, for that sect; the displacing of judges, if they refused to give sentence according to orders received from court; the annulling of the charters of all the corporations, and subjecting of elections to arbitrary will and pleasure; the treating of petitions, even the most modest, and from persons of the highest rank, as criminal and seditious; the committing of the whole authority of Ireland, civil and military, into the hands of papists; the assuming of an absolute power over the religion and laws of Scotland, and openly exacting in that kingdom an obedience without reserve; and the violent presumptions against the legitimacy of the prince of Wales. In order to redress all these grievances, the prince said that he intended to come over to England with an armed force, which might protect him from the king's evil counsellors; and that his sole aim was to have a legal and free parliament assembled, who might provide for the safety and liberty of the nation, as well as examine the proofs of the prince of Wales's legitimacy. No one, he added, could entertain such hard thoughts of him as to imagine, that he had formed any other design than to procure the full and lasting settlement of religion, liberty, and property. The force which he meant to bring with him was totally disproportionate to any views of conquest; and it were absurd to suspect, that so many persons of high rank, both in church and state, would have given him so many solemn invitations for such a pernicious purpose. Though the English ministers, terrified with his enterprise, had pretended to redress some of the grievances complained of; there still remained the foundation of all grievances, that upon which they could in an instant be again erected, an arbitrary and despotic power in the crown. And for this usurpation there was no possible remedy, but by a full declaration of all the rights of the subject in a free parliament.

So well concerted were the prince's measures, that, in three days, about four hundred transports were hired; the army quickly fell down the rivers and canals from Nimeguen; the artillery, arms, stores, and horses were embarked; and the prince set sail from Helvoet-Sluice, (21st October,) with a fleet of near five hundred vessels, and an army of above fourteen thousand men. He first encountered a storm, which drove him back: but his loss being soon repaired, the fleet put to sea under the command of admiral Herbert, and made sail with a fair wind towards the west of England. The same wind detained the king's fleet in their station near Harwich, and enabled the Dutch to pass the Straits of Dover without opposition. Both shores were covered with multitudes of people, who, besides admiring the grandeur of the spectacle, were held in anxious suspense by the prospect of an enterprise, the most important, which, during some ages, had been undertaken in Europe. The prince had a prosperous voyage, and landed his army safely in Torbay on the fifth of November, the anniversary of the gunpowder-treason.

GENERAL COMMOTION.

The Dutch army marched first to Exeter; and the prince's declaration was there published. That whole county was so terrified with the executions which had ensued upon Monmouth's rebellion, that no one for several days joined the prince. The bishop of Exeter in a fright fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person who joined the prince was major Burrington;

and he was quickly followed by the gentry of the counties of Devon and Somerset; sir Edward Seymour made proposals for an association, which every one signed. By degrees, the earl of Abingdon, Mr. Russel, son of the earl of Bedford, Mr. Wharton, Godfrey, Howe, came to Exeter. All England was in commotion. Lord Delamere took arms in Cheshire; the earl of Danby seized York; the earl of Bath, governor of Plymouth, declared for the prince; the earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottinghamshire embraced the same cause, and every day there appeared some effect of that universal combination into which the nation had entered against the measures of the king. Even those who took not the field against him, were able to embarrass and confound his counsels. A petition for a free parliament was signed by twenty-four bishops and peers of the greatest distinction, and was presented to the king. No one thought of opposing or resisting the invader.

DESERTION OF THE ARMY.

But the most dangerous symptom was the disaffection which, from the general spirit of the nation, not from any particular reason, had crept into the army. The officers seemed all disposed to prefer the interests of their country and of their religion to those principles of honour and fidelity, which are commonly esteemed the most sacred ties by men of that profession. Lord Colchester, son of the earl of Rivers, was the first officer that deserted to the prince; and he was attended by a few of his troops. Lord Lovelace made a like effort; but was intercepted by the militia, under the duke of Beaufort, and taken prisoner: lord Cornbury, son of the earl of Clarendon, was more successful. He attempted to carry over three regiments of cavalry; and he actually brought a considerable part of them to the prince's quarters. Several officers of distinction informed Feversham, the general, that they could not in conscience fight against the prince of Orange.

Lord Churchill had been raised from the rank of a page, had been invested with a high command in the army, had been created a peer, and had owed his whole fortune to the king's favour: yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the duke of Grafton, natural son of the late king, colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life; and required, ever after, the most upright, disinterested, and publicspirited behaviour to render it justifiable.

The king had arrived at Salisbury, the head-quarters of his army, when he received this fatal intelligence. That prince, though a severe enemy, had ever appeared a warm, steady, and sincere friend, and he was extremely shocked with this, as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole army had discovered symptoms of discontent, he concluded it full of treachery; and being deserted by those whom he had most favoured and obliged, he no longer expected that others would hazard their lives in his service. During this distraction and perplexity, he embraced a sudden resolution of drawing off his army, and retiring towards London: (25th November:) a measure which could only serve to betray his fears, and provoke further treachery.

DESERTION OF PRINCE GEORGE AND OF THE PRINCESS ANNE.

But Churchill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendant over the family of prince George of Denmark; and the time now appeared seasonable for overwhelming the unhappy king, who was already staggering with the violent shocks which he had received. Andover was the first stage of James's retreat towards London; and there prince George, together with the young duke of Ormond,* sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner had this news reached London, than the princess Anne, pretending fear of the king's displeasure, withdrew herself, in company with the bishop of London and lady Churchill. She fled to Nottingham; where the earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

The late king, in order to gratify the nation, had intrusted the education of his nieces entirely to protestants, and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instil into them from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents as now prevailed in England, all private considerations are commonly lost in the general passion; and the more principle any person possesses, the more apt is he, on such occasions, to neglect and abandon his domestic duties. Though these causes may account for the behaviour of the princess, they had nowise prepared the king to expect so astonishing an event. He burst into tears, when the first intelligence of it was conveyed to him. Undoubtedly he foresaw in this incident the total expiration of his royal authority: but the nearer and more intimate concern of a parent laid hold of his heart, when he found himself abandoned in his uttermost distress by a child, and a virtuous child, whom he had ever regarded with the most tender affection. "God help me," cried he, in the extremity of his agony, "my own children have forsaken me!" It is indeed singular, that a prince whose chief blame consisted in imprudences, and misguided principles, should be exposed, from religious antipathy, to such treatment as even Nero, Domitian, or the most enormous tyrants that have disgraced the records of history, never met with from their friends and family.

So violent were the prejudices which at this time prevailed, that this unhappy father, who had been deserted by his favourite child, was believed upon her disappearing, to have put her to death: and it was fortunate that the truth was timely discovered; otherwise the populace, even the king's guards themselves, might have been engaged, in revenge, to commence a massacre of the priests and catholics.

The king's fortune now exposed him to the contempt of his enemies; and his behaviour was not such as could gain him the esteem of his friends and adherents. Unable to resist the torrent, he preserved not presence of mind in yielding to it; but seemed in this emergence as much depressed with adversity, as he had before been vainly elated by prosperity. He called a council of all the peers and prelates who were in London; and followed their advice in issuing writs for a new parliament, and in sending Halifax, Nottingham, and Godolphin, as commissioners to treat with the prince of Orange. But these were the last acts of royal authority which he exerted. He even hearkened to imprudent counsel, by which he was prompted to desert the throne, and to gratify his enemies beyond what their fondest hopes could have promised them.

The queen, observing the fury of the people, and knowing how much she was the object of general hatred, was struck with the deepest terror, and began to apprehend a parliamentary impeachment, from which, she was told, the queens of England were not exempted. The popish courtiers, and, above all, the

* His grandfather, the first duke of Ormond, died this year, on the 21st of July.

priests, were aware, that they should be the first sacrifice, and that their perpetual banishment was the smallest penalty which they must expect from national resentment. They were, therefore, desirous of carrying the king along with them; whose presence, they knew, would still be some resource and protection to them in foreign countries, and whose restoration, if it ever happened, would again reinstate them in power and authority. The general defection of the protestants made the king regard the catholics as his only subjects, on whose counsel he could rely; and the fatal catastrophe of his father afforded them a plausible reason for making him apprehend a like fate. The great difference of circumstances was not, during men's present distractions, sufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I. could not be deemed a national deed: it was perpetrated by a fanatical army, pushed on by a daring and enthusiastical leader; and the whole kingdom had ever entertained, and did still entertain, a violent abhorrence against that enormity. The situation of public affairs, therefore, no more resembled what it was forty years before, than the prince of Orange, either in birth, character, fortune, or connexions, could be supposed a parallel to Cromwell.

The emissaries of France, and, among the rest, Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The prince of Orange had with good reason embraced a contrary opinion; and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was determined to use every expedient which might intimidate the king, and make him quit that throne which he himself was alone enabled to fill. He declined a personal conference with James's commissioners, and sent the earls of Clarendon and Oxford to treat with them: the terms which he proposed, implied almost a present participation of the sovereignty: and he stopped not a moment the march of his army towards London.

The news which the king received from all quarters served to continue the panic into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy-governor of Hull, made himself master of that important fortress; and threw into prison lord Langdale, the governor, a catholic; together with lord Montgomery, a nobleman of the same religion. The town of Newcastle received lord Lumley, and declared for the prince of Orange and a free parliament. The duke of Norfolk, lord-lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by the duke of Ormond, and was received with great applause by that loyal university, who also made an offer of their plate to the prince. Every day, some person of quality or distinction, and among the rest the duke of Somerset, went over to the enemy. A violent declaration was dispersed in the prince's name, but without his participation; in which every one was commanded to seize and punish all papists, who, contrary to law, pretended either to carry arms, or exercise any act of authority. It may not be unworthy of notice, that a merry ballad, called Lilliballero, being at that time published in derision of the papists and the Irish, it was greedily received by the people, and was sung by all ranks of men, even by the king's army, who were strongly seized with the national spirit. This incident both discovered, and served to increase, the general discontent of the kingdom.

The contagion of mutiny and disobedience had also reached Scotland, whence the regular forces, contrary to the advice of Balcarras, the treasurer, were withdrawn, in order to re-enforce the English army. The marquis of Athole, together with viscount Tarbat, and others, finding the opportunity favourable, began to form intrigues against Perth, the chancellor; and the presbyterians and other malcontents flocked from all quarters to Edinburgh. The chancellor, apprehensive of the consequences, found it expedient to abscond; and the populace, as if that event were a signal for their insurrection, immediately rose in arms, and rifled the popish chapel in the king's palace. All the catholics, even all the zealous royalists, were obliged to conceal themselves; and the privy-council, instead of their former submissive strains of address to the king, and violent edicts against their fellow-subjects, now made applications to the prince of Orange, as the restorer of law and liberty.

KING'S FLIGHT. *December* 12.

The king, every moment alarmed, more and more, by these proofs of a general disaffection, not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France, and he sent off beforehand the queen and the infant prince, under the conduct of count Lauzun, an old favourite of the French monarch. He himself disappeared in the night-time, attended only by sir Edward Hales; and made the best of his way to a ship which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world; and nothing could equal the surprise which seized the city, the court, and the kingdom, upon the discovery of this strange event.

Men beheld, all of a sudden, the reins of government thrown up by the hand which held them; and saw none, who had any right, or even pretension, to take possession of them.

The more effectually to involve everything in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration; he threw the great seal into the river; and he recalled all those writs which had been issued for the election of the new parliament. It is often supposed, that the sole motive which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms which his subjects would deem requisite for the security of their liberties and their religion. But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life; and that the conditions would not probably be moderate, which the nation, sensible of his inflexible temper, enraged with the violation of their laws and the danger of their religion, and foreseeing his resentment on account of their past resistance, would, in his present circumstances, exact from him.

By this temporary dissolution of government, the populace were masters; and there was no disorder which, during their present ferment, might not be dreaded from them. They rose in a tumult and destroyed all the mass-houses. They even attacked and rifled the houses of the Florentine envoy and Spanish ambassador, where many of the catholics had lodged their most valuable effects. Jeffries, the chancellor, who had disguised himself, in order to fly the kingdom, was discovered by them, and so abused, that he died a little after. Even the army, which should have suppressed those tumults, would, it was apprehended, serve rather to increase the general disorder. Feversham had no sooner heard of the king's flight, than he disbanded the troops in the neighbourhood, and, without either disarming or paying them, let them loose to prey upon the country.

In this extremity, the bishops and peers who were in town, being the only remaining authority of the state (for the privy-council, composed of the king's creatures, was totally disregarded,) though: proper to assemble, and to interpose for the preservation of the community. They chose the marquis of Halifax speaker: they gave directions to the mayor and aldermen for keeping the peace of the city: they issued orders, which were readily obeyed, to the fleet, the army, and all the garrisons: and they made applications to the prince of Orange, whose enterprise they highly applauded, and whose success they joyfully congratulated.

The prince, on his part, was not wanting to the tide of success which flowed in upon him, nor backward in assuming that authority which the present exigency had put into his hands. Besides the general popularity attending his cause, a new incident made his approach to London still more grateful. In the present trepidation of the people, a rumour arose, either from chance or design, that the disbanded Irish had taken arms, and had commenced an universal massacre of the protestants. This ridiculous belief was spread all over the kingdom in one day; and begat everywhere the deepest consternation. The alarm-bells were rung; the beacons fired; men fancied that they saw at a distance the smoke of the burning cities, and heard the groans of those who were slaughtered in their neighbourhood. It is surprising, that the catholics did not all perish, in the rage which naturally succeeds to such popular panics.

KING SEIZED AT FEVERSHAM.

While every one, from principle, interest, or animosity, turned his back on the unhappy king, who had abandoned his own cause, the unwelcome news arrived, that he had been seized by the populace at Feversham, as he was making his escape in disguise; that he had been much abused till he was known; but that the gentry had then interposed and protected him, though they still refused to consent to his escape. This intelligence threw all parties into confusion. The prince sent Zuylestein with orders, that the king should approach no nearer than Rochester; but the message came too late. He was already arrived in London, where the populace, moved by compassion for his unhappy fate, and actuated by their own levity, had received him with shouts and acclamations.

During the king's abode at Whitehall, little attention was paid to him by the nobility or any persons of distinction. They had, all of them, been previously disgusted on account of his blind partiality to the catholics; and they knew that they were now become criminal in his eyes, by their late public applications to the prince of Orange. He himself showed not any symptoms of spirit, nor discovered any intention of resuming the reins of government, which he had once thrown aside. His authority was now plainly expired; and as he had exercised his power, while possessed of it, with very precipitate and haughty counsels, he relinquished it by a despair equally precipitate and pusillanimous.

Nothing remained for the now ruling powers but to deliberate how they should dispose of his person. Besides that the prince may justly be supposed to have possessed more generosity than to think of offering violence to an unhappy monarch, so nearly related to him, he knew that nothing would so effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the English. It was determined, therefore, to push him into that measure, which, of himself, he seemed sufficiently inclined to embrace. The king having sent lord Feversham on a civil message to the prince, desiring a conference for an accommodation in order to the public settlement, that nobleman was put in arrest, under pretence of his coming without a passport: the Dutch guards were ordered to take possession of Whitehall, where James then resided, and to displace the English: and Halifax, Shrewsbury, and Delamere, brought a message from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a seat of the duchess of Lauderdale's. He desired permission, which was easily granted, of retiring to Rochester, a town near the sea-coast. It was perceived, that the artifice had taken effect; and that the king, terrified with this harsh treatment, had renewed his former resolution of leaving the kingdom.

SECOND ESCAPE. *December 23.*

He lingered, however, some days at Rochester, under the protection of a Dutch guard, and seemed desirous of an invitation still to keep possession of the throne. He was undoubtedly sensible, that, as he had at first trusted too much to his people's loyalty, and, in confidence of their submission, had offered the greatest violence to their principles and prejudices; so had he, at last, on finding his disappointment, gone too far in the other extreme, and had hastily supposed them destitute of all sense of duty or allegiance. But observing that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counsels, he submitted to his melancholy fate; and being urged by earnest letters from the queen, he privately embarked on board a frigate which waited for him; and he arrived safely at Ambleteuse in Picardy, whence he hastened to St. Germains. Louis received him with the highest generosity, sympathy, and regard; a conduct which, more than his most signal victories, contributes to the honour of that great monarch.

KING'S CHARACTER.

Thus ended the reign of a prince, whom, if we consider his personal character rather than his public conduct, we may safely pronounce more unfortunate than criminal. He had many of those qualities which form a good citizen; even some of those which, had they not been swallowed up in bigotry and arbitrary principles, serve to compose a good sovereign. In domestic life his conduct was irreproachable, and is entitled to our approbation. Severe, but open in his enmities, steady in his counsels, diligent in his schemes, brave in his enterprises, faithful, sincere, and honourable in his dealings with all men: such was the character with which the duke of York mounted the throne of England. In that high station, his frugality of public money was remarkable, his industry exemplary, his application to naval affairs successful, his encouragement of trade judicious, his jealousy of national honour laudable: what then was wanting to make him an excellent sovereign? A due regard and affection to the religion and constitution of his country. Had he been possessed of this essential quality, even his middling talents, aided by so many virtues, would have rendered his reign honourable and happy. When it was wanting, every excellency which he possessed became dangerous and pernicious to his kingdoms.

The sincerity of this prince (a virtue on which he highly valued himself) has been much questioned in those reiterated promises which he had made of preserving the liberties and religion of the nation. It must be confessed, that his reign was almost one continued invasion of both; yet it is known, that to his last breath, he persisted in asserting, that he never meant to subvert the laws, or procure more than a toleration and an equality of privileges to his catholic subjects. This question can only affect the personal character of the king, not our judgment of his public conduct. Though by a stretch of candour we should admit of his sincerity in these professions, the people were equally justifiable in their resistance of him. So lofty was the idea which he had entertained of his *legal* authority, that it left his subjects little or no right to

liberty, but what was dependent on his sovereign will and pleasure. And such was his zeal for proselytism, that whatever he might at first have intended, he plainly stopped not at toleration and equality: he confined all power, encouragement, and favour to the catholics: converts from interest would soon have multiplied upon him: if not the greater, at least the better part of the people, he would have flattered himself, was brought over to his religion: and he would in a little time have thought it just, as well as pious, to bestow on them all the public establishments. Rigours and persecutions against heretics would speedily have followed; and thus liberty and the protestant religion would in the issue have been totally subverted; though we should not suppose that James, in the commencement of his reign, had formally fixed a plan for that purpose. And, on the whole, allowing this king to have possessed good qualities and good intentions, his conduct serves only, on that very account, as a stronger proof, how dangerous it is to allow any prince, infected with the catholic superstition, to wear the crown of these kingdoms.

After this manner, the courage and abilities of the prince of Orange, seconded by surprising fortune, had effected the deliverance of this island; and with very little effusion of blood (for only one officer of the Dutch army and a few private soldiers fell in an accidental skirmish) had dethroned a great prince, supported by a formidable fleet and numerous army. Still the more difficult task remained, and what perhaps the prince regarded as not the least important, the obtaining for himself that crown, which had fallen from the head of his father-in-law. Some lawyers, entangled in the subtleties and forms of their profession, could think of no expedient, but that the prince should claim the crown by right of conquest; should immediately assume the title of sovereign; and should call a parliament, which, being thus legally summoned by a king in possession, could ratify whatever had been transacted before they assembled. But this measure, being destructive of the principles of liberty, the only principles on which his future throne could be established, was prudently rejected by the prince, who, finding himself possessed of the good-will of the nation, resolved to leave them entirely to their own guidance and direction. The peers and bishops, to the number of near ninety, made an address, desiring him to summon a convention by circular letters; to assume, in the mean time, the management of public affairs; and to concert measures for the security of Ireland. At the same time, they refused reading a letter, which the king had left, in order to apologize for his late desertion, by the violence which had been put upon him. This step was a sufficient indication of their intentions with regard to that unhappy monarch.

CONVENTION SUMMONED.

The prince seemed still unwilling to act upon an authority, which might be deemed so imperfect: he was desirous of obtaining a more express declaration of the public consent. A judicious expedient was fallen on for that purpose. All the members, who had sitten in the house of commons during any parliament of Charles II. (the only parliaments whose election was regarded as free) were invited to meet; and to them were added the mayor, aldermen, and fifty of the common-council. This was regarded as the most proper representative of the people that could be summoned during the present emergence. They unanimously voted the same address with the lords: and the prince, being thus supported by all the legal authority which could possibly be obtained in this critical juncture, wrote circular letters to the counties and corporations of England; and his orders were universally complied with. A profound tranquillity prevailed throughout the kingdom; and the prince's administration was submitted to, as if he had succeeded in the most regular manner to the vacant throne. The fleet received his orders: the army, without murmur or opposition, allowed him to new-model them: and the city supplied him with a loan of two hundred thousand pounds.

SETTLEMENT OF SCOTLAND. *January* 7, 1689.

The conduct of the prince, with regard to Scotland, was founded on the same prudent and moderate maxims. Finding that there were many Scotchmen of rank at that time in London, he summoned them together, laid before them his intentions, and asked their advice in the present emergency. This assembly, consisting of thirty noblemen and about fourscore gentlemen, chose duke Hamilton president; a man who, being of a temporising character, was determined to pay court to the present authority. His eldest son, the earl of Arran, professed an adherence to king James; a usual policy in Scotland, where the father and son, during civil commotions, were often observed to take opposite sides, in order to secure, in all events, the family from attainder. Arran proposed to invite back the king upon conditions; but as he was vehemently opposed in this motion by sir Patric Hume, and seconded by nobody, the assembly made an offer to the prince of the present administration, which he willingly accepted. To anticipate a little in our narration, a convention, by circular letters from the prince, was summoned at Edinburgh on the twenty-second of March; where it was soon visible, that the interest of the malcontents would entirely prevail. The more zealous royalists, regarding this assembly as illegal, had forborne to appear at elections; and the other part were returned for most places. The revolution was not, in Scotland, as in England, effected by a coalition of whig and tory: the former party alone had overpowered the government, and were too much enraged by the past injuries which they had suffered, to admit of any composition with their former masters. As soon as the purpose of the convention was discovered, the earl of Balcarras and viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that king James, by his mal-administration and his abuse of power, had *forfeited* all title to the crown, they made a tender of the royal dignity to the prince and princess of Orange.

ENGLISH CONVENTION MEETS. *January* 22.

The English convention was assembled; and it immediately appeared, that the house of commons, both from the prevailing humour of the people, and from the influence of present authority, were mostly chosen from among the whig party. After thanks were unanimously given by both houses to the prince of Orange, for the deliverance which he had brought them, a less decisive vote than that of the Scottish convention was in a few days passed by a great majority of the commons, and sent up to the peers for their concurrence. It was contained in these words: "That king James II., having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of jesuits and other wicked persons, violated the fundamental laws, and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant." This vote, when carried to the upper house, met with great opposition; of which it is here necessary for us to explain the causes.

The tories and the high-church party, finding themselves at once menaced with a subversion of the laws and of their religion, had zealously promoted the national revolt, and had on this occasion departed from those principles of non-resistance, of which, while the king favoured them, they had formerly made such loud professions. Their present apprehensions had prevailed over their political tenets; and the unfortunate

James, who had too much trusted to those general declarations, which never will be reduced to practice, found in the issue, that both parties were secretly united against him. But no sooner was the danger past, and the general fears somewhat allayed, than party prejudices resumed, in some degree, their former authority; and the tories were abashed at that victory, which their antagonists, during the late transactions, had obtained over them. They were inclined, therefore, to steer a middle course; and, though generally determined to oppose the king's return, they resolved not to consent to dethroning him, or altering the line of succession. A regent with kingly power was the expedient which they proposed; and a late instance in Portugal seemed to give some authority and precedent to that plan of government.

In favour of this scheme the tories urged, that, by the uniform tenor of the English laws, the title to the crown was ever regarded as sacred, and could, on no account, and by no mal-administration, be forfeited by the sovereign: that to dethrone a king and to elect his successor, was a practice quite unknown to the constitution, and had a tendency to render kingly power entirely dependent and precarious: that where the sovereign, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was invested with the whole power of the administration: that the inveterate and dangerous prejudices of king James had rendered him as unfit to sway the English sceptre, as if he had fallen into lunacy; and it was therefore natural for the people to have recourse to the same remedy: that the election of one king was a precedent for the election of another; and the government, by that means, would either degenerate into a republic, or, what was worse, into a seditious monarchy: that the case was still more dangerous, if there remained a prince, who claimed the crown by right of succession, and disputed, on so plausible a ground, the title of the present sovereign: that though the doctrine of non-resistance might not, in every possible circumstance, be absolutely true, yet was the belief of it very expedient; and to establish a government, which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: that the appointment of a regent was indeed exposed to many inconveniences; but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to the public disorders: and that scarcely an instance occurred in history, especially in the English history, where a disputed title had not, in the issue, been attended with much greater ills, that all those which the people had sought to shun, by departing from the lineal successor.

The leaders of the whig party, on the other hand, asserted, that, if there were any ill in the precedent, that ill would result as much from establishing a regent, as from dethroning one king, and appointing his successor; nor would the one expedient, if wantonly and rashly embraced by the people, be less the source of public convulsions than the other: that if the laws gave no express permission to dethrone the sovereign, neither did they authorize resisting his authority, or separating the power from the title: that a regent was unknown, except where the king, by reason of his tender age or his infirmities, was incapable of a will; and in that case, his will was supposed to be involved in that of the regent: that it would be the height of absurdity to try a man for acting upon a commission received from a prince, whom we ourselves acknowledge to be the lawful sovereign; and no jury would decide so contrary both to law and common sense, as to condemn such a pretended criminal: that even the prospect of being delivered from this monstrous inconvenience was, in the present situation of affairs, more distant than that of putting an end to a disputed succession: that allowing the young prince to be the legitimate heir, he had been carried abroad; he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son, liable to the same insuperable objection: that if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title: and that a nation thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people.

This question was agitated with great zeal by the opposite parties in the house of peers. The chief speakers among the tories were, Clarendon, Rochester, and Nottingham; among the whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance, both from the prince's court and from parliament.

The house of peers proceeded next to examine piecemeal the vote sent up to them by the commons. They debated, "Whether there were an original contract between king and people?" and the affirmative was carried by fifty-three against forty-six; a proof that the tories were already losing ground. The next question was, "Whether king James had broken that original contract?" and, after a slight opposition, the affirmative prevailed. The lords proceeded to take into consideration the word *abdicated*; and it was carried that *deserted* was more proper. The concluding question was, "Whether king James, having broken the original contract and *deserted* the government, the throne was thereby vacant?" This question was debated with more heat and contention than any of the former; and upon a division, the tories prevailed by eleven voices, and it was carried to omit the last article, with regard to the vacancy of the throne. The vote was sent back to the commons with these amendments.

The earl of Danby had entertained the project of bestowing the crown solely upon the princess of Orange, and of admitting her as hereditary legal successor to king James; passing by the infant prince, as illegitimate or supposititious. His change of party in the last question gave the tories so considerable a majority in the number of voices.

FREE CONFERENCES BETWIXT THE HOUSES.

The commons still insisted on their own vote, and sent up reasons why the lords should depart from their amendments. The lords were not convinced; and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers; yet is one surprised to find the topics insisted on by both sides so frivolous; more resembling the verbal disputes of the schools, than the solid reasonings of statesmen and legislators. In public transactions of such consequence, the true motives which produce any measure are seldom avowed. The whigs, now the ruling party, having united with the tories, in order to bring about the Revolution, had so much deference for their new allies as not to insist that the crown should be declared *forfeited*, on account of the king's mal-administration: such a declaration, they thought, would imply too express a censure of the old tory principles, and too open a preference of their own. They agreed, therefore, to confound together the king's abusing his power, and his withdrawing from the kingdom; and they called the whole an *abdication*; as if he had given a virtual, though not a verbal consent to de-

throning himself. The tories took advantage of this obvious impropriety, which had been occasioned merely by the complaisance or prudence of the whigs; and they insisted upon the word *desertion*, as more significant and intelligible. It was retorted on them, that however that expression might be justly applied to the king's withdrawing himself, it could not, with any propriety, be extended to his violation of the fundamental laws. And thus both parties, while they warped their principles from regard to their antagonists, and from prudential considerations, lost the praise of consistence and uniformity.

The managers for the lords next insisted, that even allowing the king's abuse of power to be equivalent to an abdication, or, in other words, to a civil death, it could operate no otherwise than his voluntary resignation, or his natural death; and could only make way for the next successor. It was a maxim of English law, *that the throne was never vacant*: but instantly, upon the demise of one king, was filled with his legal heir, who was entitled to all the authority of his predecessor. And however young or unfit for government the successor, however unfortunate in his situation, though he were even a captive in the hands of public enemies; yet no just reason, they thought, could be assigned why, without any default of his own, he should lose a crown, to which, by birth, he was fully entitled. The managers for the commons might have opposed this reasoning by many specious, and even solid arguments. They might have said, that the great security for allegiance being merely opinion, any scheme of settlement should be adopted, in which it was most probable the people would acquiesce and persevere: that though, upon the natural death of a king, whose administration had been agreeable to the laws, many and great inconveniences would be endured, rather than exclude his lineal successor, yet the case was not the same, when the people had been obliged, by their revolt, to dethrone a prince whose illegal measures had, in every circumstance, violated the constitution: that, in these extraordinary revolutions, the government reverted, in some degree, to its first principles, and the community acquired a right of providing for the public interests by expedients which, on other occasions, might be deemed violent and irregular: that the recent use of one extraordinary remedy reconciled the people to the practice of another, and more familiarised their minds to such licences, than if the government had run on in its usual tenor: and that king James, having carried abroad his son, as well as withdrawn himself, had given such just provocation to the kingdom, had voluntarily involved it in such difficulties, that the interests of his family were justly sacrificed to the public settlement and tranquillity. Though these topics seemed reasonable, they were entirely forborne by the whig managers; both because they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obscurity, and because they contained too express a condemnation of tory principles. They were content to maintain the vote of the commons by shifts and evasions; and both sides parted at last without coming to any agreement.

But it was impossible for the public to remain long in the present situation. The perseverance, therefore, of the lower house obliged the lords to comply; and, by the desertion of some peers to the whig party, the vote of the commons, without any alteration, passed by a majority of fifteen in the upper house, and received the sanction of every part of the legislature which then subsisted.

It happens unluckily for those who maintain an original contract between the magistrate and people, that great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard; and the opinions of the citizens are at that time less attended to than even in the common course of administration. The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom: the prince had ordered the troops to depart from all the towns where the voters assembled: a tumultuary petition to the two houses having been promoted, he took care, though the petition was calculated for his advantage, effectually to suppress it: he entered into no intrigues, either with the electors or the members: he kept himself in a total silence, as if he had been nowise concerned in these transactions: and, so far from forming cabals with the leaders of parties, he disdained even to bestow caresses on those whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity; even though the prince unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it.

At length the prince deigned to break silence, and to express, though in a private manner, his sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that having been invited over to restore their liberty, he had engaged in this enterprise, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled with freedom, to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard of several schemes proposed for establishing the government: some insisted on a regent; others were desirous of bestowing the crown on the princess: it was their concern alone to choose the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: he only thought it incumbent on him to inform them, that he was determined not to be the regent, nor ever to engage in a scheme which, he knew, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with; but he would rather remain a private person than enjoy a crown which must depend on the will or life of another. And that they must therefore make account, if they were inclined to either of these two plans of settlement, that it would be totally out of his power to assist them in carrying it into execution; his affairs abroad were too important to be abandoned for so precarious a dignity, or even to allow him so much leisure as would be requisite to introduce order into their disjointed government.

These views of the prince were seconded by the princess herself, who, as she possessed many virtues, was a most obsequious wife to a husband, who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partisans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The princess Anne also concurred in the same plan for the public settlement; and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother was, in the present establishment, entirely neglected, she might, on the whole, deem herself, in point of interest, a gainer by this Revolution.

SETTLEMENT OF THE CROWN.

The chief parties, therefore, being agreed, the convention passed a bill, in which they settled the crown on the prince and princess of Orange, the sole administration to remain in the prince; the princess of

Denmark to succeed after the death of the prince and princess of Orange; her posterity after those of the princess, but before those of the prince by any other wife. The convention annexed to this settlement of the crown a declaration of rights, where all the points which had, of late years, been disputed between the king and people were finally determined; and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government.

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MANNERS, ARTS, AND SCIENCES.

Thus have we seen, through the whole course of four reigns, a continual struggle maintained between the crown and the people; privilege and prerogative were ever at variance: and both parties, beside the present object of dispute, had many latent claims, which, on a favourable occasion, they produced against their adversaries. Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience: they abate the active powers of men; depress courage, invention, and genius; and produce an universal lethargy in the people. Though this opinion may be just, the fluctuation and contest, it must be allowed, of the English government were, during these reigns, much too violent both for the repose and safety of the people. Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purposes: and in the domestic administration there was felt a continued fever, either secret or manifest; sometimes the most furious convulsions and disorders. The Revolution forms a new epoch in the constitution; and was probably attended with consequences more advantageous to the people, than barely freeing them from an exceptionable administration. By deciding many important questions in favour of liberty, and still more by that great precedent of deposing one king, and establishing a new family, it gave such an ascendant to popular principles, as has put the nature of the English constitution beyond all controversy. And it may justly be affirmed, without any danger of exaggeration, that we, in this island, have ever since enjoyed, if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind.

To decry with such violence, as is affected by some, the whole line of Stuart; to maintain, that their administration was one continued encroachment on the *incontestable* rights of the people; is not giving due honour to that great event, which not only puts a period to their hereditary succession, but made a new settlement of the whole constitution. The inconveniencies suffered by the people under the two first reigns of that family (for in the main they were fortunate) proceeded in a great measure from the unavoidable situation of affairs; and scarcely anything could have prevented those events, but such vigour of genius in the sovereign, attended with such good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments, in those reigns, were taking advantage of the necessities of the prince, and attempting every session to abolish, or circumscribe, or define, some prerogative of the crown, and innovate in the usual tenor of government; what could be expected, but that the prince would exert himself in defending, against such inveterate enemies, an authority which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II., in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct; yet were there some motives, surely, which could engage a prince so soft and indolent, and at the same time so judicious, to attempt such hazardous enterprises. He felt that public affairs had reached a situation at which they could not possibly remain without some further innovation. Frequent parliaments were become almost absolutely necessary to the conducting of public business; yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than control. The crown still possessed considerable power of opposing parliaments; and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature: hence the inclination mutually to take advantage of each other's necessities: hence the impossibility, under which the king lay, of finding ministers, who could at once be serviceable and faithful to him. If he followed his own choice in appointing his servants, without regard to their parliamentary interest, a refractory session was instantly to be expected: if he chose them from among the leaders of popular assemblies, they either lost their influence with the people, by adhering to the crown, or they betrayed the crown, in order to preserve their influence. Neither Hambden, whom Charles I. was willing to gain at any price; nor Shaftesbury, whom Charles II., after the popish plot, attempted to engage in his counsels, would renounce their popularity for the precarious, and, as they esteemed it, deceitful favour of the prince. The root of their authority they still thought to lie in the parliament; and as the power of that assembly was not yet uncontrollable, they still resolved to augment it, though at the expense of the royal prerogatives.

It is no wonder that these events have long, by the representations of faction, been extremely clouded and obscured. No man has yet arisen, who has paid an entire regard to truth, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public. Even that party amongst us, which boasts of the highest regard to liberty, has not possessed sufficient liberty of thought in this particular, nor has been able to decide impartially of their own merit, compared with that of their antagonists. More noble perhaps in their ends, and highly beneficial to mankind, they must also be allowed to have often been less justifiable in the means, and in many of their enterprises to have paid more regard to political than to moral considerations. Obliged to court the favour of the populace, they found it necessary to comply with their rage and folly; and have even, on many occasions, by propagating calumnies, and by promoting violence, served to infatuate, as well as corrupt that people, to whom they made a tender of liberty and justice. Charles I. was a tyrant, a papist, and a contriver of the Irish massacre: the church of England was relapsing fast into idolatry: puritanism was the only true religion, and the covenant the favourite object of heavenly regard. Through these delusions, the party proceeded, and, what may seem wonderful, still to the increase of law and liberty; till they reached the imposture of the popish plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however singular these events may appear, there is really nothing altogether new in any period of modern history: and it is remarkable, that tribunitian arts, though sometimes useful in a free constitution, have usually been such as men of probity and honour could not bring themselves either to practise or approve. The other faction, which, since the Revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

The whig party for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of government; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the state, has proved de-

structive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilized nation could have embraced with regard to its domestic occurrences. Compositions, the most despicable, both for style and matter, have been extolled, and propagated, and read, as if they had equalled the most celebrated remains of antiquity.* And forgetting that a regard to liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government, the prevailing faction has celebrated only the partisans of the former, who pursued as their object the perfection of civil society, and has extolled them at the expense of their antagonists, who maintained those maxims that are essential to its very existence. But extremes of all kinds are to be avoided; and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.

We shall subjoin to this general view of the English government, some account of the state of the finances, arms, trade, manners, arts, between the Restoration and Revolution.

The revenue of Charles II., as settled by the long parliament, was put upon a very bad footing. It was too small, if they intended to make him independent in the common course of his administration: it was too large, and settled during too long a period, if they resolved to keep him in entire dependence. The great debts of the republic, which were thrown upon that prince; the necessity of supplying the naval and military stores, which were entirely exhausted; that of repairing and furnishing his palaces: all these causes involved the king in great difficulties immediately after his Restoration; and the parliament was not sufficiently liberal in supplying him. Perhaps too he had contracted some debts abroad; and his bounty to the distressed cavaliers, though it did not correspond either to their services or expectations, could not fail, in some degree, to exhaust his treasury. The extraordinary sums granted the king during the first years, did not suffice for these extraordinary expenses; and the excise and customs, the only constant revenue, amounted not to nine hundred thousand pounds a year, and fell much short of the ordinary burdens of government. The addition of hearth-money in 1662, and of other two branches in 1669 and 1670, brought up the revenue to one million three hundred and fifty-eight thousand pounds, as we learn from lord Danby's account: but the same authority informs us, that the yearly expense of government was at that time one million three hundred eighty-seven thousand seven hundred and seventy pounds;† without mentioning contingencies, which are always considerable, even under the most prudent administration. Those branches of revenue, granted in 1669 and 1670, expired in 1680, and were never renewed by parliament: they were computed to be above two hundred thousand pounds a year. It must be allowed, because asserted by all contemporary authors of both parties, and even confessed by himself, that king Charles was somewhat profuse and negligent. But it is likewise certain, that a very rigid frugality was requisite to support the government under such difficulties. It is a familiar rule in all business, that every man should be paid in proportion to the trust reposed in him, and to the power which he enjoys; and the nation soon found reason, from Charles's dangerous connexions with France, to repent their departure from that prudential maxim. Indeed, could the parliaments in the reign of Charles I. have been induced to relinquish so far their old habits, as to grant that prince the same revenue which was voted to his successor, or had those in the reign of Charles II. conferred on him as large a revenue as was enjoyed by his brother, all the disorders in both reigns might easily have been prevented, and probably all reasonable concessions to liberty might peaceably have been obtained from both monarchs. But these assemblies, unacquainted with public business, and often actuated by faction and fanaticism, could never be made sensible, but too late and by fatal experience, of the incessant change of times and situations. The French ambassador informs his court, that Charles was very well satisfied with his share of power, could the parliament have been induced to make him tolerably easy in his revenue.

If we estimate the ordinary revenue of Charles II. at one million two hundred thousand pounds a year during his whole reign, the whole computation will rather exceed than fall below the true value. The convention-parliament, after all the sums which they had granted the king towards the payment of old debts, threw, the last day of their meeting, a debt upon him amounting to one million seven hundred forty-three thousand two hundred and sixty-three pounds. All the extraordinary sums which were afterwards voted him by parliament, amounted to eleven millions four hundred forty-three thousand four hundred and seven pounds; which, divided by twenty-four, the number of years which that king reigned, make four hundred seventy-six thousand eight hundred and eight pounds a year. During that time, he had two violent wars to sustain with the Dutch; and in 1678, he made expensive preparations for a war with France. In the first Dutch war, both France and Denmark were allies to the United Provinces, and the naval armaments in England were very great: so that it is impossible he could have secreted any part, at least any considerable part of the sums which were then voted him by parliament.

To these sums we must add about one million two hundred thousand pounds, which had been detained from the bankers on shutting up the exchequer in 1672. The king paid six per cent. for this money during the rest of his reign. It is remarkable, that notwithstanding this violent breach of faith, the king, two years after, borrowed money at eight per cent.; the same rate of interest which he had paid before that event. A proof that public credit, instead of being of so delicate a nature as we are apt to imagine, is, in reality, so hardy and robust, that it is very difficult to destroy it.

The revenue of James was raised by the parliament to about one million eight hundred and fifty thousand pounds; and his income, as duke of York, being added, made the whole amount to two millions a year; a sum well proportioned to the public necessities, but enjoyed by him in too independent a manner. The national debt at the Revolution amounted to one million fifty-four thousand nine hundred and twenty-five pounds.

The militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law which limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Wit having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and would tend only to unite the English. In a few days, said he, after our landing, there will be fifty thousand men at least upon us.

Charles, in the beginning of his reign, had in pay near five thousand men, of guards and garrisons. At the end of his reign, he augmented this number to near eight thousand. James, on Monmouth's rebellion, had on foot about fifteen thousand men; and

* Such as Rapin Thoyras, Locke, Sidney, Hoadley, &c.

† Ralph's History, vol. i. p. 268. We learn from that lord's Memoirs, p. 12, that the receipts of the Exchequer, during six years, from 1674 to 1680, were about eight millions two hundred thousand pounds or one million three hundred sixty-six thousand pounds a year. See, likewise, p. 169.

when the prince of Orange invaded him, there were no fewer than thirty thousand regular troops in England.

The English navy, during the greater part of Charles's reign, made a considerable figure, for number of ships, valour of the men, and conduct of the commanders. Even in 1679, the fleet consisted of eighty-three ships; besides thirty, which were at that time on the stocks. On the king's restoration he found only sixty-three vessels of all sizes. During the latter part of Charles's reign, the navy fell somewhat to decay, by reason of the narrowness of the king's revenue: but James, soon after his accession, restored it to its former power and glory; and before he left the throne carried it much further. The administration of the admiralty under Pepys is still regarded as a model for order and economy. The fleet of the Revolution consisted of one hundred seventy-three vessels of all sizes; and required forty-two thousand seamen to man it. That king, when duke of York, had been the first inventor of sea-signals. The military genius, during these two reigns, had not totally decayed among the young nobility. Dorset, Mulgrave, Rochester, not to mention Ossory, served on board the fleet, and were present in the most furious engagements against the Dutch.

The commerce and riches of England did never, during any period, increase so fast as from the Restoration to the Revolution. The two Dutch wars, by disturbing the trade of that republic, promoted the navigation of this island; and after Charles had made a separate peace with the States, his subjects enjoyed, unmolested, the trade of Europe. The only disturbance which they met with, was from a few French privateers who infested the Channel; and Charles interposed not in behalf of his subjects with sufficient spirit and vigour. The recovery or conquest of New York and the Jerseys was a considerable accession to the strength and security of the English colonies; and, together with the settlement of Pennsylvania and Carolina, which was effected during that reign, extended the English empire in America. The persecutions of the dissenters, or, more properly speaking, the restraints imposed upon them, contributed to augment and people these colonies. Dr. Davenant affirms, that the shipping of England more than doubled during these twenty-eight years. Several new manufactures were established, in iron, brass, silk, hats, glass, paper, &c. One Brewer, leaving the Low Countries, when they were threatened with a French conquest, brought the art of dying woollen cloth into England, and by that improvement saved the nation great sums of money. The increase of coinage during these two reigns was ten millions, two hundred sixty-one thousand pounds. A board of trade was erected in 1670; and the earl of Sandwich was made president. Charles revived and supported the charter of the East-India Company; a measure whose utility is by some thought doubtful: he granted a charter to the Hudson's Bay Company; a measure probably hurtful.

We learn from sir Josiah Child, that in 1688 there were on the 'Change more men worth ten thousand pounds than there were in 1650 worth a thousand; that five hundred pounds with a daughter was, in the latter period deemed a larger portion than two thousand in the former; that gentlewomen, in those earlier times, thought themselves well clothed in a serge gown, which a chambermaid would, in 1688, be ashamed to be seen in: and that, besides the great increase of rich clothes, plate, jewels, and household furniture, coaches were in that time augmented a hundredfold.

The duke of Buckingham introduced from Venice the manufacture of glass and crystal into England. Prince Rupert was also an encourager of useful arts and manufactures: he himself was the inventor of etching.

The first law for erecting turnpikes was passed in 1662; the places of the turnpikes were Wadesmill, Caxton, and Stilton: but the general and great improvement of highways took not place till the reign of George II.

In 1663, was passed the first law for allowing the exportation of foreign coin and bullion.

In 1667 was concluded the first American treaty between England and Spain: this treaty was made more general and complete in 1670. The two states then renounced all right of trading with each other's colonies; and the title of England was acknowledged to all the territories in America, of which she was then possessed.

The French king, about the beginning of Charles's reign, laid some impositions on English commodities: and the English, partly displeased with this innovation, partly moved by their animosity against France, retaliated, by laying such restraints on the commerce with that kingdom as amounted almost to a prohibition. They formed calculations, by which they persuaded themselves that they were losers a million and a half, or near two millions a year, by the French trade. But no good effects were found to result from these restraints; and in king James's reign they were taken off by parliament.

Lord Clarendon tells us, that, in 1665, when money, in consequence of a treaty, was to be remitted to the bishop of Munster, it was found, that the whole trade of England could not supply above a thousand pounds a month to Frankfort and Cologne, nor above twenty thousand pounds a month to Hamburgh: these sums appear surprisingly small.

At the same time that the boroughs of England were deprived of their privileges, a like attempt was made on the colonies. King James recalled the charters, by which their liberties were secured; and he sent over governors invested with absolute power. The arbitrary principles of that monarch appear in every part of his administration.

The people, during these two reigns, were, in a great measure, cured of that wild fanaticism, by which they had formerly been so much agitated. Whatever new vices they might acquire, it may be questioned, whether, by this change, they were, in the main, much losers in point of morals. By the example of Charles II. and the cavaliers, licentiousness and debauchery became prevalent in the nation. The pleasures of the table were much pursued. Love was treated more as an appetite than a passion. The one sex began to abate of the national character of chastity, without being able to inspire the other with sentiment or delicacy.

The abuses in the former age, arising from overstrained pretensions to piety, had much propagated the spirit of irreligion; and many of the ingenious men of this period lie under the imputation of deism. Besides wits and scholars by profession, Shaftesbury, Halifax, Buckingham, Mulgrave, Sunderland, Essex, Rochester, Sidney, Temple, are supposed to have adopted these principles.

The same factions which formerly distracted the nation, were revived, and exerted themselves in the most ungenerous and unmanly enterprises against each other. King Charles being in his whole deportment a model of easy and gentleman-like behaviour, improved the politeness of the nation; as much as faction, which of all things is most destructive to that virtue, could possibly permit. His courtiers were long distinguishable in England by their obliging and agreeable manners.

Till the Revolution, the liberty of the press was very imperfectly enjoyed in England, and during a very short period. The star-chamber, while the court subsisted, put effectual restraints upon printing. On the suppression of that tribunal in 1641, the long parliament, after their rupture with the king, assumed the same power with regard to the licensing of books; and this authority was continued during all the period of the republic and protectorship. Two years after the

Restoration, an act was passed reviving the republican ordinances. This act expired in 1679; but was revived in the first of king James. The liberty of the press did not even commence with the Revolution. It was not till 1694 that the restraints were taken off; to the great displeasure of the king and his ministers, who, seeing nowhere, in any government, during present or past ages, any example of such unlimited freedom, doubted much of its salutary effects, and probably thought, that no books or writings would ever so much improve the general understanding of men, as to render it safe to intrust them with an indulgence so easily abused.

In 1677, the old law for burning heretics was repealed; a prudent measure, while the nation was in continual dread of the return of popery.

Amidst the thick cloud of bigotry and ignorance which overspread the nation, during the commonwealth and protectorship, there were a few sedate philosophers, who, in the retirement of Oxford, cultivated their reason, and established conferences for the mutual communication of their discoveries in physics and geometry. Wilkins, a clergyman, who had married Cromwell's sister, and was afterwards bishop of Chester, promoted these philosophical conversations. Immediately after the Restoration, these men procured a patent, and having enlarged their number, were denominated the *Royal Society*. But this patent was all they obtained from the king. Though Charles was a lover of the sciences, particularly chemistry and mechanics; he animated them by his example alone, not by his bounty. His craving courtiers and mistresses, by whom he was perpetually surrounded, engrossed all his expense, and left him neither money nor attention for literary merit. His contemporary, Louis, who fell short of the king's genius and knowledge in this particular, much exceeded him in liberality. Besides pensions conferred on learned men throughout all Europe, his academies were directed by rules, and supported by salaries: a generosity which does great honour to his memory; and, in the eyes of all the ingenious part of mankind, will be esteemed an atonement for many of the errors of his reign. We may be surprised, that this example should not be more followed by princes; since it is certain that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one useless overgrown favourite or courtier.

But though the French academy of sciences was directed, encouraged, and supported by the sovereign, there arose in England some men of superior genius who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians, Hooke, an accurate observer by microscopes, and Sydenham, the restorer of true physic, there flourished during this period a Boyle and a Newton; men who trod with cautious, and therefore the more secure steps, the only road which leads to true philosophy.

Boyle improved on the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air, as well as on other bodies: his chemistry is much admired by those who are acquainted with that art: his hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity which had led astray so many philosophers. Boyle was a great partisan of the mechanical philosophy; a theory which, by discovering some of the secrets of nature, and allowing us to imagine the rest, is so agreeable to the natural vanity and curiosity of men. He died in 1691, aged 65.

In Newton this island may boast of having produced the greatest and rarest genius that ever rose for the ornament and instruction of the species. Cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual: from modesty, ignorant of his superiority above the rest of mankind; and thence less careful to accommodate his reasonings to common apprehensions: more anxious to merit than acquire fame: he was, from these causes, long unknown to the world; but this reputation at last broke out with a lustre, which scarcely any writer during his own lifetime, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he showed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity in which they ever did and ever will remain. He died in 1727, aged 85.

This age was far from being so favourable to polite literature as to the sciences. Charles, though fond of wit, though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just, served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were opened at the Restoration, and freedom was again given to pleasantry and ingenuity, men, after so long an abstinence, fed on these delicacies with less taste than avidity, and the coarsest and most irregular species of wit was received by the court as well as by the people.

The productions represented at that time on the stage were such monsters of extravagance and folly; so utterly destitute of all reason or even common sense; that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned. The duke of Buckingham's Rehearsal, which exposed these wild productions, seems to be a piece of ridicule carried to excess; yet in reality the copy scarcely equals some of the absurdities which we meet with in the originals.*

This severe satire, together with the good sense of the nation, corrected, after some time, the extravagances of the fashionable wit; but the productions of literature still wanted much of that correctness and delicacy which we so much admire in the ancients, and in the French writers, their judicious imitators. It was indeed during this period chiefly, that that nation left the English behind them in the productions of poetry, eloquence, history, and other branches of polite letters; and acquired a superiority, which the efforts of English writers, during the subsequent age, did more successfully contest with them. The arts and sciences were imported from Italy into this island as early as into France; and made at first more sensible advances. Spencer, Shakespeare, Bacon, Jonson, were superior to their contemporaries, who flourished in that kingdom. Milton, Waller, Denham, Cowley, Harvey, were at least equal to their contemporaries. The reign of Charles II. which some preposterously represent as our Augustan age, retarded the progress of polite literature in this island; and it was then found, that the immeasurable licentiousness, indulged, or rather applauded, at court, was more destructive to the refined arts, than even the cant, nonsense, and enthusiasm of the preceding period.

Most of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taste; and none more than Dryden, both by reason of the greatness of his talents, and the gross abuse which he made of them. His plays, excepting a few scenes, are utterly disfigured by vice or folly, or both. His translations appear too much the offspring of haste and hunger: even his fables are ill-chosen tales, conveyed in an incorrect though spirited versification. Yet, amidst this great number of loose productions, the refuse of our language, there are found some small

* The duke of Buckingham died on the 16th of April, 1688.

pieces, his Ode to St. Cecilia, the greater part of Absalom and Achitophel, and a few more, which discover so great genius, such richness of expression, such pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority, or rather great absurdity, of his other writings. He died in 1701, aged 69.

The very name of Rochester is offensive to modest ears; yet does his poetry discover such energy of style and such poignancy of satire, as give ground to imagine what so fine a genius, had he fallen in a more happy age, and had followed better models, was capable of producing. The ancient satirists often used great liberties in their expressions; but their freedom no more resembles the licentiousness of Rochester, than the nakedness of an Indian does that of a common prostitute.

Wycherley, was ambitious of the reputation of wit and libertinism; and he attained it: he was probably capable of reaching the fame of true comedy, and instructive ridicule. Otway had a genius finely turned to the pathetic; but he neither observes strictly the rules of the drama, nor the rules, still more essential, of propriety and decorum. By one single piece, the duke of Buckingham did both great service to his age and honour to himself. The earls of Mulgrave, Dorset, and Roscommon wrote in a good taste; but their productions are either feeble or careless. The marquis of Halifax discovers a refined genius; and nothing but leisure and an inferior station seem wanting to have procured him eminence in literature.

Of all the considerable writers of this age, sir William Temple is almost the only one that kept himself altogether unpolluted by that inundation of vice and licentiousness which overwhelmed the nation. The style of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and interesting. That mixture of vanity which appears in his works, is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honour and humanity; and fancy that we are engaged, not in the perusal of a book, but in conversation with a companion. He died in 1698, aged 70

Though Hudibras was published, and probably composed, during the reign of Charles II., Butler may justly, as well as Milton, be thought to belong to the foregoing period. No composition abounds so much as Hudibras in strokes of just and inimitable wit: yet there are many performances which give as great or greater entertainment on the whole perusal. The allusions in Butler are often dark and far-fetched; and though scarcely any author was ever able to express his thoughts in so few words, he often employs too many thoughts on one subject, and thereby becomes prolix after an unusual manner. It is surprising how much erudition Butler has introduced with so good a grace into a work of pleasantry and humour: Hudibras is perhaps one of the most learned compositions that is to be found in any language. The advantage which the royal cause received from this poem, in exposing the fanaticism and false pretensions of the former parliamentary party, was prodigious. The king himself had so good a taste, as to be highly pleased with the merit of the work, and had even got a great part of it by heart: yet was he either so careless in his temper, or so little endowed with the virtue of liberality, or, more properly speaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obscurity, and die in want.* Dryden is an instance of a negligence of the same kind. His Absalom sensibly contributed to the victory which the tories obtained over the whigs, after the exclusion of parliaments: yet could not this merit, aided by his great genius, procure him an establishment which might exempt him from the necessity of writing for bread. Otway, though a professed royalist, could not even procure bread by his writings; and he had the singular fate of dying literally of hunger. These incidents throw a great stain on the memory of Charles, who had discernment, loved genius, was liberal of money, but attained not the praise of true generosity.

* Butler died in 1680, aged 58.

END OF THE HISTORY OF ENGLAND, BY DAVID HUME

NOTES TO VOLUME I.

Note A, *p.* 19

THIS question has been disputed with as great zeal and even acrimony, between the Scotch and Irish antiquaries, as if the honour of their respective countries, were the most deeply concerned in the decision. We shall not enter into any detail on so uninteresting a subject; but shall propose our opinion in a few words. It appears more than probable, from the similitude of language and manners, that Britain either was originally peopled or was subdued, by the migration of inhabitants from Gaul, and Ireland from Britain: the position of the several countries is an additional reason that favours this conclusion. It appears also probable, that the migrations of that colony of Gauls or Celts, who peopled or subdued Ireland, was originally made from the north-west parts of Britain; and this conjecture (if it do not merit a higher name) is founded both on the Irish language, which is a very different dialect from the Welsh, and from the language anciently spoken in South Britain, and on the vicinity of Lancashire, Cumberland, Galloway, and Argyleshire to that island. These events, as they passed long before the age of history and records, must be known by reasoning alone, which in this case seems to be pretty satisfactory: Cæsar and Tacitus, not to mention a multitude of other Greek and Roman authors, were guided by like inferences. But besides these primitive facts, which lie in a very remote antiquity, it is a matter of positive and undoubted testimony, that the Roman province of Britain, during the time of the lower empire, was much infested by bands of robbers or pirates, whom the provincial Britons called Scots or Scuits; a name which was probably used as a term of reproach, and which these banditti themselves did not acknowledge or assume. We may infer from two passages in Claudian, and from one in Orosius, and another in Isidore, that the chief seat of these Scots was in Ireland. That some part of the Irish freebooters migrated back to the north-west parts of Britain, whence their ancestors had probably been derived in a more remote age, is positively asserted by Bede, and implied in Gildas. I grant, that neither Bede nor Gildas are Cæsars or Tacituses; but such as they are, they remain the sole testimony on the subject, and therefore must be relied on for want of better: happily, the frivolousness of the question corresponds to the weakness of the authorities. Not to mention, that, if any part of the traditional history of a barbarous people can be relied on, it is the genealogy of nations, and even sometimes that of families. It is in vain to argue against these facts from the supposed warlike disposition of the Highlanders, and unwarlike of the ancient Irish. Those arguments are still much weaker than the authorities. Nations change very quickly in these particulars. The Britons were unable to resist the Picts and Scots, and invited over the Saxons for their defence, who repelled those invaders; yet the same Britons valiantly resisted for a hundred and fifty years, not only this victorious band of Saxons, but infinite numbers more, who poured in upon them from all quarters. Robert Bruce in 1322, made a peace, in which England, after many defeats, was constrained to acknowledge the independence of his country: yet in no more distant period than ten years after, Scotland was totally subdued by a small handful of English, led by a few private noblemen. All history is full of such events. The Irish-Scots, in the course of two or three centuries, might find time and opportunities sufficient to settle in North Britain, though we can neither assign the period nor causes of that revolution. Their barbarous manner of life rendered them much fitter than the Romans for subduing these mountaineers. And, in a word, it is clear, from the language of the two countries, that the Highlanders and the Irish are the same people, and that the one are a colony from the other. We have positive evidence, which, though from neutral persons, is not perhaps the best that may be wished for, that the former, in the third or fourth century, sprang from the latter: we have no evidence at all that the latter sprang from the former. I shall add, that the name of Erse or Irish, given by the low-country Scots to the language of the Scotch Highlanders, is a certain proof of the traditional opinion delivered from father to son, that the latter people came originally from Ireland.

Note B, *p.* 43.

There is a seeming contradiction in ancient historians with regard to some circumstances in the story of Edwy and Elgiva. It is agreed, that this prince had a violent passion for his second or third cousin, Elgiva, whom he married, though within the degrees prohibited by the canons. It is also agreed, that he was dragged from a lady on the day of his coronation, and that the lady was afterwards treated with the singular barbarity above mentioned. The only difference is, that Osborne and some others call her his strumpet, not his wife, as she is said to be by Malmesbury. But this difference is easily reconciled: for if Edwy married her contrary to the canons, the monks would be sure to deny her to be his wife, and would insist that she could be nothing but his strumpet: so that, on the whole, we may esteem this representation of the matter as certain; at least, as by far the most probable. If Edwy had only kept a mistress, it is well known, that there are methods of accommodation with the church, which would have prevented the clergy from proceeding to such extremities against him: but his marriage, contrary to the canons, was an insult on their authority, and called for their highest resentment.

Note C, *p.* 43.

Many of the English historians make Edgar's ships amount to an extravagant number, to three thousand, or three thousand six hundred: see Hoveden, p. 426. Flor. Wigorn. p. 607. Abbas Rieval, p. 360. Brompton, p. 869, says that Edgar had four thousand vessels. How can these accounts be reconciled to probability, and to the state of the navy in the time of Alfred? W. Thorne makes the whole number amount only to three hundred, which is more probable. The fleet of Ethelred, Edgar's son, must have been short of a thousand ships; yet the Saxon Chroncicle, p. 137, says, it was the greatest navy that ever had been seen in England.

Note D, *p.* 48.

Almost all the ancient historians speak of this massacre of the Danes as if it had been universal, and as if every individual of that nation throughout England had been put to death. But the Danes were almost the sole inhabitants in the kingdoms of Northumberland and East-Anglia, and were very numerous in Mercia. This representation, therefore, of the matter is absolutely impossible. Great resistance must have been made, and violent wars ensued; which was not the case. This account given by Wallingford, though he stands single, must be admitted as the only true one. We are told that the name *Lurdane*, "Lord Dane," for an idle lazy fellow, who lives at other people's expense, came from the conduct of the Danes, who were put to death. But the English princes had been entirely masters for several generations; and only supported a military corps of that nation. It seems probable, therefore, that it was these Danes only that were put to death.

Note E, *p.* 54.

The ingenious author of the article GODWIN, in the Biographia Britannica, has endeavoured to clear the memory of that nobleman, upon the supposition, that all the English annals had been falsified by the Norman historians after the conquest. But that this supposition has not much foundation, appears hence, that almost all these historians have given a very good character of his son Harold, whom it was much more the interest of the Norman cause to blacken.

Note F, *p.* 56.

The whole story of the transactions between Edward, Harold, and the duke of Normandy, is told so differently by the ancient writers, that there are few important passages of the English history liable to so great uncertainty. I have followed the account which appeared to me the most consistent and probable. It does not seem likely, that Edward ever executed a will in the duke's favour, much less that he got it ratified by the states of the kingdom, as is affirmed by some. The will would have been known to all, and would have been produced by the Conqueror, to whom it gave so plausible, and really so just a title; but the doubtful and ambigious manner in which he seems always to have mentioned it, proves that he could only plead the known intentions of that monarch in his favour, which he was desirous to call a will. There is indeed a charter of the Conqueror preserved by Dr. Hickes, vol. i., where he calls himself *rex hereditarius*, meaning heir by will; but a prince possessed of so much power, and attended with so much success, may employ what pretence he pleases: it is sufficient to refute his pretences to observe, that there is a great difference and variation among historians, with regard to a point which, had it been real, must have been agreed upon by all of them.

Again, some historians, particularly Malmesbury and Matthew of Westminster, affirm that Harold had no intention of going over to Normandy, but that, taking the air in a pleasure-boat on the coast, he was driven over by stress of weather to the territories of Guy, count of Ponthieu: but besides that this story is not probable in itself, and is contradicted by most of the ancient historians, it is contradicted by a very curious and authentic monument lately discovered. It is a tapestry, preserved in the ducal palace of Roüen, and supposed to have been wrought by orders of Matilda, wife to the emperor: at least it is of very great antiquity. Harold is there represented as taking his departure from king Edward in execution of some commission, and mounting his vessel with a great train. The design of redeeming his brother and nephew, who were hostages, is the most likely cause that can be assigned; and is accordingly mentioned by Eadmer, Hoveden, Brompton, and Simeon of Durham. For a further account of this piece of tapestry, see Histoire de l'Academie de Literature, tom. ix., page 535.

Note G, *p.* 62.

It appears from the ancient translations of the Saxon annals and laws, and from king Alfred's translation of Bede, as well as from all the ancient historians, that *comes* in Latin, *alderman* in Saxon, and *earl* in Dano-Saxon, were quite synonymous. There is only a clause in a law of king Athelstan's, (see Spelm. Conc. p. 406,) which has stumbled some antiquaries, and has made them imagine that an earl was superior to an alderman. The weregild, or the price of an earl's blood, is there fixed at fifteen thousand thrimsas, equal to that of an archbishop; whereas that of a bishop and alderman is only eight thousand thrimsas. To solve this difficulty we must have recourse to Selden's conjecture, (see his Titles of Honour, chap. v. p. 603, 604,) that the term of earl was in the age of Athelstan just beginning to be in use in England, and stood at that time for the atheling or prince of the blood, heir to the crown. This he confirms by a law of Canute, sec. 55, where an atheling, and an archbishop are put upon the same footing. In another law of the same Athelstan, the weregild of the prince, or atheling, is said to be fifteen thousand thrimsas. See Wilkins, p. 71. He is therefore the same who is called earl in the former law.

Note H, *p.* 73.

There is a paper or record of the family of Sharneborne, which pretends, that that family, which was Saxon, was restored upon proving their innocence, as well as other Saxon families which were in the same situation. Though this paper was able to impose on such great antiquaries as Spelman (see Gloss. in verbo *Drenges*) and Dugdale, (see Baron. vol. i. p. 118,) it is proved by Dr. Brady (see Answ. to Petyt, p. 11, 12) to have been a forgery; and is allowed as such by Tyrrel, though a pertinacious defender of his party notions. See his Hist. vol. ii. introd. p. 51, 73. Ingulf, p. 70, tells us, that very early Hereward, though absent during the time of the conquest, was turned out of all his estate, and could not obtain redress. William even plundered the monasteries. Flor. Wigorn. p. 636. Chron. Abb. St. Petri de Burgo, p. 48. M. Paris, p. 5. Sim. Dun. p. 200. Diceto, p. 482. Brompton, p. 967. Knyghton, p. 2344. Alur. Beverl. p. 130. We are told by Ingulf, that Ivo de Tailebois plundered the monastery of Croyland of a great part of its land, and no redress could be obtained.

Note I, *p.* 73.

The obliging of all the inhabitants to put out the fires and lights at certain hours, upon the sounding of a bell, called the *courfeu*, is represented by Polydore Virgil, lib. 9, as a mark of the servitude of the English. But this was a law of police, which William had previously established in Normandy. See du Moulin, Hist. de Normandie, p. 160. The same law had place in Scotland. LL. Burgor. cap. 86.

Note K, *p.* 75.

What these laws were of Edward the Confessor, which the English, every reign during a century and a half, desire so passionately to have restored, is much disputed by antiquaries; and our ignorance of them seems one of the greatest defects in the ancient English history. The collection of laws in Wilkins, which pass under the name of Edward, are plainly a posterior and an ignorant compilation. Those to be found in Ingulf are genuine; but so imperfect, and contain so few

clauses favourable to the subject, that we see no great reason for their contending for them so vehemently. It is probable, that the English meant the *common law*, as it prevailed during the reign of Edward; which we may conjecture to have been more indulgent to liberty than the Norman institutions. The most material articles of it were afterwards comprehended in Magna Charta.

Note L, *p.* 80.

Ingulf, p. 70. H. Hunt. p. 370, 372. M. West. p. 225. Gul. Neub. p. 357. Alured Beverl. p. 124. De Gest. Angl. p. 333. Matt. Paris, p. 4. Sim Dun. p. 206. Brompton, p. 962, 980, 1161. Gervase Tilb. lib. i. cap. 16. Textus Roffensis apud Seld. Spicileg. ad Eadm. p. 179. Gul. Pict. p. 206. Ordericus Vitalis, p. 521, 666, 853. Epist. St. Thom. p. 801. Gul. Malmes. p. 52, 57. Knyghton, p. 2354. Eadmer, p. 110. Thom. Rudborne in Ang. Sacra, vol. i. p. 248. Monach. Roff. in Ang. Sacra, vol. ii. p. 276. Girald. Camb. in eadem, vol. ii. p. 413. Hist. Elyensis, p. 516. The words of this last historian, who is very ancient, are remarkable, and worth transcribing:—"Rex itaque factus Willielmus, quid in principes Anglorum, qui tantæ cladi superesse poterant, fecerit, dicere, cum nihil prosit, omitto. Quid enim prodesset, si nec unum in toto regno de illis dicerem pristina potestat, uti permissum, sed omnes aut in gravem paupertatis ærumnam detrusos, aut exhæredatos, patria pulsos, aut effossis oculis, vel cæteris amputatis membris, opprobrium hominum factos, aut certe miserrime afflictos, vita privatos. Simili modo utilitate carere existimo dicere quid in minorem populum, non solum ab eo, sed a suis actum sit, cum id dictu sciamus difficile, et ob immanem crudelitatem fortassis incredibile."

Note M, *p.* 93.

Henry, by the feudal customs, was entitled to levy a tax for the marrying of his eldest daughter; and he exacted three shillings a hyde on all England. H. Hunt. p. 379. Some historians (Brady, p. 270, and Tyrrel, vol. ii. p. 182) heedlessly make this sum amount to above eight hundred thousand pounds of our present money: but it could not exceed a hundred and thirty-five thousand. Five hydes, sometimes less, made a knight's fee, of which there were about sixty thousand in England, consequently near three hundred thousand hydes; and at the rate of three shillings a hyde, the sum would amount to forty-five thousand pounds, or a hundred and thirty-five thousand of our present money. See Rudborne, p. 257. In the Saxon times, there were only computed two hundred and forty-three thousand six hundred hydes in England.

Note N, *p.* 94.

The legates *a latere*, as they were called, were a kind of delegates, who possessed the full power of the pope in all the provinces committed to their charge, and were very busy in extending as well as exercising it. They nominated to all vacant benefices, assembled synods, and were anxious to maintain ecclesiastical privileges, which could never be fully protected without encroachments on the civil power. If there were the least concurrence or opposition, it was always supposed that the civil power was to give way: every deed, which had the least pretence of holding of anything spiritual, as marriages, testaments, promissory oaths, were brought into the spiritual court, and could not be canvassed before a civil magistrate. These were the established laws of the church; and where a legate was sent immediately from Rome, he was sure to maintain the papal claims with the utmost rigour: but it was an advantage to the king to have the archbishop of Canterbury appointed legate, because the connexions of that prelate with the kingdom tended to moderate his measures.

Note O, *p.* 102.

William of Newbridge, p. 383, (who is copied by later historians,) asserts, that Geoffrey had some title to the counties of Maine and Anjou. He pretends that count Geoffrey, his father, had left him these dominions by a secret will, and had ordered that his body should not be buried, till Henry should swear to the observance of it, which he, ignorant of the contents, was induced to do. But besides that this story is not very likely in itself, and savours of monkish fiction, it is found in no other ancient writer, and is contradicted by some of them, particularly the monk of Marmoutier, who had better opportunities than Newbridge of knowing the truth. See Vita Gauf. Duc. Norman p. 103.

Note P, *p.* 102.

The sum scarcely appears credible: as it would amount to much above half the rent of the whole land. Gervase is indeed a contemporary author; but churchmen are often guilty of strange mistakes of that nature, and are commonly but little acquainted with the public revenues. This sum would make five hundred and forty thousand pounds of our present money. The Norman Chronicle, p. 995, says, that Henry raised only sixty Angevin shillings on each knight's fee in his foreign dominions: this is only a fourth of the sum which Gervase says he levied on England: an inequality nowise probable. A nation may by degrees be brought to bear a tax of fifteen shillings in the pound; but a sudden and precarious tax can never be imposed to that amount, without a very visible necessity, especially in an age so little accustomed to taxes. In the succeeding reign the rent of a knight's fee was computed at four pounds a year. There were sixty thousand knights' fees in England.

Note Q, *p.* 103.

Fitz-Stephens, p. 18. This conduct appears violent and arbitrary; but was suitable to the strain of administration in those days. His father Geoffrey, though represented as a mild prince, set him an example of much greater violence. When Geoffrey was master of Normandy, the chapter of sees presumed, without his consent, to proceed to the election of a bishop; upon which he ordered all of them, with the bishop elect, to be castrated, and made all their testicles be brought him in a platter. Fitz-Steph. p. 44. In the war of Toulouse, Henry laid a heavy and an arbitrary tax on all the churches within his dominions. See Epist. St. Thom. p. 232.

Note R, *p.* 106.

I follow here the narrative of Fitz-Stephens, who was secretary to Becket; though no doubt, he may be suspected of partiality towards his patron. Lord Lyttleton chooses to follow the authority of a manuscript letter, or rather manifesto, of Folliot, bishop of London, which is addressed to Becket himself, at the time when the bishop appealed to the pope from the excommunication pronounced against him by his primate. My reasons, why I give the preference to Fitz-Stephens, are, (1.) If the friendship of Fitz-Stephens might render him partial to Becket, even after the death of that prelate, the declared enmity of the bishop must, during his life-time, have rendered him more partial on the other side. (2.) The bishop was moved by interest, as well as enmity, to calumniate Becket. He had himself to defend against the sentence of excommunication, dreadful to all, especially to a prelate: and no more effectual means than to throw all the blame on his adversary. (3.) He has actually been guilty of palpable calumnies in that letter. Among

these, I reckon the following:—he affirms that when Becket subscribed the Constitutions of Clarendon, he said plainly to all the bishops of England, "It is my master's pleasure that I should forswear myself; and at present I submit to it, and do resolve to incur a perjury, and repent afterwards as I may.' However barbarous the times, and however negligent zealous churchmen were then of morality, these are not words which a primate of great sense, and of much seeming sanctity, would employ in an assembly of his suffragans: he might act upon these principles, but never surely would publicly avow them. Folliot also says, that all the bishops were resolved obstinately to oppose the Constitutions of Clarendon, but the primate himself betrayed them from timidity, and led the way to their subscribing. This is contrary to the testimony of all the historians, and directly contrary to Becket's character, who surely was not destitute either of courage or of zeal for ecclesiastical immunities. (4.) The violence and injustice of Henry, ascribed to him by Fitz-Stephens, is of a piece with the rest of the prosecution. Nothing could be more iniquitous, than, after two years' silence, to make a sudden and unprepared demand upon Becket to the amount of forty-four thousand marks, (equal to a sum of near a million in our time,) and not allow him the least interval to bring in his accounts. If the king was so palpably oppressive in one article, he may be presumed to be equally so in the rest. (5.) Though Folliot's letter, or rather manifesto, be addressed to Becket himself, it does not acquire more authority on that account. We know not what answer was made by Becket: the collection of letters cannot be supposed quite complete. But that the collection was not made by one (whosoever he were) very partial to that primate, appears from the tenor of them, where there are many passages very little favourable to him: insomuch that the editor of them at Brussels, a jesuit, thought proper to publish them with great omissions, particularly of this letter of Folliot's. Perhaps Becket made no answer at all, as not deigning to write to an excommunicated person, whose very commerce would contaminate him; and the bishop, trusting to this arrogance of his primate, might calumniate him the more freely. (6.) Though the sentence pronounced on Becket by the great council implies that he had refused to make any answer to the king's court, this does not fortify the narrative of Folliot: for if his excuse was rejected as false and frivolous, it would be treated as no answer. Becket submitted so far to the sentence of confiscation of goods and chattels, that he gave surety, which is a proof that he meant not at that time to question the authority of the king's courts. (7.) It may be worth observing, that both the author of Historia quadrapartita, and Gervase, contemporary writers, agree with Fitz-Stephens; and the latter is not usually very partial to Becket. All the ancient historians give the same account.

Note S, *p.* 131.

Madox, in his Baronia Anglica, cap. 14, tells us that in the 30th of Henry II. thirty-three cows and two bulls cost but eight pounds seven shillings, money of that age; five hundred sheep, twenty-two pounds ten shillings, or about tenpence three farthings per sheep; sixty-six oxen, eighteen pounds three shillings; fifteen breeding mares, two pounds twelve shillings and sixpence: and twenty-two hogs, one pound two shillings. Commodities seem then to have been about ten times cheaper than at present; all except the sheep, probably on account of the value of the fleece. The same author, in his Formulare Anglicanum, p. 17, says, That in the 10th year of Richard I. mention is made of ten per cent. paid for money: but the Jews frequently exacted much higher interest.

Note T, *p.* 180.

Rymer, vol. ii. p. 216. 845. There cannot be the least question, that the homage usually paid by the kings of Scotland was not for their crown, but for some other territory. The only question remains, what that territory was? It was not always for the earldom of Huntingdon, nor the honour of Penryth; because we find it sometimes done at a time when these possessions were not in the hands of the kings of Scotland. It is probable that the homage was performed in general terms, without any particular specification of territory; and this inaccuracy had proceeded either from some dispute between the two kings about the territory and some opposite claims, which were compromised by the general homage, or from the simplicity of the age, which employed few words in every transaction. To prove this we need but look into the letter of king Richard, where he resigns the homage of Scotland, reserving the usual homage. His words are, "Sæpedictus W. Rex ligius homo noster deveniat de omnibus terris de quibus antecessores sui antecessorum nostrorum ligii homines fuerunt, et nobis atque hæredibus nostris fidelitatem jurarunt." Rymer, vol. i. p. 65. These general terms were probably copied from the usual form of the homage itself.

It is no proof that the kings of Scotland possessed no lands or baronies in England, because we cannot find them in the imperfect histories and records of that age. For instance: it clearly appears, from another passage of this very letter of Richard, that the Scottish king held lands both in the county of Huntingdon and elsewhere in England; though the earldom of Huntingdon itself was then in the person of his brother David; and we know at present of no other baronies which William held. It cannot be expected that we should now be able to specify all his fees which he either possessed or claimed in England; when it is probable that the two monarchs themselves, and their ministers, would at that very time have differed in the list: the Scottish king might possess some to which his right was disputed; he might claim others which he did not possess: and neither of the two kings was willing to resign his pretensions by a particular enumeration.

A late author of great industry and learning, but full of prejudices, and of no penetration, Mr. Carte, has taken advantage of the undefined terms of the Scotch homage, and has pretended that it was done for Lothian and Galloway; that is, all the territories of the country now called Scotland, laying south of the Clyde and Forth. But to refute this pretension at once, we need only consider, that if these territories were held in fee of the English kings, there would, by the nature of the feudal law as established in England, have been continual appeals from them to the courts of the lord paramount; contrary to all the histories and records of that age. We find, that as soon as Edward really established his superiority, appeals immediately commenced from all parts of Scotland: and that king, in his writ to the king's-bench, considers them as a necessary consequence of the feudal tenure. Such large territories also would have supplied a consible part of the English armies, which never could have escaped all the historians. Not to mention that there is not any instance of a Scotch prisoner of war being tried as a rebel, in the frequent hostilities between the kingdoms, where the Scottish armies were chiefly filled from the southern counties.

Mr. Carte's notion with regard to Galloway, which comprehends, in the language of that age, or rather in that of the preceding, most of the south-west counties of Scotland; his notion, I say, rests on so slight a foundation, that it scarcely merits being refuted. He will have it (and merely because he will have it) that the Cumberland yielded by king Edmund to Malcolm I. meant not only the county in England of that name, but all the territory northwards to the Clyde. But the case of Lothian deserves some more consideration.

It is certain, that in very ancient language, Scotland means only the country north of the friths of Clyde

and Forth. I shall not make a parade of literature to prove it; because I do not find that this point is disputed by the Scots themselves. The southern country was divided into Galloway and Lothian; and the latter comprehended all the south-east counties. This territory was certainly a part of the ancient kingdom of Northumberland, and was entirely peopled by Saxons, who afterwards received a great mixture of Danes among them. It appears from all the English histories, that the whole kingdom of Northumberland paid very little obedience to the Anglo-Saxon monarchs, who governed after the dissolution of the heptarchy; and the northern and remote parts of it seem to have fallen into a kind of anarchy, sometimes pillaged by the Danes, sometimes joining them in their ravages upon other parts of England. The kings of Scotland, lying nearer them, took at last possession of the country, which had scarcely any government; and we are told by Matthew of Westminster, p. 193, that king Edgar made a grant of the territory to Kenneth III.; that is, he resigned claims which he could not make effectual, without bestowing on them more trouble and expense than they were worth; for these are the only grants of provinces made by kings; and so ambitious and active a prince as Edgar would never have made presents of any other kind. Though Matthew of Westminster's authority may appear small with regard to so remote a transaction; yet we may admit it in this case, because Ordericus Vitalis, a good authority, tells us, p. 701, that Malcolm acknowledged to William Rufus, that the Conqueror had confirmed to him the former grant of Lothian. But it follows not, because Edgar made this species of grant to Kenneth, that therefore he exacted homage for that territory. Homage, and all the rites of the feudal law, were very little known among the Saxons; and we may also suppose that the claim of Edgar was so antiquated and weak, that in resigning it he made no very valuable concession; and Kenneth might well refuse to hold, by so precarious a tenure, a territory which he at present held by the sword. In short, no author says he did homage for it.

The only colour, indeed, of authority for Mr. Carte's notion is, that Matthew Paris, who wrote in the reign of Henry III. before Edward's claim of superiority was heard of, says that Alexander III. did homage to Henry III., "pro Laudiano et aliis terris." See page 555. This word seems naturally to be interpreted Lothian; but in the first place, Matthew Paris's testimony, though considerable, will not outweigh that of all the other historians, who say that the Scotch homage was always done for lands in England. Secondly, if the Scotch homage was done in general terms, (as has been already proved.) it is no wonder that historians should differ in their account of the object of it, since it is probable the parties themselves were not fully agreed. Thirdly, there is reason to think that *Laudianum*, in Matthew Paris, does not mean the Lothians now in Scotland. There appears to have been a territory which anciently bore that or a similar name in the north of England. For (1.) The Saxon Chronicle, p. 197, says that Malcolm Kenmure met William Rufus in Lodene, in England. (2.) It is agreed by all historians, that Henry II. only reconquered from Scotland the northern counties of Northumberland, Cumberland, and Westmoreland. See Newbriggs, p. 383. Wykes, p. 30. Hemingford, p. 492. Yet the same country is called by other historians Loidis, comitatus Lodonensis, or some such name. See M. Paris, p. 68. M. West. p. 247, Annal. Waverl. p. 159, and Diceto. p. 531. (3.) This last mentioned author, when he speaks of Lothian in Scotland, calls it Lohencis, p. 574, though he had called the English territory Loidis.

I thought this long note necessary, in order to correct Mr. Carte's mistake, an author whose diligence and industry has given light to many passages of the more ancient English history.

Note U, *p.* 181.

Rymer, vol. ii. p. 543. It is remarkable that the English chancellor spoke to the Scotch parliament in the French tongue. This was also the language commonly made use of by all parties on that occasion. Ibid. passim. Some of the most considerable among the Scotch, as well as almost all the English barons, were of French origin; they valued themselves upon it; and pretended to despise the language and manners of the island. It is difficult to account for the settlement of so many French families in Scotland, the Bruces, Baliols, St. Clairs, Montgomeries, Somervilles, Gordons, Fraziers, Cummins, Colvilles, Umfrevilles, Mowbrays, Hays, Maules, who were not supported there, as in England, by the power of the sword. But the superiority of the smallest civility and knowledge over total ignorance and barbarism is prodigious.

Note V, *p.* 182.

See Rymer, vol. ii. p. 533, where Edward writes to the king's-bench to receive appeals from Scotland. He knew the practice to be new and unusual; yet he establishes it as an infallible consequence of his superiority. We learn also from the same collection, p. 603, that immediately upon receiving the homage he changed the style of his address to the Scotch king, whom he now calls *dilecto et fideli*, instead of *fratri dilecto et fideli*, the appellation which he had always before used to him; see p. 109, 124, 168, 280, 1064. This is a certain proof that he himself was not deceived, as was scarcely indeed possible, but that he was conscious of his usurpation. Yet he solemnly swore afterwards to the justice of his pretensions, when he defended them before pope Boniface.

Note W. *p.* 186.

Throughout the reign of Edward I. the assent of the commons is not once expressed in any of the enacting clauses; nor in the reigns ensuing, till the 9 Edward III.; nor in any of the enacting clauses of 16 Richard II.; nay, even so low as Henry VI., from the beginning till the 8th of his reign, the assent of the commons is not once expressed in any enacting clause. See preface to Ruffhead's edition of the Statutes, p. 7. If it should be asserted, that the commons had really given their assent to these statutes, though they are not expressly mentioned, this very omission, proceeding, if you will, from carelessness, is a proof how little they were respected. The commons were so little accustomed to transact public business, that they had no speaker till after the parliament 6th Edward III. See Prynne's preface to Cotton's Abridg.: not till the first of Richard II., in the opinion of most antiquaries. The commons were very unwilling to meddle in any state affairs, and commonly either referred themselves to the lords, or desired a select committee of that house to assist them, as appears from Cotton. 5 E. III. n. 5; 15 E. III. n. 17; 21 E. III. n. 5; 47 E. III. n. 5; 50 E. III. n. 10; 51 E. III. n. 18; 1 R. II. n. 12; 2 R. II. n. 12; 5 R. II. n. 14; parl. 2, 6 R. II. n. 14; parl. 2, 6 R. II. n. 8, &c.

Note X. *p.* 186.

It was very agreeable to the maxims of all the feudal governments, that every order of the state should give their consent to the acts which more immediately concerned them; and as a notion of a political system was not then so well understood, the other orders of the state were often not consulted on these occasions. In this reign even the merchants, though no public body, granted the king impositions on merchandise, because the first payments came out of their pockets. They did the same in the reign of Edward III., but the commons had then observed that the people paid these

duties, though the merchants advanced them; and they therefore remonstrated against this practice. Cotton's Abrid. p. 39. The taxes imposed by the knights on the counties were always lighter than those which the burgesses laid on the boroughs; a presumption that in voting those taxes the knights and burgesses did not form the same house. See Chancellor West's inquiry into the manner of creating peers, p. 8. But there are so many proofs that those two orders of representatives were long separate, that it is needless to insist on them. Mr. Carte, who had carefully consulted the rolls of parliament, affirms that they never appear to have been united till the 16th of Edward III. See Hist. vol. ii. p. 451. But it is certain that this union was not even then final: in 1372. the burgesses acted by themselves, and voted a tax after the knights were dismissed. See Tyrrel. Hist. vol. iii. p. 734. from Rot. Claus. 46 Edward III. n. 9. In 1376 they were the knights alone who passed a vote for the removal of Alice Pierce from the king's person, if we may credit Walsingham, p. 189. There is an instance of a like kind in the reign of Rich. II. Cotton, p. 193. The different taxes voted by those two branches of the lower house naturally kept them separate: but as their petitions had mostly the same object, namely, the redress of grievances, and the support of law and justice, both against the crown and the barons, this cause as naturally united them, and was the reason why they at last joined in one house for the dispatch of business. The barons had few petitions. Their privileges were of more ancient date: grievances seldom affected them: they were themselves the chief oppressors. In 1333, the knights by themselves concurred with the bishops and barons in advising the king to stay his journey into Ireland. Here was a petition which regarded a matter of state, and was supposed to be above the capacity of the burgesses. The knights, therefore, acted apart in this petition. See Cotton's Abridg. p. 13. Chief-baron Gilbert thinks, that the reason why taxes always began with the commons or burgesses was, that they were limited by the instructions of their boroughs. See Hist. of the Exchequer, p. 37.

Note Y, *p.* 186.

The chief argument from ancient authority, for the opinion that the representatives of boroughs preceded the forty-ninth of Henry III. is the famous petition of the borough of St. Albans, first taken notice of by Selden, and then by Petyt, Brady, Tyrrel, and others. In this petition, presented to the parliament in the reign of Edward II. the town of St. Albans asserts, that though they held *in capite* of the crown, and owed only for all other service, their attendance in parliament, yet the sheriff had omitted them in his writs; whereas both in the reign of the king's father, and all his predecessors, they had always sent members. Now, say the defenders of this opinion, if the commencement of the house of commons were in Henry III.'s reign, this expression could not have been used. But Madox, in his History of the Exchequer, p. 522, 523, 524, has endeavoured, and with great reason, to destroy the authority of this petition for the purpose alleged. He asserts, first, That there was no such tenure in England as that of holding by attendance in parliament, instead of all other service. Secondly, That the borough of St. Albans never held of the crown at all, but was always demesne land of the abbot. It is no wonder, therefore, that a petition which advances two falsehoods, should contain one historical mistake, which indeed amounts only to an inaccurate and exaggerated expression; no strange matter in ignorant burgesses of that age. Accordingly St. Albans continued still to belong to the abbot. It never held of the crown till after the dissolution of the monasteries. But the assurance of these petitioners is remarkable. They wanted to shake off the authority of their abbot, and to hold of the king; but were unwilling to pay any services even to the crown; upon which they framed this idle petition, which later writers have made the foundation of so many inferences and conclusions. From the tenor of the petition it appears that there was a close connexion between holding of the crown, and being represented in parliament: the latter had scarcely ever place without the former: yet we learn from Tyrrel's Append. vol. iv. that there were some instances to the contrary. It is not improbable that Edward followed the roll of the earl of Leicester, who had summoned, without distinction, all the considerable boroughs of the kingdom; among which there might be some few that did not hold of the crown. Edward also found it necessary to impose taxes on all the boroughs in the kingdom without distinction. This was a good expedient for augmenting his revenue. We are not to imagine, because the house of commons have since become of great importance, that the first summoning of them would form any remarkable and striking epoch, and be generally known to the people even seventy or eighty years after. So ignorant were the generality of men in that age, that country burgesses would readily imagine an innovation, seemingly so little material, to have existed from time immemorial, because it was beyond their own memory, and perhaps that of their fathers. Even the parliament in the reign of Henry V. say, that Ireland had, from the beginning of time, been subject to the crown of England. (See Brady.) And surely if anything interests the people above all others, it is war and conquests, with their dates and circumstances.

Note Z, p. 223.

This story of the six burgesses of Calais, like all other extraordinary stories, is somewhat to be suspected; and so much the more, as Avesbury, p. 167, who is particular in his narration of the surrender of Calais, says nothing of it; and, on the contrary, extols in general the king's generosity and lenity to the inhabitants. The numberless mistakes of Froissard, proceeding either from negligence, credulity, or love of the marvellous, invalidate very much his testimony, even though he was a contemporary, and though his history was dedicated to queen Philippa herself. It is a mistake to imagine, that the patrons of dedications read the books, much less vouch for all the contents of them. It is not a slight testimony that should make us give credit to a story so dishonourable to Edward, especially after that proof of his humanity, in allowing a free passage to all the women, children, and infirm people, at the beginning of the siege; at least, it is scarcely to be believed, that if the story has any foundation, he seriously meant to execute his menaces against the six townsmen of Calais.

Note 2 A, *p.* 224.

There was a singular instance about this time of the prevalence of chivalry and gallantry in the nations of Europe. A solemn duel of thirty knights against thirty was fought between Bembrough, an Englishman, and Beaumanoir, a Breton, of the party of Charles of Blois. The knights of the two nations came into the field; and before the combat began, Beaumanoir called out, that it would be seen that day *who had the fairest mistresses*. After a bloody combat the Bretons prevailed; and gained for their prize full liberty to boast of their mistresses' beauty. It is remarkable, that two such famous generals as sir Robert Knolles and sir Hugh Calverly drew their swords in this ridiculous contest. See Pere Daniel, vol. ii. p. 536, 537, &c. The women not only instigated the champions to those rough, if not bloody frays of tournament, but also frequented the tournaments during all the reign of Edward, whose spirit of gallantry encouraged this practice. See Knyghton, p. 2597.

Note 2 B *p.* 229.

This is a prodigious sum, and probably near the half of what the king received from the parliament during the whole course of his reign. It must be remarked, that a tenth and fifteenth (which was always thought a high grant) were, in the eighth year of his reign, fixed at about twenty-nine thousand pounds: there were said to be near thirty thousand sacks of wool exported every year: a sack of wool was, at a medium, sold for five pounds. Upon these suppositions it would be easy to compute all the parliamentary grants, taking the lists as they stand in Tyrrel, vol. iii. p. 780, though somewhat must still be left to conjecture. The king levied more money on his subjects than any of his predecessors; and the parliament frequently complain of the poverty of the people, and the oppressions under which they laboured. But it is to be remarked, that a third of the French king's ransom was yet unpaid when war broke out anew between the two crowns. His son chose rather to employ his money in combating the English, than in enriching them. See Rymer, vol. viii. p. 315.

Note 2 C, *p.* 237.

In the fifth year of the king "the commons complained of the government about the king's person, his court, the excessive number of his servants, of the abuses in the Chancery, King's Bench, Common Pleas, Exchequer, and of grievous oppressions in the country, by the great multitudes of maintainers of quarrels," (men linked in confederacies together,) "who behaved themselves like kings in the country, so as there was very little law or right, and of the other things which they said were the cause of the late commotions under Wat Tyler." Parl. Hist. vol. i. p. 365. This irregular government, which no king and no house of commons had been able to remedy, was the source of the licentiousness of the great, and turbulency of the people, as well as tyranny of the princes. If subjects would enjoy liberty, and kings security, the laws must be executed.

In the ninth of this reign the commons also discovered an accuracy and a jealousy of liberty which we should little expect in those rude times. "It was agreed by parliament," says Cotton, p. 309, "that the subsidy of wools, wool-fells, and skins, granted to the king until the time of Midsummer then ensuing, should cease from the same time unto the feast of St. Peter ad Vincula; for that thereby the king should be interrupted for claiming such grant as due." See also Cotton, p. 198.

Note 2 D, *p.* 240.

Knyghton, p. 2715, &c. The same author, p. 2680, tells us, that the king, in return to the message, said, that he would not, for their desire, remove the meanest scullion from his kitchen. This author also tells us, that the king said to the commissioners, when they harangued him, that he saw his subjects were rebellious, and his best way would be to call in the king of France to his aid. But it is plain that all these speeches were either intended by Knyghton merely as an ornament to his history, or are false. For (1.) When the five lords accuse the king's ministers in the next parliament, and impute to them every rash action of the king, they speak nothing of these replies which are so obnoxious, were so recent, and are pretended to have been so public. (2.) The king, so far from having any connexions at that time with France, was threatened with a dangerous invasion from that kingdom. This story seems to have been taken from the reproaches afterwards thrown out against him, and to have been transferred by the historians to this time, to which they cannot be applied.

Note 2 E, *p.* 241.

We must except the 12th article, which accuses Brembre of having cut off the heads of twenty-two prisoners, confined for felony or debt, without warrant or process of law. But, as it is not conceivable what interest Brembre could have to treat these felons and debtors in such a manner, we may presume that the fact is either false or misrepresented. It was in these men's power to say anything against the persons accused: no defence or apology was admitted; all was lawless will and pleasure.

They are also accused of designs to murder the lords: but these accusations either are general, or destroy one another. Sometimes, as in article 15th, they intend to murder them by means of the mayor and city of London: sometimes, as in article 28th, by trial and false inquests: sometimes, as in article 23th, by means of the king of France, who was to receive Calais for his pains.

Note 2 F, *p.* 242.

In general, the parliament in those days never paid a proper regard to Edward's statute of treasons, though one of the most advantageous laws for the subject that has ever been enacted. In the 17th of the king, "the dukes of Lancaster and Gloucester complain to Richard that sir Thomas Talbot, with others of his adherents, conspired the death of the said dukes in divers parts of Cheshire, as the same was confessed and well known: and praying that the parliament may judge of the fault. Whereupon the king and the lords in the parliament judged the same fact to be open and high-treason; and hereupon they award two writs, the one to the sheriff of York, and the other to the sheriffs of Derby, to take the body of the said sir Thomas, returnable in the King's Bench in the month of Easter then ensuing. And open proclamation was made in Westminster-hall, that upon the sheriff's return, and at the next coming in of the said sir Thomas, the said Thomas should be convicted of treason, and incur the loss and pain of the same: and all such as should receive him after the proclamation, should incur the same loss and pain." Cotton, p. 354. It is to be observed, that this extraordinary judgment was passed in a time of tranquillity. Though the statute itself of Edward III. reserves a power to the parliament to declare any new species of treason, it is not to be supposed that this power was reserved to the house of lords alone, or that men were to be judged by a law *ex post facto*. At least, if such be the meaning of the clause, it may be affirmed that men were at that time very ignorant of the first principles of law and justice.

Note 2 G, *p.* 243.

In the preceding parliament the commons had shown a disposition very complaisant to the king; yet there happened an incident in their proceedings which is curious, and shows us the state of the house during that period. The members were either country gentlemen or merchants, who were assembled for a few days, and were entirely unacquainted with business; so that it was easy to lead them astray, and draw them into votes and resolutions very different from their intention. Some petitions concerning the state of the nation were voted; in which, among other things, the house recommended frugality to the king; and for that purpose desired that the court should not be so much frequented as formerly by *bishops* and *ladies*. The king was displeased with this freedom: the commons very humbly craved pardon: he was not satisfied unless they would name the mover of the petitions. It happened to be one Haxey, whom the parliament, in order to make atonement, condemned for this offence to die the death of a traitor. But the king, at the desire of the archbishop of Canterbury and the pre-

lates, pardoned him. When a parliament in those times, not agitated by any faction, and being at entire freedom, could be guilty of such monstrous extravagance, it is easy to judge what might be expected from them in more trying situations. See Cotton's Abridg. p. 361, 362.

Note 2 II, *p.* 246.

To show how little credit is to be given to this charge against Richard, we may observe, that a law, in the 13th Edw. III. had been enacted against the continuance of sheriffs for more than one year: but the inconvenience of changes having afterwards appeared from experience, the commons, in the twentieth of this king, applied by petition, that the sheriffs might be continued; though that petition had not been enacted into a statute, by reason of other disagreeable circumstances which attended it. See Cotton, p. 361. It was certainly a very moderate exercise of the dispensing power in the king to continue the sheriffs, after he found that that practice would be acceptable to his subjects, and had been applied for by one house of parliament: yet is this made an article of charge against him by the present parliament. See Art. 18. Walsingham, speaking of a period early in Richard's minority, says, "But what do acts of parliament signify, when after they are made they take no effect: since the king, by the advice of the privy-council, takes upon him to alter, or wholly set aside all those things which by general consent had been ordained in parliament!" If Richard, therefore, exercised the dispensing power, he was warranted by the examples of his uncles and grandfather, and, indeed, of all his predecessors from the time of Henry III. inclusive.

Note 2 I, *p.* 246.

The following passage in Cotton's Abridgment, p. 196, shows a strange prejudice against the church and churchmen: "The commons afterwards coming into the parliament, and making their protestation, showed, that for want of good redress about the king's person, in his household, in all his courts, touching maintainers in every county, and purveyors, the commons were daily pilled, and nothing defended against the enemy, and that it should shortly deprive the king, and undo the state. Wherefore, in the same government they entirely require redress. Whereupon the king appointed sundry bishops, lords, and nobles, to sit in privy-council about these matters: who, since that they must begin at the head, and go at the request of the commons, they, in the presence of the king, charged his confessor not to come into the court but upon the four principal festivals." We should little expect that a popish privy-council, in order to preserve the king's morals, should order his confessors to be kept at a distance from him. This incident happened in the minority of Richard. As the popes had for a long time resided at Avignon, and the majority of the sacred college were Frenchmen, this circumstance naturally increased the aversion of the nation to the papal power: but the prejudice against the English clergy cannot be accounted for from that cause.

Note 2 K, *p.* 283.

That we may judge how arbitrary a court that of the constable of England was, we may peruse the patent granted to the earl of Rivers in this reign, as it is to be found in Spelman's Glossary in verb. *Constabularius;* as also, more fully, in Rymer, vol xi. p. 581. Here is a clause of it: "Et ulterius de uberiori gratia nostra eidem comiti de Rivers plenam potestatem damus ad cognoscendum et procedendum, in omnibus et singulis causis et negotiis, de et super crimine lesæ majestatis seu super occasione cæterisque causis, quibuscunque per præfatum comitem de Rivers, ut constabularium Angliæ—quæ in curia constabularii Angliæ ab antiquo, *viz.* tempore dicti domini Gulielme conquestoris, seu aliquo tempore citra tractari, audiri, examinari, aut decidi consueverant, aut jure debuerant, aut debent, causasque et negotia prædicta cum omnibus et singulis emergentibus, incidentibus et connexis, audiendum, examinandum, et fine debito terminandum, etiam *summarie et de plano, sine strepitu et figura justitiæ, sola facti veritate inspecta,* ac etiam manu regia, si opportunum visum fuerit eidem comiti de Rivers, vices nostras, appellatione remota." The office of constable was perpetual in the monarchy; its jurisdiction was not limited to times of war, as appears from this patent, and as we learn from Spelman; yet its authority was in direct contradiction to *Magna Charta;* and it is evident that no *regular* liberty could subsist with it. It involved a full dictatorial power continually subsisting in the state. The only check on the crown, besides the want of force to support all its prerogatives, was, that the office of constable was commonly either hereditary or during life; and the person invested with it was, for that reason, not so proper an instrument of arbitrary power in the king. Accordingly the office was suppressed by Henry VIII., the most arbitrary of all the English princes. The practice, however, of exercising martial law still subsisted; and was not abolished till the Petition of Right under Charles I. This was the epoch of true liberty, confirmed by the Restoration, and enlarged and secured by the Revolution.

Note 2 L, *p.* 290.

We shall give an instance: almost all the historians, even Comines, and the continuator of the annals of Croyland, assert that Edward was about this time taken prisoner by Clarence and Warwick, and was committed to the custody of the archbishop of York, brother to the earl; but being allowed to take the diversion of hunting by this prelate, he made his escape, and afterwards chased the rebels out of the kingdom. But that all the story is false, appears from Rymer, where we find that the king, throughout all this period, continually exercised his authority, and never was interrupted in his government. On the 7th of March, 1470, he gives a commission of array to Clarence, whom he then imagined a good subject; and on the 23rd of the same month we find him issuing an order for apprehending him. Besides, in the king's manifesto against the duke and earl, (Claus. 10. Edward IV. m. 7, 8,) where he enumerates all their treasons, he mentions no such fact: he does not so much as accuse them of exciting young Welles's rebellion: he only says that they exhorted him to continue in his rebellion. We may judge how smaller facts will be misrepresented by historians, who can in the most material transactions mistake so grossly. There may even some doubt arise with regard to the proposal of marriage made to Bona of Savoy; though almost all the historians concur in it, and the fact be very likely in itself; for there are no traces in Rymer of any such embassy of Warwick's to France. The chief certainty in this and the preceding reign arises either from public records, or from the notice taken of certain passages by the French historians. On the contrary, for some centuries after the conquest the French history is not complete without the assistance of English authors. We may conjecture, that the reason of the scarcity of historians during this period was the destruction of the convents, which ensued so soon after: copies of the more recent historians not being yet sufficiently dispersed, these histories have perished.

Note 2 M, *p.* 300.

Sir Thomas More, who has been followed, or rather transcribed, by all the historians of this short reign, says, that Jane Shore had fallen into connexions with

lord Hastings; and this account agrees best with the course of the events; but in a proclamation of Richard's, to be found in Rymer, vol. xii. p. 204, the marquis of Dorset is reproached with these connexions. This reproach, however, might have been invented by Richard, or founded only on popular rumour; and is not sufficient to overbalance the authority of sir Thomas More. The proclamation is remarkable for the hypocritical purity of manners affected by Richard: this bloody and treacherous tyrant upbraids the marquis and others with their gallantries and intrigues as the most terrible enormities.

Note 2 N, *p.* 305.

Every one that has perused the ancient monkish writers knows, that however barbarous their own style, they are full of allusions to the Latin classics, especially the poets. There seems also, in those middle ages to have remained many ancient books that are now lost. Malmesbury, who flourished in the reign of Henry I. and king Stephen, quotes Livy's description of Cæsar's passage over the Rubicon. Fitz-Stephen, who lived in the reign of Henry II. alludes to a passage in the larger history of Sallust. In the collection of letters, which passes under the name of Thomas à Becket, we see how familiar all the ancient history and ancient books were to the more ingenious and more dignified churchmen of that time, and consequently how much that order of men must have surpassed all the other members of the society. That prelate and his friends call each other philosophers in all the course of their correspondence, and consider the rest of the world as sunk in total ignorance and barbarism.

Note 2 O, *p.* 325.

Stowe, Baker, Speed, Biondi, Hollingshed, Bacon. Some late writers, particularly Mr. Carte, have doubted whether Perkin were an impostor, and have even asserted him to be the true Plantagenet. But to refute this opinion, we need only reflect on the following particulars: (1.) Though the circumstances of the wars between the two Roses be, in general, involved in great obscurity, yet is there a most luminous ray thrown on all the transactions during the usurpation of Richard, and the murder of the two young princes, by the narrative of Sir Thomas More, whose singular magnanimity, probity, and judgment, make him an evidence beyond all exception. No historian, either of ancient or modern times, can possibly have more weight: he may also be justly esteemed a contemporary with regard to the murder of the two princes: for though he was but five years of age when that event happened, he lived and was educated among the chief actors during the period of Richard: and it is plain, from his narrative itself, which is often extremely circumstantial, that he had the particulars from the eye-witnesses themselves: his authority, therefore is irresistible; and sufficient to overbalance a hundred little doubts and scruples and objections: or in reality his narrative is liable to no solid objection, nor is there any mistake detected in it. He says, indeed, that the protector's partisans, particularly Dr. Shaw, spread abroad rumours of Edward IV.'s pre-contract with Elizabeth Lucy; whereas it now appears from record, that the parliament afterwards declared the king's children illegitimate, on pretence of his pre-contract with lady Eleanor Talbot. But it must be remarked, that neither of these pre-contracts was ever so much as attempted to be proved: and why might not the protector's flatterers and partisans have made use sometimes of one false rumour, sometimes of another? Sir Thomas More mentions the one rumour as well as the other, and treats them both lightly, as they deserved. It is also thought incredible by Mr. Carte, that Dr. Shaw should have been encouraged by Richard to calumniate openly his mother, the duchess of York, with whom that prince lived in good terms. But if there be any difficulty in this supposition, we need only suppose that Dr. Shaw might have concerted, in general, his sermon with the protector or his ministers, and yet have chosen himself the particular topics, and chosen them very foolishly. This appears, indeed, to have been the case, by the disgrace into which he fell afterwards, and by the protector's neglect of him. (2.) If sir Thomas's quality of contemporary be disputed with regard to the duke of Gloucester's protectorate, it cannot possibly be disputed with regard to Perkin's imposture: he was then a man, and had a full opportunity of knowing and examining and judging of the truth. In asserting that the duke of York was murdered by his uncle, he certainly asserts, in the most express terms, that Perkin, who personated him, was an impostor. (3.) There is another great genius who has carefully treated this point of history; so great a genius as to be esteemed with justice one of the chief ornaments of the nation, and indeed one of the most sublime writers that any age or nation has produced. It is lord Bacon I mean, who has related at full length, and without the least doubt or hesitation, all the impostures of Perkin Warbeck. If it be objected, that lord Bacon was no contemporary, and that we have the same materials as he upon which to form our judgment; it must be remarked, that lord Bacon plainly composed his elaborate and exact history from many records and papers which are now lost, and that, consequently, he is always to be cited as an original historian. It were very strange, if Mr. Carte's opinion were just, that among all the papers which lord Bacon perused, he never found any reason to suspect Perkin to be the true Plantagenet. There was at that time no interest in defaming Richard III. Bacon, besides, is a very unbiassed historian, nowise partial to Henry: we know the detail of that prince's oppressive government from him alone. It may only be thought, that in summing up his character, he has laid the colours of blame more faintly than the very facts he mentions seem to require. Let me remark, in passing, as a singularity, how much English history has been beholden to four great men, who have possessed the highest dignity in the law, More, Bacon, Clarendon, and Whitlocke. (4.) But if contemporary evidence be so much sought after, there may in this case be produced the strongest and most undeniable in the world. The queen-dowager, her son, the marquis of Dorset, a man of excellent understanding, sir Edward Woodville, her brother, Sir Thomas St. Leger, who had married the king's sister, sir John Bourchier, sir Robert Willoughby, sir Giles Daubeney, sir Thomas Arundel, the Courtneys, the Cheyneys, the Talbots, the Stanleys, and, in a word, all the partisans of the house of York, that is, the men of chief dignity in the nation; all these great persons were so assured of the murder of the two princes, that they applied to the earl of Richmond, the mortal enemy of their party and family; they projected to set him on the throne, which must have been utter ruin to them if the princes were alive; and they stipulated to marry him to the princess Elizabeth, as heir to the crown, who in that case was no heir at all. Had each of those persons written the memoirs of his own times, would he not have said that Richard murdered his nephews? Or would their pen be a better declaration than their actions of their real sentiments? (5.) But we have another contemporary authority still better than even these great persons, so much interested to know the truth; it is that of Richard himself; he projected to marry his niece, a very unusual alliance in England, in order to unite her title with his own. He knew, therefore, her title to be good; for as to the declaration of her illegitimacy, as it went upon no proof, or even pretence of proof, it was always regarded with

the utmost contempt by the nation, and was considered as one of those parliamentary transactions so frequent in that period, which was scandalous in themselves, and had no manner of authority. It was even so much despised as not to be reversed by parliament, after Henry and Elizabeth were on the throne. (6.) We have also, as contemporary evidence, the universal established opinion of the age, both abroad and at home. This point was regarded as so uncontroverted, that when Richard notified his accession to the court of France, that court was struck with horror at his abominable parricide, in murdering both his nephews, as Philip de Comines tells us; and this sentiment went to such an unusual height, that, as we learn from the same author, the court would not make the least reply to him. (7.) The same reasons which convinced that age of the parricide still subsist, and ought to carry the most undoubted evidence to us; namely, the very circumstance of the sudden disappearance of the princes from the Tower, and their appearance nowhere else. Every one said, "They have not escaped from their uncle, for he makes no search after them: he has not conveyed them elsewhere; for it is his business to declare so, in order to remove the imputation of murder from himself. He never would needlessly subject himself to the infamy and danger of being esteemed a parricide, without acquiring the security attending that crime. They were in his custody: he is answerable for them: if he gives no account of them, as he has a plain interest in their death, he must, by every rule of common sense, be regarded as the murderer. His flagrant usurpation, as well as his other treacherous and cruel actions, makes no better be expected from him. He could not say, with Cain, that he was not his nephews' keeper." This reasoning, which was irrefragable at the very first, became every day stronger, from Richard's continued silence, and the general and total ignorance of the place of these princes' abode. Richard's reign lasted about two years beyond this period; and surely he could not have found a better expedient for disappointing the earl of Richmond's projects, as well as justifying his own character, than the producing of his nephews. (8.) If it were necessary, amidst this blaze of evidence, to produce proofs, which in any other case would have been regarded as considerable, and would have carried great validity with them, I might mention Dighton and Tyrrel's account of the murder. This last gentleman especially was not likely to subject himself to the reproach of so great a crime, by an imposture which it appears did not acquire him the favour of Henry. (9.) The duke of York, being a boy of nine years of age, could not have made his escape without the assistance of some elder persons. Would it not have been their chief concern instantly to convey intelligence of so great an event to his mother, the queen-dowager, to his aunt, the duchess of Burgundy, and to the other friends of the family? The duchess protected Simnel; a project which, had it been successful, must have ended in the crowning of Warwick, and the exclusion of the duke of York. This, among many other proofs, evinces that she was ignorant of the escape of that prince, which is impossible had it been real. (10.) The total silence with regard to the persons who aided him in his escape, as also with regard to the place of his abode during more than eight years, is a sufficient proof of the imposture. (11.) Perkin's own account of his escape is incredible and absurd. He said that murderers were employed by his uncle to kill him and his brother; they perpetrated the crime against his brother; but took compassion on him, and allowed him to escape. This account is contained in all the historians of that age. (12.) Perkin himself made a full confession of his imposture no less than three times: once when he surrendered himself prisoner; a second time when he was set in the stocks at Cheapside and Westminster; and a third time, which carries undoubted evidence, at the foot of the gibbet on which he was hanged. Not the least surmise that the confession had ever been procured by torture; and surely the last time he had nothing further to fear. (13.) Had not Henry been assured that Perkin was a ridiculous impostor, disavowed by the whole nation, he never would have allowed him to live an hour after he came into his power; much less would he have twice pardoned him. His treatment of the innocent earl of Warwick, who in reality had no title to the crown, is a sufficient confirmation of this reasoning. (14.) We know with certainty whence the whole imposture came, namely, from the intrigues of the duchess of Burgundy: she had before acknowledged and supported Lambert Simnel, an avowed impostor. It is remarkable that Mr. Carte, in order to preserve the weight of the duchess's testimony in favour of Perkin, suppresses entirely this material fact: a strong effect of party prejudices, and this author's desire of blackening Henry VII., whose hereditary title to the crown was defective. (15.) There never was at that time any evidence or shadow of evidence produced of Perkin's identity with Richard Plantagenet. Richard had disappeared when near nine years of age, and Perkin did not appear till he was a man. Could any one from his aspect pretend then to be sure of the identity? He had got some stories concerning Richard's childhood, and the court of England; but all that it was necessary for a boy of nine to remark or remember, was easily suggested to him by the duchess of Burgundy, or Frion, Henry's secretary, or by any body that had ever lived at court. It is true, many persons of note were at first deceived; but the discontents against Henry's government, and the general enthusiasm for the house of York, account sufficiently for this temporary delusion. Everybody's eyes were opened long before Perkin's death. (16.) The circumstance of finding the two dead bodies in the reign of Charles II. is not surely indifferent. They were found in the very place which More, Bacon, and other ancient authors, had assigned as the place of interment of the young princes; the bones corresponded by their size to the age of the princes; the secret and irregular place of their interment, not being in holy ground, proves that the boys had been secretly murdered; and in the Tower no boys but those who were very nearly related to the crown can be exposed to a violent death: if we compare all these circumstances, we shall find that the inference is just and strong, that they were the bodies of Edward V. and his brother; the very inference that was drawn at the time of the discovery.

[Since the publication of this History, Mr. Walpole has published his Historic Doubts concerning Richard III. Nothing can be a stronger proof how ingenious and agreeable that gentleman's pen is, than his being able to make an inquiry concerning a remote point of English history an object of general conversation. The foregoing note has been enlarged on account of that performance]

Note 2 P, *p.* 328.

Rot. Parl. 3 H. VII. n. 17. The preamble is remarkable, and shows the state of the nation at that time. "The king, our sovereign lord, remembereth how, by our unlawful maintainances, giving of liveries, signs, and tokens, retainders by indentures, promises, oaths, writings, and other embraceries of his subjects, untrue demeanings of sheriffs in making pannels, and untrue returns by taking money, by juries, &c., the policy of this nation is most subdued." It must indeed be confessed, that such a state of the country required great discretionary power in the sovereign; nor will the same maxims of government suit such a rude people, that may be proper in a more advanced stage of society. The establishment of the star-chamber, or the enlargo-

ment of its power in the reign of Henry VII. might have been as wise as the abolition of it in that of Charles I.

Note 2 Q, *p.* 329.

The duke of Northumberland has lately printed a household book of an old earl of that family who lived at this time: the author has been favoured with the perusal of it; and it contains many curious particulars, which mark the manners and way of living in that rude, not to say barbarous, age; as well as the prices of commodities. I have extracted a few of them from that piece, which gives a true picture of ancient manners, and is one of the most singular monuments that English antiquity affords us: for we may be confident, however rude the strokes, that no baron's family was on a nobler or more splendid footing. The family consists of a hundred and sixty-six persons, masters and servants: fifty-seven strangers are reckoned upon every day: on the whole two hundred and twenty-three. Two-pence halfpenny are supposed to be the daily expense of each for meat, drink, and firing. This would make a groat of our present money: supposing provisions between three and four times cheaper, it would be equivalent to fourteen-pence: no great sum for a nobleman's house-keeping; especially considering, that the chief expense of a family at that time consisted in meat and drink: for the sum allotted by the earl for his whole annual expense is eleven hundred and eighteen pounds seventeen shillings and eight pence; meat, drink, and firing, cost seven hundred and ninety-six pounds eleven shillings and two-pence, more than two-thirds of the whole: in a modern family it is not above a third, p. 157, 158, 159. The whole expense of the earl's family is managed with an exactness that is very rigid, and, if we make no allowance for ancient manners, such as may seem to border on an extreme; insomuch, that the number of pieces which must be cut out of every quarter of beef, mutton, pork, veal, nay, stock-fish and salmon, are determined, and must be entered and accounted for by the different clerks appointed for that purpose: if a servant be absent a day, his mess is struck off: if he go on my lord's business, board wages is allowed him, eight-pence a day for his journey in winter, five-pence in summer: when he stays in any place, two-pence a day are allowed him, beside the maintenance of his horse. Somewhat above a quarter of wheat is allowed for every month throughout the year; and the wheat is estimated at five shillings and eight-pence a quarter. Two hundred and fifty quarters of malt are allowed, at four shillings a quarter: two hogsheads are to be made of a quarter; which amounts to about a bottle and a third of beer a day to each person, p. 4, and the beer will not be very strong. One hundred and nine fat beeves are to be bought at All-hallow-tide, at thirteen shillings and four-pence a-piece: and twenty-four lean beeves to be bought at St. Helens at eight shilling a-piece: these are to be put into the pastures to feed; and are to serve from Midsummer to Michaelmas: which is consequently the only time that the family eats fresh beef: during all the rest of the year they live on salted meat, p. 5. One hundred and sixty gallons of mustard are allowed in a year; which seems indeed requisite for the salt beef, p. 18. Six hundred and forty-seven sheep are allowed, at twenty-pence a-piece; and these seem also to be all eat salted, except between Lammas and Michaelmas, p. 5. Only twenty-five hogs are allowed at two shillings a-piece; twenty-eight veals at twenty-pence; forty lambs at ten-pence or a shilling, p. 7. These seem to be reserved for my lord's table, or that of the upper servants, called the knight's table. The other servants, as they eat salted meat almost through the whole year, and with few or no vegetables, had a very bad and unhealthy diet: so that there cannot be anything more erroneous than the magnificent ideas formed of *the Roast Beef of Old England*. We must entertain as mean an idea of its cleanliness: only seventy ells of linen at eight-pence an ell are annually allowed for this great family: no sheets were used: this linen was made into eight table-cloths for my lord's table; and one table-cloth for the knights, p. 16. This last, I suppose, was washed only once a month. Only forty shillings are allowed for washing throughout the whole year; and most of it sems expended on the linen belonging to the chapel. The drinking, however, was tolerable, namely, ten tons and two hogsheads of Gascony wine, at the rate of four pounds thirteen shillings and four-pence a ton, p. 6. Only ninety-one dozen of candles for the whole year, p. 14. The family rose at six in the morning, dined at ten, and supped at four in the afternoon: the gates were all shut at nine, and no further ingress or egress permitted, p. 314. 318. My lord and lady have set on their table, for breakfast at seven o'clock in the morning, a quart of beer; as much wine; two pieces of salt fish, six red-herrings, four white ones, or a dish of sprats. In flesh days half a chyne of mutton, or a chyne of beef boiled, p. 73. 75. Mass is ordered to be said at six o'clock, in order, says the household-book, that all my lord's servants may rise early, p. 170. Only twenty-four fires are allowed, beside the kitchen and hall; and most of these have only a peck of coals a day allowed them, p. 99. After Lady-day no fires permitted in the rooms except half-fires in my lord's and lady's, and lord Piercy's and the nursery, p. 101. It is to be observed that my lord kept house in Yorkshire, where there is certainly much cold weather after Lady-day. Eighty chalders of coals, at four shillings and twopence a chalder, suffices throughout the whole year; and because coal will not burn without wood, says the household-book, sixty-four loads of great wood are also allowed, at twelve-pence a load, p. 22. This is a proof that grates were not then used. Here is an article: "It is devised that from henceforth no capons to be bought but only for my lord's own mess, and that the said capons shall be bought for twopence a-piece, lean, and fed in the poultry, and master chamberlain and the stewards be fed with capons, if there be strangers sitting with them," p. 102. Pigs are to be bought at threepence or a groat a-piece; geese at the same price; chickens at a halfpenny; hens at twopence, and only for the above-mentioned tables. Here is another article: "Item, it is thought good that no plovers be bought at no season but only in Christmas and principal feasts, and my lord to be served therewith, and his board-end, and none other, and to be bought for a penny a-piece, or a penny halfpenny at most," p. 103. Woodcocks are to be bought at the same price. Partridges at twopence, p. 104, 105. Pheasants a shilling; peacocks the same, p. 106. My lord keeps only twenty-seven horses in his stable at his own charge: his upper servants have allowance for maintaining their own horses, p. 126. These horses are, six gentle horses as they are called, at hay and hard meat throughout the whole year, four palfreys, three hobbies and nags, three sumpter-horses, six horses for those servants to whom my lord furnishes a horse, two sumpter-horses more, and three mill-horses, two for carrying the corn, and one for grinding it; whence we may infer, that mills, either water or windmills, were then unknown; at least, very rare: besides these, there are seven great trotting horses for the chariot or waggon. He allows a peck of oats a day, besides loaves made of beans, for his principal horses; the oats at twenty pence, the beans at two shillings a quarter. The load of hay is at two shillings and eightpence. When my lord is on a journey he carries thirty-six horsemen along with him; together with bed and other accommodation, p. 157. The inns, it seems, could afford nothing tolerable. My lord passes the year in three country seats, all in Yorkshire, Wrysel, Leckenfield, and Topclyffe: but he has furniture only for one: he carries everything along with him, beds, tables, chairs kitchen

utensils, all which we may conclude were so coarse, that they could not be spoilt by the carriage; yet seventeen carts and one waggon suffice for the whole, p. 391. One cart suffices for all his kitchen utensils, cook's beds, &c. p. 388. One remarkable circumstance is, that he has eleven priests in his house, besides seventeen persons, chanters, musicians, &c., belonging to his chapel; yet he has only two cooks for a family of two hundred and twenty-three, p. 325.* Their meals were certainly dressed in the slovenly manner of a ship's company. It is amusing to observe the pompous and even royal style assumed by this Tartar chief: he does not give any orders though only for the right making of mustard, but it is introduced with this preamble, "It seemeth good to us and our council." If we consider the magnificent and elegant manner in which the Venetian and other Italian noblemen then lived, with the progress made by the Italians in literature and the fine arts, we shall not wonder that they considered the ultramountaine nations as barbarous. The Flemish also seem to have much excelled the English and even the French. Yet the earl is sometimes not deficient in generosity: he pays, for instance, an annual pension of a groat a year to my lady Walsingham, for her interest in Heaven: the same sum to the holy blood at Hales, p. 337. No mention is anywhere made of plate; but only of the hiring of pewter vessels. The servants seem all to have bought their own clothes from their wages.

Note 2 R, *p.* 346.

Protestant writers have imagined, that because a man could purchase for a shilling an indulgence for the most enormous and unheard-of crimes, there must necessarily have ensued a total dissolution of morality, and consequently of civil society, from the practices of the Romish church. They do not consider that after all these indulgences were promulgated, there still remained (besides hell-fire) the punishment by the civil magistrate, the infamy of the world, and secret remorses of conscience, which are the great motives that operate on mankind. The philosophy of Cicero, who allowed of an Elysium, but rejected all Tartarus, was a much more universal indulgence than that preached by Arcemboldi or Tetzel; yet nobody will suspect Cicero of any design to promote immorality. The sale of indulgences seems, therefore, no more criminal than any other cheat of the church of Rome, or of any other church. The reformers, by entirely abolishing purgatory, did really, instead of partial indulgences sold by the pope, give gratis a general indulgence of a similar nature, for all crimes and offences without exception or distinction. The souls once consigned to hell were never supposed to be redeemable by any price. There is on record only one instance of a damned soul that was saved, and that by the special intercession of the Virgin. See Pascal's Provincial Letters. An indulgence saved the person who purchased it from purgatory only.

Note 2 S, *p.* 350.

It is said that when Henry heard that the commons made a great difficulty of granting the required supply, he was so provoked that he sent for Edward Montague, one of the members who had a considerable influence on the house; and he being introduced to his majesty, had the mortification to hear him speak in these words: "Ho! man! will they not suffer my bill to pass?" And laying his hand on Montague's head, who was then on his knees before him, "Get my bill passed by to-morrow; or else to-morrow this head of yours shall be off." This cavalier manner of Henry succeeded; for next day the bill passed. Collins's British Peerage, Grove's Life of Wolsey. We are told by Hall, fol. 30, that cardinal Wolsey endeavoured to terrify the citizens of London into the general loan exacted in 1525, and told them plainly, "that it were the better that some should suffer indigence than that the king at this time should lack; and therefore beware and resist not, nor ruffle not in this case, for it may fortune to cost some people their heads." Such was the style employed by this king and his ministers.

Note 2 T, *p.* 360.

The first article of the charge against the cardinal is his procuring the legantine power, which, however, as it was certainly done with the king's consent and permission, could be nowise criminal. Many of the other articles also regard the mere exercise of that power. Some articles impute to him as crimes, particular actions which were natural or unavoidable to any man that was prime-minister with so unlimited an authority; such as receiving first all letters from the king's ministers abroad, receiving first all visits from foreign ministers, desiring that all applications should be made through him. He was also accused of naming himself with the king, as if he had been his fellow: "The king and I." It is reported, that sometimes he even put his own name before the king's, *Ego et rex meus*. But this mode of expression is justified by the Latin idiom. It is remarkable that his whispering in the king's ear, knowing himself to be affected with venereal distempers, is an article against him. Many of the charges are general, and incapable of proof. Lord Herbert goes so far as to affirm that no man ever fell from so high a station who had so few real crimes objected to him. This opinion is perhaps a little too favourable to the cardinal. Yet the refutation of the articles by Cromwell, and their being rejected by a house of commons, even in this arbitrary reign, is almost a demonstration of Wolsey's innocence. Henry was, no doubt, entirely bent on his destruction, when on his failure by a parliamentary impeachment, he attacked him upon the statute of provisors, which afforded him so little just hold on that minister. For that this indictment was subsequent to the attack in parliament, appears by Cavendish's Life of Wolsey, and Stowe, p. 551, and more certainly by the very articles of impeachment themselves. Parliamentary History, vol. iii. p. 42, article 7. Coke's Inst. pt. 4, fol. 89.

Note 2 U, *p.* 362.

Even judging of this question by the Scripture, to which the appeal was every moment made, the arguments for the king's cause appear but lame and imperfect. Marriage, in the degree of affinity which had place between Henry and Catherine, is indeed prohibited in Leviticus; but it is natural to interpret that prohibition as a part of the Jewish ceremonial or municipal law: and though it is there said, in the conclusion, that the gentile nations, by violating those degrees of consanguinity, had incurred the divine displeasure, the extension of this maxim to every precise case before specified, is supposing the Scriptures to be composed with a minute accuracy and precision, to which we know with certainty the sacred penmen did not think proper to confine themselves. The descent of mankind from one common father, obliged them, in the first generation, to marry in the nearest degrees of consanguinity: instances of a like nature occur among the patriarchs: and the marriage of a brother's widow was, in certain cases, not only permitted, but even enjoined as a positive precept by the Mosaical law. It is in vain to say that this precept was an exception to the rule: and an exception confined merely to the Jewish nation. The inference is still just, that such a marriage can contain no natural or moral turpitude; otherwise God, who is the author of all purity, would never in any case have enjoined it

* In another place mention is made of four cooks, p. 33. But I suppose that the two servants called in p. 325 groom of the larder and child of the scullery, are, in p. 388, comprehended in the number of cooks.

Note 2 V, *p.* 364.

Bishop Burnet has given us an account of the number of bulls requisite for Cranmer's installation. By one bull, directed to the king, he is upon the royal nomination made archbishop of Canterbury. By a second, directed to himself, he is also made archbishop. By a third, he is absolved from all censures. A fourth is directed to the suffragans, requiring them to receive and acknowledge him as archbishop. A fifth to the dean and chapter, to the same purpose. A sixth to the clergy of Canterbury. A seventh to all the laity in his see. An eighth to all that held lands of it. By a ninth he was ordered to be consecrated, taking the oath that was in the pontifical. By a tenth the pall was sent him. By an eleventh the archbishop of York and the bishop of London were required to put it on him. These were so many devices to draw fees to offices, which the popes had erected and disposed of for money. It may be worth observing, that Cranmer before he took the oath to the pope made a protestation, that he did not intend thereby to restrain himself from anything that he was bound to, either by his duty to God, the king, or the country; and that he renounced everything in it that was contrary to any of these. This was an invention of some casuist, and not very compatible with that strict sincerity, and that scrupulous conscience of which Cranmer made profession. Collier, vol. ii. in Coll. No. 22. Burnet, vol. i. p. 128, 129.

Note 2 W, *p.* 368.

Here are the terms in which the king's minister expressed himself to the pope. "An non, inquam, sanctitas vestra plerosque habet quibuscum arcanum aliquid crediderit, putet id non minus celatum esse quam si uno tantum pectore contineretur; quod multo magis serenissimo Anglia Regi evenire debet, cui singuli in suo regno sunt subjecti, neque etiam velint, possunt Regi non esse fidelissimi, Væ namque illis, si vel parvo momento ab illius voluntate recederent." Le Grand, tom. iii. p. 113. The king once said publicly before the council, that if any one spoke of him or his actions in terms which became them not, he would let them know that he was master. "Et qu'il n'y auroit si belle tête qu'il ne fit voler." Id. p. 218.

Note 2 X, *p.* 375.

This letter contains so much nature, and even elegance, as to deserve to be transmitted to posterity, without any alteration in the expression. It is as follows:—

"Sir, your grace's displeasure and my imprisonment are things so strange unto me, as what to write or what to excuse I am altogether ignorant. Whereas you send unto me (willing me to confess a truth, and so obtain your favour) by such an one whom you know to be mine ancient professed enemy, I no sooner received this message by him than I rightly conceived your meaning; and if, as you say, confessing a truth indeed may procure my safety, I shall with all willingness and duty perform your command.

"But let not your grace ever imagine that your poor wife will ever be brought to acknowledge a fault where not so much as a thought thereof preceded. And, to speak a truth, never prince had wife more loyal in all duty, and in all true affection, than you have ever found in Anne Boleyn; with which name and place I could willingly have contented myself, if God and your grace's pleasure had been so pleased. Neither did I at any time so far forget myself in my exaltation or received queenship, but that I always looked for such an alteration as I now find; for the ground of my preferment being on no surer foundation than your grace's fancy, the least alteration I knew was fit and sufficient to draw that fancy to some other object. You have chosen me from a low estate to be your queen and companion, far beyond my desert or desire. If then you found me worthy of such honour, good your grace let not any light fancy, or bad counsel of mine enemies, withdraw your princely favour from me: neither let that stain, that unworthy stain, of a disloyal heart towards your good grace, ever cast so foul a blot on your most dutiful wife, and the infant princess your daughter. Try me, good king, but let me have a lawful trial, and let not my sworn enemies sit as my accusers and judges; yea, let me receive an open trial, for my truth shall fear no open shame; then shall you see either mine innocence cleared, your suspicion and conscience satisfied, the ignominy and slander of the world stopped, or my guilt openly declared. So that whatsoever God or you may determine of me, your grace may be freed from an open censure; and mine offence being so lawfully proved, your grace is at liberty both before God and man not only to execute worthy punishment on me as an unlawful wife, but to follow your affection already settled on that party for whose sake I am now as I am, whose name I could some good while since have pointed unto, your grace not being ignorant of my suspicion therein.

"But if you have already determined of me, and that not only my death, but an infamous slander, must bring you the enjoying of your desired happiness, then I desire of God that he will pardon your great sin therein, and likewise mine enemies, the instruments thereof, and that he will not call you to a strict account for your unprincely and cruel usage of me, at his general judgment-seat, where both you and myself must shortly appear, and in whose judgment I doubt not (whatsoever the world may think of me) mine innocence shall be openly known and sufficiently cleared.

"My last and only request shall be, that myself may only bear the burden of your grace's displeasure, and that it may not touch the innocent souls of those poor gentlemen who (as I understand) are likewise in strait imprisonment for my sake. If ever I have found favour in your sight, if ever the name of Anne Boleyn hath been pleasing in your ears, then let me obtain this request, and I will so leave to trouble your grace any further, with mine earnest prayers to the Trinity to have your grace in his good keeping, and to direct you in all your actions. From my doleful prison in the Tower, this sixth of May;

"Your most loyal and ever faithful wife,
"Anne Boleyn."

Note 2 Y, *p.* 378.

A proposal had formerly been made in the convocation for the abolition of the lesser monasteries; and had been much opposed by bishop Fisher, who was then alive. He told his brethren that this was fairly showing the king the way how he might come at the greater monasteries. "An axe," said he, "which wanted a handle, came upon a time into the wood, making his moan to the great trees that he wanted a handle to work withal, and for that cause he was constrained to sit idle; therefore he made it his request to them that they would be pleased to grant him one of their small saplings within the wood to make him a handle; who, mistrusting no guile, granted him one of their smaller trees to make a handle. But now becoming a complete axe, he fell so to work within the same wood, that in process of time there was neither great nor small trees to be found in the place where the wood stood. And so, my lords, if you grant the king these smaller monasteries, you do but make him a handle, whereby, at his own pleasure, he may cut down all the cedars within your Lebanons." Dr. Bailie's Life of bishop Fisher, p. 108.

Note 2 Z, *p.* 381.

There is a curious passage with regard to the sup-

pression of monasteries to be found in Coke's Institutes, 4th Inst. chap. i p. 44. It is worth transcribing, as it shows the ideas of the English government, entertained during the reign of Henry VIII., and even in the time of sir Edward Coke, when he wrote his Institutes. It clearly appears that the people had then little notion of being jealous of their liberties, were desirous of making the crown quite independent, and wished only to remove from themselves, as much as possible, the burdens of government. A large standing army, and a fixed revenue, would on these conditions have been regarded as great blessings; and it was owing entirely to the prodigality of Henry, and to his little suspicion that the power of the crown could ever fail, that the English owe all their present liberty. The title of the chapter in Coke is, "Advice concerning new and plausible Projects and Offers in Parliament." "When any plausible project," says he, "is made in parliament, to draw the lords and commons to assent to any act, (especially in matters of weight and importance,) if both houses do give upon the matter projected and promised their consent, it shall be most necessary, they being trusted for the commonwealth, to have the matter projected and promised (which moved the houses to consent) to be established in the same act, lest the benefit of the act be taken, and the matter projected and promised never performed, and so the houses of parliament perform not the trust reposed in them, as it fell out (taking one example for many) in the reign of Henry the Eighth: on the king's behalf, the members of both houses were informed in parliament, that no king or kingdom was safe but where the king had three abilities: 1. To live of his own, and able to defend his kingdom upon any sudden invasion or insurrection. 2. To aid his confederates, otherwise they would never assist him. 3. To reward his well-deserving servants. Now the project was, that if the parliament would give unto him all the abbeys, priories, friaries, nunneries, and other monasteries, that for ever in time then to come, he would take order that the same should not be converted to private uses; but first, that his exchequer, for the purposes aforesaid, should be enriched; secondly, the kingdom strengthened by a continual maintenance of forty thousand well-trained soldiers, with skilful captains and commanders; thirdly, for the benefit and ease of the subject, who never afterwards, (as was projected,) in any time to come, should be charged with subsidies, fifteenths, loans, or other common aids; fourthly, lest the honour of the realm should receive any diminution of honour by the dissolution of the said monasteries, there being twenty-nine lords of parliament of the abbots and priors, (that held of the king *perbaroniam*, whereof more in the next leaf,) that the king would create a number of nobles, which we omit. The said monasteries were given to the king by authority of divers acts of parliament, but no provision was therein made for the said project or any part thereof."

Note 3 A, *p.* 383.

Collier in his Ecclesiastical History, vol. ii. p. 152. has preserved an account which Cromwell gave of this conference, in a letter to sir Thomas Wyat, the king's ambassador in Germany. "The king's majesty," says Cromwell, "for the reverence of the holy sacrament of the altar, did sit openly in his hall, and there presided at the disputation, process, and judgment of a miserable heretic sacramentary, who was burned the 20th of November. It was a wonder to see how princely, with how excellent gravity and inestimable majesty his highness exercised there the very office of supreme head of the church of England. How benignly his grace essayed to convert the miserable man: how strong and manifest reasons his highness alleged against him. I wish the princes and potentates of Christendom to have had a meet place to have seen it. Undoubtedly they should have much marvelled at his majesty's most high wisdom and judgment, and reputed him no otherwise after the same, than in a manner the mirror and light of all other kings and princes in Christendom." It was by such flatteries that Henry was engaged to make his sentiments the standard to all mankind; and was determined to enforce, by the severest penalties, his *strong* and *manifest* reasons for transubstantiation.

Note 3 B, *p.* 384.

There is a story, that the duke of Norfolk, meeting, soon after this act was passed, one of his chaplains, who was suspected of favouring the Reformation, said to him, "Now, sir, what think you of the law to hinder priests from having wives?" "Yes, my lord," replies the chaplain, "you have done that; but I will answer for it you cannot hinder men's wives from having priests."

Note 3 C, *p.* 387.

To show how much Henry sported with law and common sense, how servilely the parliament followed all his caprices, and how much both of them were lost to all sense of shame, an act was passed this session, declaring that a pre-contract should be no ground for annulling a marriage; as if that pretext had not been made use of both in the case of Anne Boleyn and Anne of Cleves. But the king's intention in this law is said to be a design of restoring the princess Elizabeth to her right of legitimacy; and it was his character never to look further than the present object, without regarding the inconsistency of his conduct. The parliament made it high-treason to deny the dissolution of Henry's marriage with Anne of Cleves. Herbert.

Note 3 D, *p.* 390.

It was enacted by this parliament, that there should be trial of treason in any county where the king should appoint by commission. The statutes of treason had been extremely multiplied in this reign, and such an expedient saved trouble and charges in trying that crime. The same parliament erected Ireland into a kingdom; and Henry henceforth annexed the title of King of Ireland to his other titles. This session the commons first began the practice of freeing any of their members who were arrested, by a writ issued by the speaker. Formerly it was usual for them to apply for a writ from chancery to that purpose. This precedent increased the authority of the commons, and had afterwards important consequences. Hollingshed, p. 954, 956. Baker, p. 289.

Note. 3 E, *p.* 392.

The persecutions exercised during James's reign are not to be ascribed to his bigotry, a vice from which he seems to have been as free as Francis the First, or the emperor Charles, both of whom, as well as James, showed, in different periods of their lives, even an inclination to the new doctrines. The extremities to which all these princes were carried proceeded entirely from the situation of affairs during that age, which rendered it impossible for them to act with greater temper or moderation, after they had embraced the resolution of supporting the ancient establishments. So violent was the propensity of the times towards innovation, that a bare toleration of the new preachers was equivalent to a formed design of changing the national religion.

Note 3 F, *p.* 407.

Spotswood, p. 75. The same author, p. 92, tells us a story which confirms this character of the popish clergy in Scotland. It became a great dispute in the

university of St. Andrews, whether the *pater* should be said to God or the saints. The friars, who knew in general that the reformers neglected the saints, were determined to maintain their honour with great obstinacy, but they knew not upon what topics to found their doctrine. Some held that the *pater* was said to God *formaliter*, and to saints *materialiter*; others, to God *principaliter*, and to saints *minus principaliter*; others would have it *ultimate* and *non ultimate*: but the majority seemed to hold, that the *pater* was said to God *capiendo stricte* and to saints *capiendo large*. A simple fellow who served the sub-prior, thinking there was some great matter in hand that made the doctors hold so many conferences together, asked him one day what the matter was? The sub-prior answering, "Tom," (that was the fellow's name,) "we cannot agree to whom the paternoster should be said;" he suddenly replied, "To whom, sir, should it be said, but unto God?" Then said the sub-prior, "What shall we do with the saints?" He answered, "Give them Aves and Creeds enow in the devil's name: for that may suffice them." The answer going abroad, many said, "That he had given a wiser decision than all the doctors had done with all their distinctions."

Note 3 G, *p.* 413.

Another act passed this session takes notice, in the preamble, that the city of York, formerly well inhabited, was now much decayed; insomuch that many of the cures could not afford a competent maintenance to the incumbents. To remedy this inconvenience, the magistrates were empowered to unite as many parishes as they thought proper. An ecclesiastical historian, Collier, vol. ii. p. 230, thinks that this decay of York is chiefly to be ascribed to the dissolution of monasteries, by which the revenues fell into the hands of persons who lived at a distance.

A very grievous tax was imposed this session upon the whole stock and monied interest of the kingdom, and even upon its industry. It was a shilling in the pound yearly, during three years, on every person worth ten pounds or upwards: the double on aliens and denizens. These last, if above twelve years of age, and if worth less than twenty shillings, were to pay eight-pence yearly. Every wether was to pay two-pence yearly; every ewe three-pence. The woollen manufacturers were to pay eightpence a pound on the value of all the cloth they made. These exorbitant taxes on money are a proof that few people lived on money lent at interest; for this tax amounts to half of the yearly income of all money-holders, during three years, estimating their interest at the rate allowed by law; and was too grievous to be borne, if many persons had been affected by it. It is remarkable, that no tax at all was laid upon land this session. The profits of merchandise were commonly so high, that it was supposed it could bear this imposition. The most absurd part of the laws seems to be the tax upon the woollen manufacturers. See 2 & 3 Edw. VI. cap. 36. The subsequent parliament repealed the tax on sheep and woollen cloth. 3 & 4 Edw. VI. cap. 23. But they continued the other tax a year longer. Ibid.

The clergy taxed themselves at six shillings in the pound, to be paid in three years. This taxation was ratified in parliament, which had been the common practice since the Reformation, implying that the clergy have no legislative power, even over themselves. See 2 & 3 Edw. VI. cap. 35.

Note 3 H, *p.* 431.

The pope at first gave cardinal Pole powers to transact only with regard to the past fruits of the church-lands; but being admonished of the danger attending any attempt towards a resumption of the lands, he enlarged the cardinal's powers, and granted him authority to ensure the future possession of the church-lands to the present proprietors. There was only one clause in the cardinal's powers that has given occasion for some speculation. An exception was made of such cases as Pole should think important enough to merit the being communicated to the holy see. But Pole simply ratified the possession of all the church-lands; and his commission had given him full powers to that purpose. See Harleyan Miscellany, vol. vii. p. 264, 266. It is true some councils have declared, that it exceeds even the power of the pope to alienate any church-lands; and the pope, according to his convenience, or power, may either adhere to or recede from this declaration. But every year gave solidity to the right of the proprietors of church-lands, and diminished the authority of the popes; so that men's dread of popery, in subsequent times, was more founded on party or religious zeal, than on very solid reasons.

Note 3 I, *p.* 442.

The passage of Hollingshed, in the Discourse prefixed to his History, and which some ascribe to Harrison, is as follows. Speaking of the increase of luxury: "Neither do I speak this in reproach of any man, God is my judge; but to show that I do rejoice rather to see how God has blessed us with his good gifts, and to behold how that in a time wherein all things are grown to most excessive prices, we do yet find the means to obtain and achieve such furniture as heretofore has been impossible: there are old men yet dwelling in the village where I remain, which have noted three things to be marvellously altered in England within their sound remembrance. One is, the multitude of chimnies lately erected; whereas, in their young days, there were not above two or three, if so many, in most uplandish towns of the realm; (the religious houses and manor-places of their lords always excepted, and peradventure some great personage;) but each made his fire against a reredosse in the hall where he dined and dressed his meat. The second is, the great amendment of lodging; for, said they, our fathers, and we ourselves, have lain full oft upon straw pallettes, covered only with a sheet, under coverlets made of dagswaine or hopharlots, (I use their own terms,) and a good round log under their head instead of a bolster. If it were so, that the father or the goodman of the house had a matrass or flock-bed, and thereto a sack of chaff to rest his head upon, he thought himself to be as well lodged as the lord of the town: so well were they contented. Pillows, said they, were thought meet only for women in childbed: as for servants, if they had any sheet above them it was well: for seldom had they any under their bodies to keep them from the pricking straws that ran oft through the canvass, and rased their hardened hides. The third thing they tell of is, the exchange of treene platers (so called, I suppose, from *tree* or *wood*) into pewter, and wooden spoons into silver or tin. For so common were all sorts of treene vessels in old time, that a man should hardly find four pieces of pewter (of which one was peradventure a salt) in a good farmer's house. "Description of Britain," chap. x. Again, in chap xvi. "In times past men were contented to dwell in houses builded of sallow, willow, &c.; so that the use of the oak was in a manner dedicated wholly unto churches, religious houses, princes' palaces, navigation, &c.; but now sallow, &c., are rejected, and nothing but oak anywhere regarded; and yet see the change; for when our houses were builded of willow, then had we oaken men; but now that our houses are come to be made of oak, our men are not only become willow, but a great many altogether of straw, which is a sore alteration. In these the courage of the owner was a sufficient defence to keep the house in safety; but now the assurance of the timber must defend the men from robbing. Now have we many chimnies; and yet our tenderlines complain of rheums, catarrhs, and poses;

then had we none but reredosses, and our heads did never ache. For as the smoke in those days was supposed to be a sufficient hardening for the timber of the house, so it was reputed a far better medicine to keep the goodman and his family from the quack or pose, wherewith, as then, very few were acquainted." Again, in chap. xviii. "Our pewterers in time past employed the use of pewter only upon dishes and pots, and a few other trifles for service; whereas now they are grown into such exquisite cunning, that they can in manner imitate by infusion any form or fashion of cup, dish, salt, or bowl or goblet, which is made by goldsmith's craft, though they be never so curious, and very artificially forged. In some places beyond the sea, a garnish of good flat English pewter (I say flat, because dishes and platters in my time begin to be made deep, and like basons, and are indeed more convenient both for sauce and keeping the meat warm) is almost esteemed so precious as the like number of vessels that are made of fine silver." If the reader is curious to know the hours of meals in queen Elizabeth's reign, he may learn it from the same author. "With us the nobility, gentry, and students do ordinarily go to dinner at eleven before noon, and to supper at five, or between five and six at afternoon. The merchants dine and sup seldom before twelve at noon and six at night, especially in London. The husbandmen dine also at high noon as they call it, and sup at seven or eight: but out of term in our universities the scholars dine at ten."

Froissart mentions waiting on the duke of Lancaster at five o'clock in the afternoon, when he had supped. These hours are still more early. It is hard to tell, why, all over the world, as the age becomes more luxurious, the hours become later. Is it the crowd of amusements that push on the hours gradually? or are the people of fashion better pleased with the secrecy and silence of nocturnal hours, when the industrious vulgar are all gone to rest? In rude ages, men have few amusements or occupations but what daylight affords them.

Note 3 K, *p.* 444.

The parliament also granted the queen the duties of tonnage and poundage; but this concession was at that time regarded only as a matter of form, and she had levied these duties before they were voted by parliament. But there was another exertion of power which she practised, and which people, in the present age, from their ignorance of ancient practices, may be apt to think a little extraordinary. Her sister, after the commencement of the war with France, had, from her own authority, imposed four marks on each ton of wine imported, and had increased the poundage a third on all commodities. Queen Elizabeth continued these impositions as long as she thought convenient. The parliament, who had so good an opportunity of restraining these arbitrary taxes, when they voted the tonnage and poundage, thought not proper to make any mention of them. They knew that the sovereign, during that age, pretended to have the sole regulation of foreign trade, and that their intermeddling with that prerogative would have drawn on them the severest reproof, if not chastisement. See Forbes, vol. i. p. 132, 133. We know certainly, from the statutes and journals, that no such impositions were granted by parliament.

Note 3 L, *p.* 447.

Knox, p. 127. We shall suggest afterward some reasons to suspect, that perhaps no express promise was ever given. Calumnies easily arise during times of faction, especially those of the religious kind, when men think every art lawful for promoting their purpose. The congregation in their manifesto, in which they enumerate all the articles of the regent's maladministration, do not reproach her with this breach of promise. It was probably nothing but a rumour spread abroad to catch the populace. If the papists have sometimes maintained, that no faith was to be kept with heretics, their adversaries seem also to have thought, that no truth ought to be told of idolaters.

Note 3 M, *p.* 448.

Spotswood, p. 146. Melvil, p. 29. Knox, p. 225, 228. Lesly, lib. x. That there was really no violation of the capitulation of Perth, appears from the manifesto of the congregation in Knox, p. 184, in which it is not so much as pretended. The companies of Scotch soldiers, were probably in Scotch pay, since the congregation complains, that the country was oppressed with taxes to maintain armies. Knox, p. 164, 165. And even if they had been in French pay, it had been no breach of the capitulation, since they were national troops, not French. Knox does not say, p. 139, that any of the inhabitants of Perth were tried or punished for their past offences; but only that they were oppressed with the quartering of soldiers: and the congregation, in their manifesto, say only that many of them had fled for fear. This plain detection of the calumny, with regard to the breach of the capitulation of Perth, may make us suspect a like calumny with regard to the pretended promise not to give sentence against the ministers. The affair lay altogether between the regent and the laird of Dun; and that gentleman, though a man of sense and character, might be willing to take some general professions for promises. If the queen, overawed by the power of the congregation, gave such a promise in order to have liberty to proceed to a sentence, how could she expect to have power to execute a sentence so insidiously obtained? And to what purpose could it serve?

Note 3 N, *p.* 449.

Knox, p. 153, 154, 155. This author pretends that this article was agreed to verbally, but that the queen's scribes omitted it in the treaty which was signed. The story is very unlikely, or rather very absurd; and in the meantime it is allowed that the article is not in the treaty; nor do the congregation, in their subsequent manifesto, insist upon it. Knox, p. 184. Besides, would the queen-regent, in an article of a treaty, call her own religion idolatry?

Note 3 O, *p.* 449.

The Scotch lords, in their declaration, say, "How far we have sought support of England, or of any other prince, and what just cause we had and have so to do, we shall shortly make manifest unto the world, to the praise of God's holy name, and to the confusion of all those that slander us for so doing: for this we fear not to confess, that, as in this enterprise against the devil, against idolatry and the maintainers of the same, we chiefly and only seek God's glory to be notified unto men, sin to be punished, and virtue to be maintained; so where power faileth of ourselves, we will seek it wheresoever God shall offer the same."—Knox, p. 176.

Note 3 P, *p.* 460.

This year the council of Trent was dissolved, which had sitten from 1545. The publication of its decrees excited anew the general ferment in Europe; while the catholics endeavoured to enforce the acceptance of them, and the protestants rejected them. The religious controversies were too far advanced to expect that any conviction would result from the decrees of this council. It is the only general council which has been held in an age truly learned and inquisitive; and as the history of it has been written with great p ne

tration and judgment, it has tended very much to expose clerical usurpations and intrigues, and may serve us as a specimen of more ancient councils. No one expects to see another general council, till the decay of learning and the progress of ignorance shall again fit mankind for these great impostures.

Note 3 Q, *p.* 462.

It appears, however, from Randolf's Letters (see Keith, p. 290,) that some offers had been made to that minister, of seizing Lenox and Darnley, and delivering them into queen Elizabeth's hands. Melvil confirms the same story, and says, that the design was acknowledged by the conspirators, p. 56. This serves to justify the account given by the queen's party of the Raid of Baith, as it is called. See further, Goodall, vol. ii. p. 358. The other conspiracy, of which Murray complained, is much more uncertain, and is founded on very doubtful evidence.

Note 3 R, *p.* 463.

Buchanan confesses that Rizzio was ugly; but it may be inferred, from the narration of that author, that he was young. He says, that on the return of the duke of Savoy to Turin, Rizzio was *in adolescentiæ vigore*, in the vigour of youth. Now that event happened only a few years before, lib. xvii. cap. 44. That Bothwel was young appears, among many other invincible proofs, from Mary's instructions to the bishop of Dumblain, her ambassador at Paris; where she says, that in 1559, only eight years before, he was *very young*. He might therefore have been about thirty when he married her. See Keith's History, p. 388. From the appendix to the *Epistolæ Regum Scotorum*, it appears by authentic documents, that Patrick, earl of Bothwel, father to James, who espoused queen Mary, was alive till near the year 1560. Buchanan, by a mistake, which has been long ago corrected, calls him James.

Note 3 S, *p.* 466.

Mary herself confessed, in her instructions to the ambassadors whom she sent to France, that Bothwel persuaded all the noblemen that their application in favour of his marriage was agreeable to her. Keith, p. 389. Anderson, vol. i. p. 94. Murray afterwards produced to queen Elizabeth's commissioners, a paper signed by Mary, by which she permitted them to make this application to her. This permission was a sufficient declaration of her intentions, and was esteemed equivalent to a command. Anderson, vol. iv. p. 59. They even asserted, that the house in which they met was surrounded with armed men. Goodall, vol. ii. p. 141.

Note 3 T, *p.* 473.

Mary's complaint of the queen's partiality in admitting Murray to a conference, was a mere pretext in order to break off the conference. She indeed employs that reason in her order for that purpose; (see Goodall, vol. ii. p. 184;) but in her private letter, her commissioners are directed to make use of that order to prevent her honour from being attacked. Goodall, vol. ii. p. 183. It was therefore the accusation only she was afraid of. Murray was the least obnoxious of all her enemies. He was abroad when her subjects rebelled, and reduced her to captivity: he had only accepted of the regency when voluntarily proffered him by the nation. His being admitted to queen Elizabeth's presence was therefore a very bad foundation for a quarrel, or for breaking off the conference; and was plainly a mere pretence.

Note 3 U, *p.* 474.

We shall not enter into a long discussion concerning the authenticity of these letters: we shall only remark in general, that the chief objections against them are, that they are supposed to have passed through the earl of Morton's hands, the least scrupulous of all Mary's enemies; and that they are to the last degree indecent, and even somewhat inelegant, such as it is not likely she would write. But to these presumptions we may oppose the following considerations. (1.) Though it be not difficult to counterfeit a subscription, it is very difficult, and almost impossible, to counterfeit several pages, so as to resemble exactly the handwriting of any person. These letters were examined and compared with Mary's handwriting, by the English privy-council, and by a great many of the nobility, among whom were several partisans of that princess. They might have been examined by the bishop of Ross, Herreis, and others of Mary's commissioners. The regent must have expected that they would be very critically examined by them: and had they not been able to stand that test, he was only preparing a scene of confusion to himself. Bishop Lesly expressly declines the comparing of the hands, which he calls no legal proof. Goodall, vol. ii. p. 389. (2.) The letters are very long, much longer than they needed to have been, in order to serve the purposes of Mary's enemies; a circumstance which increased the difficulty, and exposed any forgery the more to the risk of a detection. (3.) They are not so gross and palpable as forgeries commonly are, for they still left a pretext for Mary's friends to assert, that their meaning was strained to make them appear criminal. See Goodall, vol. ii. p. 361. (4.) There is a long contract of marriage, said to be written by the earl of Huntley, and signed by the queen, before Bothwel's acquittal. Would Morton, without any necessity, have thus doubled the difficulties of the forgery and the danger of detection? (5.) The letters are indiscreet; but such was apparently Mary's conduct, at that time: they are inelegant; but they have a careless, natural air, like letters hastily written between familiar friends. (6.) They contain such a variety of particular circumstances as nobody could have thought of inventing, especially as they must necessarily have afforded her many means of detection. (7.) We have not the originals of the letters, which were in French: we have only a Scotch and Latin translation from the original, and a French translation professedly done from the Latin. Now it is remarkable that the Scotch translation is full of Gallicisms, and is clearly a translation from a French original: such as, "make fault," *faire des fautes;* "make it seem that I believe," *faire semblant de le croire;* "make brek," *faire breche;* "this is my first journey," *c'est ma premiere journée;* "have you not desire to laugh," *n'avez vous pas envie de rire;* "the place will hald unto the death," *la place tiendra jusqu'à la mort;* "he may not come forth of the house this long time," "*il ne peut pas sortir du logis de long tems;* "to make me advertisement," *faire m'avertir;* "put order to it," *mettre ordre à cela;* discharge your heart," *decharger votre cœur;* "make gud watch," *faites bonne garde*, &c. (8.) There is a conversation which she mentions between herself and the king one evening: but Murray produced before the English commissioners the testimony of one Crawford, a gentleman of the earl of Lenox, who swore that the king, on her departure from him, gave him an account of the same conversation. (9.) There seems very little reason why Murray and his associates should run the risk of such a dangerous forgery, which must have rendered them infamous, if detected; since their cause, from Mary's known conduct, even without these letters, was sufficiently good and justifiable. (10.) Murray exposed these letters to the examination of persons qualified to judge of them; the Scotch council, the Scotch parliament, queen Elizabeth and her council, who were possessed of a great number of Mary's genuine letters. (11.) He gave Mary herself an opportunity of refuting and exposing him, if she had chosen to lay hold of it. (12.)

The letters tally so well with all the other parts of her conduct during that transaction, that these proofs throw the strongest light on each other. (13.) The duke of Norfolk, who had examined these papers, and who favoured so much the queen of Scots that he intended to marry her, and in the end lost his life in her cause, yet believed them authentic, and was fully convinced of her guilt. This appears not only from his letters above mentioned to queen Elizabeth and her ministers, but by his secret acknowledgment to Bannister, his most trusty confidant. See State Trials, vol. i. p. 81. In the conferences between the duke, secretary Lidington, and the bishop of Ross, all of them zealous partisans of that princess, the same thing is always taken for granted. Ibid. p. 74, 75. See further MS. in the Advocate's library, A. 3, 28, p. 314, from Cott. lib. Calig. c. 9. Indeed the duke's full persuasion of Mary's guilt, without the least doubt or hesitation, could not have had place, if he had found Lidington or the bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be remarked, that Lidington, being one of the accomplices, knew the whole bottom of the conspiracy against king Henry, and was besides a man of such penetration that nothing could escape him in such interesting events. (14.) I need not repeat the presumption drawn from Mary's refusal to answer. The only excuse for her silence is, that she suspected Elizabeth to be a partial judge: it was not indeed the interest of that princess to acquit and justify her rival and competitor; and we accordingly find that Lidington, from the secret information of the duke of Norfolk, informed Mary, by the bishop of Ross, that the queen of England never meant to come to a decision; but only to get into her hands the proofs of Mary's guilt, in order to blast her character. See State Trials, vol. i. p. 77. But this was a better reason for declining the conference altogether, than for breaking it off on frivolous pretences, the very moment the chief accusation was unexpectedly opened against her. Though she could not expect Elizabeth's final decision in her favour, it was of importance to give a satisfactory answer, if she had any, to the accusation of the Scotch commissioners. That answer could have been dispersed for the satisfaction of the public, of foreign nations, and of posterity. And surely, after the accusation and proofs were in queen Elizabeth's hands, it could do no harm to give in the answers. Mary's information, that the queen never intended to come to a decision, could be no obstacle to her justification. (15.) The very disappearance of these letters is a presumption of their authenticity. That event can be accounted for no way but from the care of king James's friends, who were desirous to destroy every proof of his mother's crimes. The disappearance of Morton's narrative, and of Crawford's evidence, from the Cotton library, Calig. c. i. must have proceeded from a like cause. See MS. in the Advocates' library, A. 3, 29, p. 88.

I find an objection made to the authenticity of the letters, drawn from the vote of the Scotch privy-council, which affirms the letters to be written and subscribed by queen Mary's own hand; whereas the copies given in to the parliament a few days after, were only written, not subscribed. See Goodall, vol. ii. p. 64, 67. But it is not considered that this circumstance is of no manner of force: there were certainly letters, true or false, laid before the council: and whether the letters were true or false, this mistake proceeds equally from the inaccuracy or blunder of the clerk. The mistake may be accounted for; the letters were only written by her: the second contract with Bothwel was only subscribed. A proper accurate distinction was not made; and they are all said to be written and subscribed. A late writer, Mr. Goodall, has endeavoured to prove that these letters clash with chronology, and that the queen was not in the places mentioned in the letters on the days there assigned: to confirm this, he produces charters and other deeds signed by the queen, where the date and place do not agree with the letters. But it is well known that the date of charters, and such-like grants, is no proof of the real day on which they were signed by the sovereign. Papers of that kind commonly pass through different offices: the date is affixed by the first office, and may precede very long the day of the signature.

The account given by Morton of the manner in which the papers came into his hands, is very natural. When he gave it to the English commissioners, he had reason to think it would be canvassed with all the severity of able adversaries, interested in the highest degree to refute it. It is probable that he could have confirmed it by many circumstances and testimonies, since they declined the contest.

The sonnets are inelegant; insomuch that both Brantome and Ronsard, who knew queen Mary's style, were assured, when they saw them, that they could not be of her composition. Jebb, vol. ii. p. 478. But no person is equal in his productions, especially one whose style is so little formed as Mary's must be supposed to be. Not to mention that such dangerous and criminal enterprises leave little tranquillity of mind for elegant poetical compositions.

In a word, queen Mary might easily have conducted the whole conspiracy against her husband, without opening her mind to any one person except Bothwel, and without writing a scrap of paper about it; but it was very difficult to have conducted it so that her conduct should not betray her to men of discernment. In the present case her conduct was so gross, as to betray her to everybody; and fortune threw into her enemies' hands papers by which they could convict her. The same infatuation and imprudence, which happily is the usual attendant of great crimes, will account for both. It is proper to observe, that there is not one circumstance of the foregoing narrative, contained in the history, that is taken from Knox, Buchanan, or even Thuanus, or indeed from any suspected authority.

Note 3 W, *p.* 474.

Unless we take this angry accusation, advanced by queen Mary, to be an argument of Murray's guilt, there remains not the least presumption which should lead us to suspect him to have been anywise an accomplice in the king's murder. That queen never pretended to give any proof to the charge; and her commissioners affirmed at the time, that they themselves knew of none, though they were ready to maintain its truth by their mistress's orders, and would produce such proof as she should send them. It is remarkable that, at that time, it was impossible for either her or them to produce any proof; because the conferences before the English commissioners were previously broken off.

It is true, the bishop of Ross, in an angry pamphlet, written by him under a borrowed name, (where it is easy to say anything,) affirms, that Lord Herreis, a few days after the king's death, charged Murray with the guilt, openly to his face at his own table. This latter nobleman, as Lesly relates the matter, affirmed, that Murray, riding in Fife with one of his servants, the evening before commission of that crime, said to him among other talk, "This night ere morning the lord Darnley shall lose his life." See Anderson, vol. i, p. 75. But this is only a hearsay of Lesly's concerning a hearsay of Herreis's, and contains a very improbable fact. Would Murray, without any use or necessity, communicate to a servant such a dangerous and important secret, merely by way of conversation! We may also observe, that lord Herreis himself was one of queen Mary's commissioners who accused Murray. Had he ever heard this story, or given credit to it, was not that the time to have produced it! and not

have affirmed, as he did, that he for his part knew nothing of Murray's guilt? See Goodall, vol. ii. p. 307.

The earls of Huntley and Argyle accuse Murray of this crime; but the reason which they assign is ridiculous. He had given his consent to Mary's divorce from the king; therefore he was the king's murderer. See Anderson, vol. iv. part 2, p. 192. It is a sure argument that these earls knew no better proof against Murray, otherwise they would have produced it, and not have insisted on so absurd a presumption. Was not this also the time for Huntley to deny his writing Mary's contract with Bothwel, if that paper had been a forgery?

Murray could have no motive to commit that crime. The king, indeed, bore him some ill will; but the king himself was become so despicable, both from his own ill conduct and the queen's aversion to him, that he could neither do good nor harm to anybody. To judge by the event in any case is always absurd, especially in the present. The king's murder, indeed, procured Murray the regency; but much more Mary's ill conduct and imprudence, which he could not possibly foresee, and which never would have happened had she been entirely innocent.

Note 3 X, *p.* 474.

I believe there is no reader of common sense who does not see from the narrative in the text, that the author means to say, that queen Mary refuses constantly to answer before the English commissioners, but offers only to answer in person before queen Elizabeth in person, contrary to her practice during the whole course of the conference, till the moment the evidence of her being an accomplice in her husband's murder is unexpectedly produced. It is true, the author having repeated four or five times an account of this demand of being admitted to Elizabeth's presence, and having expressed his opinion that, as it had been refused from the beginning, even before the commencement of the conferences, she did not expect it would now be complied with, thought it impossible his meaning could be misunderstood; (as indeed it was impossible;) and not being willing to tire his reader with continual repetitions, he mentions in a passage or two, simply, that she had refused to make any answer. I believe also, there is no reader of common sense who peruses Anderson or Goodall's collections, and does not see that, agreeably to his narrative, queen Mary insists unalterably and strenuously on not continuing to answer before the English commissioners, but insists to be heard in person by queen Elizabeth in person; though once or twice, by way of bravado, she says simply, that she will answer and refute her enemies, without inserting this condition, which still is understood. But there is a person that has writ an "Enquiry historical and critical into the Evidence against Mary Queen of Scots;" and has attempted to refute the foregoing narrative. He quotes a single passage of the narrative, in which Mary is said simply to refuse answering; and then a single passage from Goodall, in which she boasts simply that she will answer; and he very civilly, and almost directly, calls the author a liar, on account of this pretended contradiction. That whole Enquiry, from beginning to end, is composed of such scandalous artifices; and from this instance the reader may judge of the candour, fair dealing, veracity, and good manners of the Enquirer. There are, indeed, three events in our history, which may be regarded as touchstones of party-men. An English Whig, who asserts the reality of the popish plot, an Irish catholic, who denies the massacre in 1641, and a Scotch jacobite, who maintains the innocence of queen Mary, must be considered as men beyond the reach of argument or reason, and must be left to their prejudices.

Note 3 Y, *p.* 479.

By Murden's state papers, published after the writing of this history, it appears, that an agreement had been made between Elizabeth and the regent for the delivering up of Mary to him. The queen afterwards sent down Killigrew to the earl of Marre when regent, offering to put Mary into his hands. Killigrew was instructed to take good security from the regent, that the queen should be tried for her crimes and that the sentence should be executed upon her. It appears that Marre rejected the offer, because we hear no more of it.

Note 3 Z, *p.* 480.

Sir James Melvil, p. 103, 109, ascribes to Elizabeth a positive design of animating the Scotch factions against each other; but his evidence is too inconsiderable to counterbalance many other authorities, and is, indeed, contrary to her subsequent conduct, as well as her interest, and the necessity of her situation. It was plainly her interest that the king's party should prevail, and nothing could have engaged her to stop their progress, or even forbear openly assisting them, but her intention of still amusing the queen of Scots, by the hopes of being peaceably restored to her throne. See further, Strype, vol. ii. Append. p. 20.

Note 4 A, *p.* 497.

That the queen's negociations for marrying the duke of Anjou were not feigned nor political, appears clearly from many circumstances; particularly from a passage in Dr. Forbes's manuscript collections, at present in the possession of lord Royston. She there enjoins Walsingham before he opens the treaty, to examine the person of the duke; and as that prince had lately recovered from the small-pox, she desires her ambassador to consider, whether he yet retained so much of his good looks, as that a woman could fix her affections on him. Had she not been in earnest, and had she only meant to amuse the public, or the court of France, this circumstance was of no moment.

Note 4 B, *p.* 502.

D'Ewes, p. 328. The puritanical sect had indeed gone so far, that a book of discipline was secretly subscribed by above five hundred clergymen; and the presbyterian government thereby established in the midst of the church, notwithstanding the rigour of the prelates and of the high-commission. So impossible is it by penal statutes, however severe, to suppress all religious innovation. See Neal's Hist. of the Puritans, vol. i. p. 483. Strype's Life of Whitgift, p. 291.

Note 4 C, *p.* 502.

This year the earl of Northumberland, brother to the earl beheaded some years before, had been engaged in a conspiracy with lord Paget for the deliverance of the queen of Scots. He was thrown into the Tower; and being conscious that his guilt could be proved upon him, at least that sentence would infallibly be pronounced against him, he freed himself from further prosecution by a voluntary death. He shot himself in the breast with a pistol. About the same time the earl of Arundel, son of the unfortunate duke of Norfolk, having entered into some exceptionable measures and reflecting on the unhappy fate which had attended his family, endeavoured to depart secretly beyond sea, but was discovered and thrown into the Tower. In 1587, this nobleman was brought to his trial for high-treason; chiefly because he had dropped some expressions of affection to the Spaniards, and had affirmed that he would have masses said for the success of the Armada. His peers found him guilty of treason: this severe sentence was not executed; but Arundel never recovered his liberty. He died a prisoner in 1595. He carried his religious

austerities so far, that they were believed the immediate cause of his death.

Note 4 D, *p.* 505.

Mary's extreme animosity against Elizabeth may easily be conceived, and it broke out about this time in an incident which may appear curious. While the former queen was kept in custody by the earl of Shrewsbury, she lived during a long time in great intimacy with the countess; but that lady entertaining a jealousy of an amour between her and the earl, their friendship was converted into enmity; and Mary took a method of revenge, which at once gratified her spite against the countess and that against Elizabeth. She wrote to the queen, informing her of all the malicious, scandalous stories which, she said, the countess of Shrewsbury had reported of her: that Elizabeth had given a promise of marriage to a certain person, whom she afterwards often admitted to her bed: that she had been equally indulgent to Simier, the French agent, and to the duke of Anjou: that Hatton was also one of her paramours, who was even disgusted with her excessive love and fondness: that though she was, on other occasions, avaricious to the last degree, as well as ungrateful, and kind to very few, she spared no expense in gratifying her amorous passions: that notwithstanding her licentious amours, she was not made like other women; and all those who courted her marriage would in the end be disappointed: that she was so conceited of her beauty, as to swallow the most extravagant flattery from her courtiers, who could not on these occasions, forbear even sneering at her for her folly: that it was usual for them to tell her, that the lustre of her beauty dazzled them like that of the sun, and they could not behold it with a fixed eye: she added, that the countess had said, that Mary's best policy would be to engage her son to make love to the queen; nor was there any danger that such a proposal would be taken for mockery; so ridiculous was the opinion which she had entertained of her own charms. She pretended that the countess had represented her as no less odious in her temper than profligate in her manners, and absurd in her vanity: that she had so beaten a young woman of the name of Scudamore, as to break that lady's finger; and in order to cover over the matter, it was pretended that the accident had proceeded from the fall of a candlestick: that she had cut another across the hand with a knife, who had been so unfortunate as to offend her. Mary added, that the countess had informed her, that Elizabeth had suborned Rolstone to pretend friendship to her, in order to debauch her, and thereby throw infamy on her rival. See Murden's State Papers, p. 558. This imprudent and malicious letter was written a very little before the detection of Mary's conspiracy; and contributed, no doubt, to render the proceedings against her the more rigorous. How far all these imputations against Elizabeth can be credited may perhaps appear doubtful: but her extreme fondness for Leicester, Hatton, and Essex, not to mention Mountjoy and others, with the curious passages between her and admiral Seymour, contained in Haynes, render her chastity very much to be suspected. Her self-conceit with regard to beauty, we know from other undoubted authority to have been extravagant. Even when she was a very old woman, she allowed her courtiers to flatter her with regard to her *excellent beauties*. Birch, vol. ii. p 442, 443. Her passionate temper may also be proved from many lively instances, and it was not unusual with her to beat her maids of honour. See the Sidney papers, vol. ii. p. 38. The blow she gave to Essex before the privy-council is another instance. There remains in the Museum a letter of the earl of Huntingdon's, in which he complains grievously of the queen's pinching his wife very sorely, on account of some quarrel between them. Had this princess been born in a private station, she would not have been very amiable: but her absolute authority, at the same time that it gave an uncontrolling swing to her violent passions, enabled her to compensate her infirmities by many great and signal virtues.

Note 4 E, *p.* 503.

Camden, p. 525. This evidence was that of Curle, her secretary, whom she allowed to be a very honest man; and who, as well as Nau, had given proofs of his integrity, by keeping so long such important secrets, from whose discovery he could have reaped the greatest profit. Mary, after all, thought that she had so little reason to complain of Curle's evidence, that she took care to have him paid a considerable sum by her will, which she wrote the day before her death. Goodall, vol. i. p. 413. Neither did she forget Nau, though less satisfied in other respects with his conduct. Ibid.

Note 4 F, *p.* 503.

The detail of this conspiracy is to be found in a letter of the queen of Scots to Charles Paget, her great confidant. This letter is dated the 20th of May, 1586, and is contained in Dr. Forbes's manuscript collections, at present in the possession of lord Royston. It is a copy attested by Curle, Mary's secretary, and indorsed by lord Burleigh. What proves its authenticity beyond question is, that we find in Murden's collection, p. 516, that Mary actually wrote that very day a letter to Charles Paget: and further she mentions in the manuscript letter, a letter of Charles Paget's of the 10th of April: now we find by Murden, p. 506, that Charles Paget did actually write her a letter of that date.

This violence of spirit is very consistent with Mary's character. Her maternal affection was too weak to oppose the gratification of her passions, particularly her pride, her ambition, and her bigotry. Her son, having made some fruitless attempts to associate her with him in the title, and having found the scheme impracticable, on account of the prejudices of his protestant subjects, at last desisted from that design, and entered into an alliance with England, without comprehending his mother. She was in such a rage at this undutiful behaviour, as she imagined it, that she wrote to queen Elizabeth, that she no longer cared what became of him or herself in the world; the greatest satisfaction she could have before her death was, to see him and all his adherents become a signal example of tyranny, ingratitude, and impiety, and undergo the vengeance of God for their wickedness. She would find in Christendom other heirs, and doubted not to put her inheritance in such hands as would retain the firmest hold of it. She cared not, after taking this revenge, what became of her body; the quickest death would then be the most agreeable to her. And she assured her that, if he persevered, she would disown him for her son, and would give him her malediction, would disinherit him, as well of his present possessions as of all he could expect by her; abandoning him not only to her subjects to treat him as they had done her, but to all strangers to subdue and conquer him. It was in vain to employ menaces against her: the fear of death or other misfortune would never induce her to make one step, or pronounce one syllable beyond what she had determined: she would rather perish with honour, in maintaining the dignity to which God had raised her, than degrade herself by the least pusillanimity, or act what was unworthy of her station and of her race. Murden, p. 566, 567.

James said to Courcelles, the French ambassador, that he had seen a letter under her own hand, in which she threatened to disinherit him, and said that he might betake him to the lordship of Darnley: for that was all he had by his father. Courcelles' Letter, a MS. of Dr. Campbell s. There is in Jebb, vol. ii. p. 573, a

letter of her's, where she throws out the same menace against him.

We find this scheme of seizing the king of Scots, and delivering him into the hands of the pope or the king of Spain, proposed by Morgan to Mary. See Murden, p. 525. A mother must be very violent to whom one would dare to make such a proposal: but it seems she assented to it. Was not such a woman very capable of murdering her husband, who had so grievously offended her.

Note 4 G, *p.* 509.

The volume of State Papers collected by Murden, prove beyond controversy, that Mary was long in close correspondence with Babington, p. 513, 516, 532, 533. She entertained a like correspondence with Ballard, Morgan, and Charles Paget, and laid a scheme with them for an insurrection, and for the invasion of England, by Spain, p. 528, 531. The same papers show, that there had been a discontinuance of Babington's correspondence, agreeably to Camden's narration. See State Papers, p. 513, where Morgan recommends it to queen Mary to renew her correspondence with Babington. These circumstances prove, that no weight can be laid on Mary's denial of guilt, and that her correspondence with Babington contained particulars which could not be avowed.

Note 4 H, *p.* 509.

There are three suppositions by which the letter to Babington may be accounted for without allowing Mary's concurrence in the conspiracy for assassinating Elizabeth. The first is, that which she seems herself to have embraced, that her secretaries had received Babington's letter, and had, without any treacherous intention, ventured of themselves to answer it, and had never communicated the matter to her: but it is utterly improbable, if not impossible, that a princess of so much sense and spirit should, in an affair of that importance, be so treated by her servants who lived in the house with her, and who had every moment an opportunity of communicating the secret to her. If the conspiracy failed, they must expect to suffer the severest punishment from the court of England; if it succeeded, the lightest punishment which they could hope for from their own mistress, must be disgrace on account of their temerity. Not to mention, that Mary's concurrence was in some degree requisite for effecting the design of her escape; it was proposed to attack her guards while she was employed in hunting; she must therefore concert the time and place with the conspirators. The second supposition is, that these two secretaries were previously traitors; and being gained by Walsingham, had made such a reply in their mistress's cypher as might involve her in the guilt of the conspiracy. But these two men had lived long with the queen of Scots, had been entirely trusted by her, and had never fallen under suspicion either with her or her partisans. Camden informs us, that Curle afterwards claimed a reward from Walsingham on pretence of some promise; but Walsingham told him that he owed him no reward, and that he had made no discoveries on his examination, which were not known with certainty from other quarters. The third supposition is, that neither the queen nor the two secretaries, Nau and Curle, ever saw Babington's letter, or made any answer; but that Walsingham having deciphered the former, forged a reply. But this supposition implies the falsehood of the whole story, told by Camden, of Gifford's access to the queen of Scots' family, and Paulet's refusal to concur in allowing her servants to be bribed. Not to mention, that as Nau's and Curle's evidence must, on this supposition, have been extorted by violence and terror, they would necessarily have been engaged, for their own justification, to have told the truth afterwards; especially upon the accession of James. But Camden informs us, that Nau, even after that event, persisted still in his testimony.

We must also consider, that the two last suppositions imply such a monstrous criminal conduct in Walsingham, and consequently in Elizabeth, (for the matter could be no secret to her,) as exceeds all credibility. If we consider the situation of things, and the prejudices of the times, Mary's consent to Babington's conspiracy appears much more natural and probable. She believed Elizabeth to be an usurper and a heretic: she regarded her as a personal and a violent enemy: she knew that schemes for assassinating heretics were very familiar in that age, and generally approved of by the court of Rome and the zealous catholics: her own liberty and sovereignty were connected with the success of this enterprise: and it cannot appear strange, that where men, of so much merit as Babington, could be engaged by bigotry alone, in so criminal an enterprise, Mary, who was actuated by the same motive, joined to so many others, should have given her consent to a scheme projected by her friends. We may be previously certain, that if such a scheme was ever communicated to her, with any probability of success, she would assent to it: and it served the purpose of Walsingham and the English ministry to facilitate the communication of these schemes, as soon as they had gotten an expedient for intercepting her answer, and detecting the conspiracy. Now Walsingham's knowledge of the matter is a supposition necessary to account for the letter delivered to Babington.

As to the not punishing of Nau and Curle by Elizabeth, it never is the practice to punish lesser criminals, who had given evidence against the principal.

But what ought to induce us to reject these three suppositions is, that they must all of them be considered as bare possibilities: the partisans of Mary can give no reason for preferring one to the other: not the slightest evidence ever appeared to support any one of them: neither at that time, nor at any time afterwards, was any reason discovered, by the numerous zealots at home and abroad, who had embraced Mary's defence, to lead us to the belief of any of these three suppositions; and even her apologists at present seem not to have fixed on any choice among these supposed possibilities. The positive proof of two very credible witnesses, supported by the other very strong circumstances, still remains unimpeached. Babington, who had an extreme interest to have communication with the queen of Scots, believed he had found a means of correspondence with her, and had received an answer from her: he, as well as the other conspirators, died in that belief: there has not occurred, since that time, the least argument to prove that they were mistaken: can there be any reason at present to doubt the truth of their opinion? Camden, though a professed apologist for Mary, is constrained to tell the story in such a manner as evidently supposes her guilt. Such was the impossibility of finding any other consistent account, even by a man of parts, who was a contemporary!

In this light might the question have appeared even during Mary's trial. But what now puts her guilt beyond all controversy is the following passage of her letter to Thomas Morgan, dated the 27th of July, 1586. "As to Babington, he hath both kindly and honestly offered himself and all his means to be employed any way I would: whereupon I hope to have satisfied him by two of my several letters since I had his; and the rather, for that I opened him the way, whereby I received his with your aforesaid." Murden, p. 533 —Babington confessed, that he had offered her to assassinate the queen. It appears by this that she had accepted the offer; so that all the suppositions of Walsingham's forgery, or the temerity or treachery of her secretaries, fall to the ground.

Note 4 I, *p.* 510.

This parliament granted the queen a supply of a

subsidy and two fifteenths. They adjourned, and met again after the execution of the queen of Scots; when they passed some remarkable incidents, which it may be proper not to omit. We shall give them in the words of sir Simon D'Ewes, p. 410, 411, which are almost wholly transcribed from Townshend's Journal. On Monday the 27th of February, Mr. Cope, first using some speeches touching the necessity of a learned ministry, and the amendment of things amiss in the ecclesiastical estate, offered to the house a bill and a book written; the bill containing a petition that it might be enacted, that all laws now in force touching ecclesiastical government should be void: and that it might be enacted, that that book of common prayer now offered, and none other, might be received into the church to be used. The book contained the form of prayer and administration of the sacraments, with divers rites and ceremonies to be used in the church; and he desired that the book might be read. Whereupon Mr. Speaker in effect used this speech: for that her majesty before this time had commanded the house not to meddle with this matter, and that her majesty had promised to take order in those causes, he doubted not but to the good satisfaction of all her people, he desired that it would please them to spare the reading of it. Notwithstanding the house desired the reading of it. Whereupon Mr. Speaker desired the clerk to read. And the court being ready to read it, Mr. Dalton made a motion against the reading of it; saying, that it was not meet to be read, and it did appoint a new form of administration of the sacraments and ceremonies of the church, to the discredit of the book of common prayer, and of the whole state; and thought that this dealing would bring her majesty's indignation against the house, thus to enterprise this dealing with those things which her majesty especially had taken into her own charge and direction. Whereupon Mr. Lewkenor spake, showing the necessity of preaching and of a learned ministry, and thought it very fit that the petition and book should be read. To this purpose spake Mr. Hurleston and Mr. Bainbrigg; and so, the time being passed, the house broke up, and neither the petition nor book read. This done, her majesty sent to Mr. Speaker, as well for this petition and book, as for that other petition and book for the like effect, that was delivered the last session of parliament, which Mr. Speaker sent to her majesty. On Tuesday the 28th of February, her majesty sent for Mr. Speaker, by occasion whereof the house did not sit. On Wednesday the first day of March, Mr. Wentworth delivered to Mr. Speaker certain articles, which contained questions touching the liberties of the house, and to some of which he was to answer, and desired they might be read. Mr. Speaker desired him to spare his motion, until her majesty's pleasure was further known, touching the petition and book lately delivered into the house; but Mr. Wentworth would not be so satisfied, but required his articles might be read. Mr. Wentworth introduced his queries by lamenting, that he as well as many others were deterred from speaking, by their want of knowledge and experience in the liberties of the house; and the queries were as follow: Whether this council were not a place for any member of the same here assembled, freely and without controlment of any person or danger of laws, by bill or speech to utter any of the griefs of this commonwealth whatsoever, touching the service of God, the safety of the prince and this noble realm? Whether that great honour may be done unto God, and benefit and service unto the prince and state, without free speech in this council that may be done with it? Whether there be any council which can make, add, or diminish from the laws of the realm, but only this council of parliament? Whether it be not against the orders of this council to make any secret or matter of weight, which is here in hand, known to the prince, or any other, concerning the high service of God, prince, or state, without the consent of the house? Whether the speaker or any other may interrupt any member of this council in his speech used in this house tending to any of the forenamed services? Whether the speaker may rise when he will, any matter being propounded, without consent of the house or not? Whether the speaker may overrule the house in any matter or cause there in question, or whether he is to be ruled or overruled in any matter or not? Whether the prince and state can continue, and stand, and be maintained, without this council of parliament, not altering the government of the state? At the end of these questions, says sir Simon D'Ewes, I found set down this short note or memorial ensuing; by which it may be perceived, both what serjeant Puckering, the speaker, did with the said questions after he had received them, and what became also of this business, viz. "These questions Mr. Puckering pocketed up and showed sir Thomas Heneage, who so handled the matter that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler, of Essex, herein brake his faith in forsaking the matter, &c. and no more was done." After setting down, continues sir Simon D'Ewes, the said business of Mr. Wentworth in the original journal-book, there follows only this short conclusion of the day itself, viz. "This day, Mr. Speaker being sent for to the queen's majesty, the house departed." On Thursday the second of March, Mr. Cope, Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbrigg, were sent for to my lord chancellor, and by divers of the privy-council, and from thence were sent to the Tower. On Saturday the fourth day of March, sir John Higham made a motion to this house, for that divers good and necessary members thereof were taken from them, that it would please them to be humble petitioners to her majesty for the restitution of them again to this house. To which speeches Mr. Vice-chamberlain answered, that if the gentlemen were committed for matter within the compass of the privilege of the house, then there might be a petition; but if not, then we should give occasion to her majesty's further displeasure: and therefore advised to stay until they heard more, which could not be long: and further he said, touching the book and the petition, her majesty had, for divers good causes best known to herself, thought fit to suppress the same, without any further examination thereof; and yet thought it very unfit for her majesty to give any account of her doings. But, whatsoever Mr. Vice-chamberlain pretended, it is most probable these members were committed for intermeddling with matters touching the church, which her majesty had often inhibited, and which had caused so much disputation and so many meetings between the two houses the last parliament.

This is all we find of the matter in sir Simon D'Ewes and Townshend; and it appears that those members who had been committed, were detained in custody till the queen thought proper to release them. These questions of Mr. Wentworth are curious; because they contain some faint dawn of the present English constitution; though suddenly eclipsed by the arbitrary government of Elizabeth. Wentworth was indeed, by his puritanism, as well as his love of liberty (for these two characters of such unequal merit arose and advanced together,) the true forerunner of the Hambdens, the Pyms, and the Hollises, who in the next age, with less courage, because with less danger, rendered their principles so triumphant. I shall only ask, whether it be not sufficiently clear from all these transactions, that in the two succeeding reigns it was the people who encroached upon the sovereign; not the sovereign who attempted, as is pretended, to usurp upon the people?

Note 4 K, *p.* 518.

The queen's speech in the camp of Tilbury was in these words:—"My loving people, we have been persuaded by some, that are careful of our safety, to take heed how we commit ourselves to armed multitudes,

for fear of treachery; but assure you, I do not desire to live to distrust my faithful and loving people. Let tyrants fear: I have always so behaved myself, that, under God, I have placed my chiefest strength and safeguard in the loyal hearts and good-will of my subjects. And therefore I am come amongst you at this time, not as for my recreation or sport, but being resolved, in the midst and heat of the battle, to live or die amongst you all; to lay down, for my God, and for my kingdom, and for my people, my honour and my blood, even in the dust. I know I have but the body of a weak and feeble woman, but I have the heart of a king, and of a king of England too; and think foul scorn that Parma, or Spain, or any prince of Europe, should dare to invade the borders of my realms, to which, rather than any dishonour should grow by me, I myself will take up arms: I myself will be your general, judge, and rewarder of every one of your virtues in the field. I know already, by your forwardness, that you have deserved rewards and crowns; and we do assure you, on the word of a prince, they shall be duly paid you. In the meantime my lieutenant-general shall be in my stead, than whom never prince commanded a more noble and worthy subject; not doubting by your obedience to my general, by your concord in the camp, and your valour in the field, we shall shortly have a famous victory over those enemies of my God, of my kingdom, and my people."

Note 4 L, *p.* 520.

Strype, vol. iii. p. 525. On the fourth of September, soon after the dispersion of the Spanish Armada, died the earl of Leicester, the queen's great, but unworthy favourite. Her affection for him continued to the last. He had discovered no conduct in any of his military enterprises, and was suspected of cowardice; yet she intrusted him with the command of her armies during the danger of the Spanish invasion; a partiality which might have proved fatal to her, had the duke of Parma been able to land his troops in England. She had even ordered a commission to be drawn for him, constituting him her lieutenant in the kingdoms of England and Ireland; but Burleigh and Hatton represented to her the danger of intrusting such unlimited authority in the hands of any subject, and prevented the execution of that design. No wonder that a conduct so unlike the usual jealousy of Elizabeth, gave reason to suspect that her partiality was founded on some other passion than friendship. But Elizabeth seemed to carry her affection to Leicester no further than the grave: she ordered his goods to be disposed of at a public sale, in order to reimburse herself of some debt which he owed her; and her usual attention to money was observed to prevail over her regard to the memory of the deceased. This earl was a great hypocrite, a pretender to the strictest religion, an encourager of the puritans, and a founder of hospitals.

Note 4 M, *p.* 520.

Strype, vol. iii. p. 542. Id. Appendix, p. 239. There are some singular passages in this last speech, which may be worth taking notice of; especially as they came from a member who was no courtier; for he argues against the subsidy: "And first," says he, "for the *necessity* thereof I cannot deny, but if it were a charge imposed upon us by her majesty, by her majesty's commandment, or a demand proceeding from her majesty by way of request, that I think there is not one amongst us all, either so disobedient a subject in regard of our duty, or so unthankful a man in respect of the inestimable benefits which, by her or from her, we have received, which would not with frank consent, both of voice and heart, most willingly submit himself thereunto, without any unreverend inquiry into the causes thereof; for it is continually in the mouth of us all, that our lands, goods, and lives are at our prince's disposing. And it agreeth very well with that position of the civil law, which sayeth, 'Quod omnia regis sunt.' But how? 'Ita tamen ut omnium sint. Ad regem enim potestas omnium pertinet: ad singulos proprietas.' So that although it must be true that her majesty hath over ourselves and our goods *potestatem imperandi*: yet it is true, that until that power command, (which, no doubt, will not command without very just cause,) every subject hath his own *proprietatem possinendi*. Which power and commandment from her majesty, which we have not yet received, I take it (saving reformation) that we are freed from the cause of *necessity*. And the cause of necessity is the dangerous estate of the commonwealth," &c. The tenor of the speech pleads rather for a general benevolence than a subsidy; for the law of Richard III. against benevolence was never conceived to have any force. The member even proceeds to assert, with some precaution, that it was in the power of a parliament to refuse the king's demand of a subsidy; and that there was an instance of that liberty in Henry III.'s time, near four hundred years before. *Sub fine.*

Note 4 N, *p.* 521.

We may judge of the extent and importance of these abuses by a speech of Bacon's against purveyors, delivered in the first session of the first parliament of the subsequent reign, by which also we may learn, that Elizabeth had given no redress to the grievances complained of. "First," says he, "they take in kind what they ought not to take; secondly, they take in quantity a far greater proportion than cometh to your majesty's use; thirdly, they take in an unlawful manner, in a manner, I say, directly and expressly prohibited by the several laws. For the first, I am a little to alter their name; for instead of takers they become taxers: instead of taking provisions for your majesty's service, they tax your people *ad redimendam vexationem*; imposing upon them and extorting from them divers sums of money, sometimes in gross, sometimes in the nature of stipends annually paid, *ne noceant*, to be freed and eased of their oppression. Again, they take trees, which by law they cannot do; timber-trees, which are the beauty, countenance, and shelter of men's houses; that men have long spared from their own purse and profit; that men esteem for their use and delight, above ten times the value; that are a loss which men cannot repair or recover. These do they take, to the defacing and spoiling of your subjects' mansions and dwellings, except they may be compounded with to their own appetites. And if a gentleman be too hard for them while he is at home, they will watch their time when there is but a bailiff or a servant remaining, and put the axe to the root of the tree, ere ever the master can stop it. Again, they use a strange and most unjust exaction in causing the subjects to pay poundage of their own debts, due from your majesty unto them; so as a poor man when he has had his hay, or his wood, or his poultry (which perchance he was full loath to part with, and had for the provision of his own family, and not to put to sale) taken from him, and that not at a just price, but under the value, and cometh to receive his money, he shall have after the rate of twelve-pence in the pound abated for poundage of his due payment upon so hard conditions. Nay, further, they are grown to that extremity, (as is affirmed, though it be scarce credible, save that in such persons all things are credible,) that they will take double poundage, once when the debenture is made, and again the second time, when the money is paid. For the second point, most gracious sovereign, touching the quantity which they take far above that which is answered to your majesty's use; it is affirmed unto me by divers gentlemen of good report, as a matter which I may safely avouch unto your majesty, that there is

no pound profit which redoundeth unto your majesty in this course, but inducеth and begetteth three pound damage upon your subjects, beside the discontentment. And to the end they make their spoil more securely, what do they? Whereas divers statutes do strictly provide, that whatsoever they take shall be registered and attested, to the end that by making a collation of that which is taken from the country and that which is answered above, their deceits might appear, they, to the end to obscure their deceits, utterly omit the observation of this, which the law prescribeth. And therefore, to descend, if it may please your majesty, to the third sort of abuse, which is of the unlawful manner of their taking, whereof this question is a branch; it is so manifold, as it rather asketh an enumeration of some of the particulars than a prosecution of all. For their price, by law, they ought to take as they can agree with the subject; by abuse, they take at an imposed and enforced price: by law, they ought to take but one apprizement by neighbours in the country; by abuse, they make a second apprizement at the court-gate; and when the subjects' cattle come up many miles, lean and out of plight by reason of their travel, then they prize them anew at an abated price: by law, they ought to take between sun and sun; by abuse, they take by twilight and in the night-time, a time well chosen for malefactors: by law, they ought not to take in the highways; (a place by her majesty's high prerogative protected, and by statute by special words excepted;) by abuse, they take in the highways: by law, they ought to show their commission, &c. A number of other particulars there are, &c." Bacon's Works, vol. iv. 305, 306.

Such were the abuses which Elizabeth would neither permit her parliaments to meddle with, nor redress herself. I believe it will readily be allowed, that this slight prerogative alone, which has passed almost unobserved amidst other branches of so much greater importance, was sufficient to extinguish all regular liberty. For what elector, or member of parliament, or even juryman, durst oppose the will of the court, while he lay under the lash of such an arbitrary prerogative? For a further account of the grievous and incredible oppressions of purveyors, see the Journals of the House of Common, vol. i. p. 190. There is a story of a carter which may be worth mentioning on this occasion. "A carter had three times been at Windsor with his cart to carry away, upon summons of a remove, some part of the stuff of her majesty's wardrobe; and when he had repaired thither once, twice, and the third time, and that they of the wardrobe had told him the third time that the remove held not, the carter, clapping his hand on his thigh, said, 'Now I see that the queen is a woman as well as my wife.' Which words being overheard by her majesty, who then stood at the window, she said, 'What a villain is this?" and so sent him three angels to stop his mouth." Birch's Memoirs, vol. i. p. 155.

Note 4 O, *p.* 523.

This year the nation suffered a great loss, by the death of sir Francis Walsingham, secretary of state; a man equally celebrated for his abilities and his integrity. He had passed through many employments, had been very frugal in his expense, yet died so poor that his family was obliged to give him a private burial. He left only one daughter, first married to sir Philip Sidney, then to the earl of Essex, favourite of queen Elizabeth, and lastly to the earl of Clanricarde of Ireland. The same year died Thomas Randolph, who had been employed by the queen in several embassies to Scotland; as did also the earl of Warwick, elder brother to Leicester.

Note 4 P, *p.* 524.

This action of sir Richard Greenville is so singular as to merit a more particular relation. He was engaged alone with the whole Spanish fleet of fifty-three sail, which had ten thousand men on board; and from the time the fight began, which was about three in the afternoon, to the break of next day morning, he repulsed the enemy fifteen times, though they continually shifted their vessels, and boarded with fresh men. In the beginning of the action he himself received a wound; but he continued doing his duty above deck till eleven at night, when receiving a fresh wound, he was carried down to be dressed. During this operation he received a shot in the head, and the surgeon was killed by his side. The English began now to want powder; all their small arms were broken or become useless; of this number, which were but a hundred and three at first, forty were killed, and almost all the rest wounded; their masts were beat overboard, their tackle cut in pieces, and nothing but a hulk left, unable to move one way or other. In this situation sir Richard proposed to the ship's company, to trust to the mercy of God, not to that of the Spaniards, and to destroy the ship with themselves, rather than yield to the enemy. The master-gunner, and many of the seamen, agreed to this desperate resolution; but others opposed it, and obliged Greenville to surrender himself prisoner. He died a few days after; and his last words were:—"Here die I, Richard Greenville, with a joyful and quiet mind; for that I have ended my life as a true soldier ought to do, fighting for his country, queen, religion, and honour: my soul willingly departing from this body, leaving behind the lasting fame of having behaved as every valiant soldier is in his duty bound to do." The Spaniards lost in this sharp, though unequal action, four ships, and about a thousand men. And Greenville's vessel perished soon after with two hundred Spaniards in her. Hackluyt's Voyages, vol. ii. p. 169. Camden, p. 565.

Note 4 Q, *p.* 529.

It is usual for the speaker to disqualify himself for the office: but the reasons employed by this speaker are so singular, that they may be worth transcribing. "My estate," said he, "is nothing correspondent for the maintenance of this dignity; for my father dying, left me a younger brother, and nothing to me but my bare annuity. Then growing to man's estate, and some small practice of the law, I took a wife, by whom I have had many children: the keeping of us all being a great impoverishing to my estate, and the daily living of us all nothing but my daily industry. Neither from my person nor my nature doth this choice arise: for he that supplieth this place ought to be a man big and comely, stately and well spoken, his voice great, his carriage majestical, his nature haughty, and his purse plentiful and heavy: but contrarily the stature of my body is small, myself not so well spoken, my voice low, my carriage lawyer-like, and of the common fashion, my nature soft and bashful, my purse thin, light, and never yet plentiful. If Demosthenes, being so learned and eloquent as he was, one whom none surpassed, trembled to speak before Phocion at Athens; how much more shall I, being unlearned and unskilful to supply the place of dignity, charge and trouble, to speak before so many Phocions as here be? Yea, which is the greatest, before the unspeakable majesty and sacred personage of our dread and dear sovereign: the terror of whose countenance will appal and abase even the stoutest hearts: yea, whose very name will pull down the greatest courage? For how mightily do the estate and name of a prince deject the haughtiest stomach even of their greatest subject!" D'Ewes, p. 459.

Note 4 R, *p.* 531.

Cabala, p. 234. Birch's Memoirs, vol. ii. p. 386. Sneed. p. 677. The whole letter of Essex is so curious

and so spirited, that the reader may not be displeased to read it. "My very good lord; though there is not that man this day living, whom I would sooner make judge of any question that might concern me than yourself, yet you must give me leave to tell you, that in some cases I must appeal from all earthly judges; and if any, then surely in this, when the highest judge on earth has imposed on me the heaviest punishment, without trial or hearing, Since then I must either answer your lordship's argument, or else forsake mine own just defence, I will force my aching head to do me service for an hour. I must first deny my discontent, which was forced, to be an humorous discontent; and that it was unseasonable, or is of so long continuing, your lordship should rather condole with me than expostulate: natural seasons are expected here below; but violent and unseasonable storms come from above: there is no tempest equal to the passionate indignation of a prince; nor yet at any time so unseasonable as when it lighteth on those that might expect a harvest of their careful and painful labours. He that is once wounded must needs feel smart till his hurt is cured, or the part hurt become senseless: but cure I expect none, her majesty's heart being obdurate against me; and be without sense I cannot, being of flesh and blood. But say you, I may aim at the end: I do more than aim; for I see an end of all my fortunes, I have set an end to all my desires. In this course do I anything for my enemies? When I was at court I found them absolute; and therefore I had rather they should triumph alone, than have me attendant upon their chariots. Or do I leave my friends? When I was a courtier, I could yield them no fruit of my love unto them; and now that I am a hermit, they shall bear no envy for their love towards me. Or do I forsake myself, because I do enjoy myself? Or do I overthrow my fortunes, because I build not a fortune of paper walls, which every puff of wind bloweth down? Or do I ruinate my honour, because I leave following the pursuit, or wearing the false badge or mark of the shadow of honour? Do I give courage or comfort to the foreign foe, because I reserve myself to encounter with him? Or because I keep my heart from business, though I cannot keep my fortune from declining? No, no, my good lord, I give every one of these considerations its due weight; and the more I weigh them, the more I find myself justified from offending in any of them. As for the two last objections, that I forsake my country when it hath most need of me, and fail in that indissoluble duty which I owe to my sovereign; I answer, that if my country had at this time any need of my public service, her majesty, that governeth it, would not have driven me to a private life. I am tied to my country by two bonds; one public, to discharge carefully and industriously that trust which is committed to me; the other private, to sacrifice for it my life and carcase, which hath been nourished in it. Of the first I am free, being dismissed, discharged, and disabled by her majesty: of the other, nothing can free me but death: and therefore no occasion of my performance shall sooner offer itself but I shall meet it half-way. The indissoluble duty which I owe unto her majesty, is only the duty of allegiance, which I never have, nor never can fail in; the duty of attendance is no indissoluble duty. I owe her majesty the duty of an earl, and of lord-marshal of England. I have been content to do her majesty the service of a clerk; but I can never serve her as a villain or slave. But yet you say I must give way unto the time. So I do; for now that I see the storm come, I have put myself into the harbour. Seneca saith, We must give way to fortune: I know that fortune is both blind and strong, and therefore I go as far as I can out of her way. You say the remedy is not to strive: I neither strive nor seek for remedy, But you say, I must yield and submit; I can neither yield myself to be guilty, nor allow the imputation laid upon me to be just: I owe so much to the Author of all truth, as I can never yield truth to be falsehood, nor falsehood to be truth. Have I given cause, you ask; and yet take a scandal when I have done? No: I gave no cause, not so much as Fimbria's complaint against me; for I did *totum telum corpore recipere:* receive the whole sword into my body. I patiently bear all, and sensibly feel all that I then received when this scandal was given me. Nay, more: when the vilest of all indignities are done unto me." &c. This noble letter Bacon afterwards, in pleading against Essex, called bold and presumptuous, and derogatory to her majesty. Birch's Memoirs, vol. ii. p. 388.

Note 4 S, *p.* 537.

Most of queen Elizabeth's courtiers feigned love and desire towards her, and addressed themselves to her in the style of passion and gallantry. Sir Walter Raleigh, having fallen into disgrace, wrote the following letter to his friend sir Robert Cecil, with a view, no doubt, of having it shown to the queen. "My heart was never broke till this day, that I hear the queen goes away so far off, whom I have followed so many years, with so great love and desire, in so many journeys, and am now left behind her in a dark prison all alone. While she was yet near at hand, that I might hear of her once in two or three days, my sorrows were the less; but even now my heart is cast into the depth of all misery. I, that was wont to behold her riding like Alexander, hunting like Diana, walking like Venus, the gentle wind blowing her fair hair about her pure cheeks, like a nymph, sometimes sitting in the shade like a goddess, sometimes singing like an angel, sometimes playing like Orpheus; behold the sorrow of this world! once amiss hath bereaved me of all. O glory, that only shineth in misfortune! what is become of thy assurance? All wounds have scars but that of fantasy: all affections their relenting but that of womankind. Who is the judge of friendship but adversity, or when is grace witnessed but in offences? There were no divinity but by reason of compassion; for revenges are brutish and mortal. All those times past, the loves, the sighs, the sorrows, the desires, cannot they weigh down one frail misfortune? Cannot one drop of gall be hid in so great heaps of sweetness? I may then conclude, *Spes et fortuna, valete.* She is gone in whom I trusted; and of me hath not one thought of mercy, nor any respect of that which was. Do with me now therefore what you list. I am more weary of life than they are desirous I should perish; which if it had been for her as it is by her, I had been too happily born." Murden, 657. It is to be remarked that this nymph, Venus, goddess, angel, was then about sixty. Yet five or six years after she allowed the same language to be held to her. Sir Henry Unton, her ambassador in France, relat to her a conversation which he had with Henry IV. The monarch, after having introduced Unton to his mistress, the fair Gabrielle, asked him how he liked her? "I answered sparingly in her praise," said the minister, "and told him, that if, without offence, I might speak it, I had the picture of a far more excellent mistress, and yet did her picture come far short of her perfection of beauty. As you love me, said he, show it me if you have it about you. I made some difficulties; yet, upon his importunity, offered it to his view very secretly, holding it still in my hand: he beheld it with passion and admiration, saying that I had reason, *Je me rends,* protesting that he had never seen the like; so with great reverence, he kissed it twice or thrice, I detaining it still in my hand. In the end, with some kind of contention, he took it from me, vowing that I might take my leave of it; for he would not forego it for any treasure: and that to possess the favour of the lively picture, he would forsake all the world, and hold himself most happy; with many other most passionate speeches." Murden, p. 718. For further particulars on this head, see the ingenious author of the Catalogue of royal and noble authors, article Essex.

Note 4 T, *p.* 542.

It may not be amiss to subjoin some passages of these speeches; which may serve to give us a just idea of the government of that age, and of the political principles which prevailed during the reign of Elizabeth. Mr. Laurence Hyde proposed a bill, entiled, An act for the explanation of the common law in certain cases of letters-patent. Mr. Spicer said, This bill may touch the prerogative royal, which as I learned the last parliament, is so transcendent, that the ——— of the subject may not aspire thereunto. Far be it therefore from me, that the state and prerogative royal of the prince should be tied by me, or by the act of any other subject. Mr. Francis Bacon said, As to the prerogative royal of the prince, for my own part, I ever allowed of it; and it is such as I hope will never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For by her prerogative she may set at liberty things restrained by statute-law or otherwise, and secondly, by her prerogative she may restrain things which be at liberty. For the first, she may grant a *non obstante* contrary to the penal laws.—With regard to monopolies, and such like cases, the case hath ever been to humble ourselves unto her majesty, and by petition desire to have our grievances remedied, especially when the remedy toucheth her so nigh in point of prerogative.—I say, and I say it again, that we ought not to deal, to judge, or meddle with her majesty's prerogative. I wish therefore every man to be careful of this busines. Dr. Bennet said, He that goeth about to debate her majesty's prerogative had need to walk warily. Mr. Laurence Hyde said, For the bill itself, I made it, and I think I understand it: and far be it from this heart of mine to think, this tongue to speak, or this hand to write anything either in prejudice or derogation of her majesty's prerogative-royal and the state.—Mr. Speaker, quoth serjeant Harris, for ought I see, the house moveth to have this bill in the nature of a petition; it must then begin with more humiliation. And truly sir, the bill is good of itself, but the penning of it is somewhat out of course. Mr. Montague said, The matter is good and honest, and I like this manner of proceeding by bill well enough in this matter. The grievances are great, and I would only note unto you thus much, that the last parliament we proceeded by way of petition, which had no successful effect. Mr. Francis More said, I know the queen's prerogative is a thing curious to be dealt withal: yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that the town and country, for which I serve, suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects. We have a law for the true and faithful currying of leather; there is a patent sets all at liberty notwithstanding that statute. And to what purpose is it to do anything by act of parliament, when the queen will undo the same by her prerogative? Out of the spirit of humiliation, Mr. Speaker, I do speak it, there is no act of her's that hath been, or is more derogatory to her own majesty, more odious to the subject, more dangerous to the commonwealth, than the granting of these monopolies. Mr. Martin said, I do speak for a town that grieves and pines, for a country that groaneth and languishes, under the burden of monstrous and unconscionable substitutes to the monopolitans of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what; nay, what not? The principalest commodities both of my town and country are engrost into the hands of these blood-suckers of the commonwealth. If a body, Mr. Speaker, being let blood, be left still languishing without any remedy, how can the good estate of that body still remain? Such is the state of my town and country: the traffic is taken away, the inward and private commodities are taken away, and dare not be used without the licence of these monopolitans. If these blood-suckers be still let alone to suck up the best and principalest commodities which the earth there hath given us, what will become of us from whom the fruits of our own soil, and the commodities of our own labour, which, with the sweat of our brows, even up to the knees in mire and dirt, we have laboured for, shall be taken by warrant of supreme authority, which the poor subject dare not gainsay? Mr. George Moore said, We know the power of her majesty cannot be restrained by any act: why therefore should we thus talk? Admit we should make this statute with a *non obstante;* yet the queen may grant a patent with a *non obstante,* to cross this *non obstante.* I think therefore it agreeth more with the gravity and wisdom of this house to proceed with all humbleness by petition than bill. Mr. Dowland said, As I would be no let or overvehement in anything, so I am not sottish or senseless of the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious answer than we had the last parliament to our petition. But since that parliament we have no reformation. Sir Robert Wroth said, I speak, and I speak it boldly, these patentees are worse than ever they were. Mr. Hayward Townsend proposed, that they should make suit to her majesty, not only to repeal all monopolies grievous to the subject, but also that it would please her majesty to give the parliament leave to make an act, that they might be of no more force, validity, or effect, than they are at the common law, without the strength of her prerogative. Which though we might now do, and the act being so reasonable, we might assure ourselves her majesty would not delay the passing thereof, yet we, her loving subjects, &c., would not offer, without her privity and consent, (the cause so nearly touching her prerogative,) or go about to do any such act.

On a subsequent day the bill against monopolies was again introduced, and Mr. Spicer said, It is to no purpose to offer to tie her majesty's hand by act of parliament, when she may loosen herself at her pleasure. Mr. Davies said, God hath given that power to absolute princes which he attributes to himself. *Dixi quod Dii estis.* (N. B. This axiom he applies to the kings of England.) Mr. secretary Cecil said, I am servant to the queen; and before I would speak and give consent to a case that should debase her prerogative, or abridge it, I would wish that my tongue were cut out of my head. I am sure there were law-makers before there were laws—(meaning, I suppose, that the sovereign was above the laws.) One gentleman went about to possess us with the execution of the law in an ancient record of 5 or 7 of Edward III. Likely enough to be true in that time, when the king was afraid of the subject. If you stand upon law, and dispute of the prerogative, hark ye what Bracton says, *Prærogativam nostram nemo audeat disputare.* And for my own part, I like not these courses should be taken. And you, Mr. Speaker, should perform the charge her majesty gave unto you in the beginning of this parliament, not to receive bills of this nature: for her majesty's ears be open to all grievances, and her hand stretched out to every man's petitions. When the prince dispenses with a penal law, that is left to the alteration of sovereignty, that is good and irrevocable. Mr. Montague said, I am loath to speak what I know, lest, perhaps, I should displease. The prerogative royal is that which is now in question, and which the laws of the land have ever allowed and maintained. Let us therefore apply by petition to her majesty.

After the speaker told the house that the queen had annulled many of the patents, Mr. Francis More said, I must confess, Mr. Speaker, I moved the house both the last parliament and this, touching this point; but I never meant (and I hope the house thinketh so) to set limits and bounds to the prerogative royal. He proceeds to move, that thanks should be given to her majesty; and also, that whereas divers speeches had

been moved extravagantly in the house, which doubtless have been told her majesty, and perhaps ill conceived of by her, Mr. Speaker would apologize, and humbly crave pardon for the same. N. B. These extracts were taken by Townsend, a member of the house, who was no courtier; and the extravagance of the speeches seems rather to be on the other side: it will certainly appear strange to us, that this liberty should be thought extravagant. However, the queen notwithstanding her cajoling the house, was so ill satisfied with these proceedings, that she spoke of them peevishly in her concluding speech, and told them that she perceived that private respects with them were privately masked under public presence. D'Ewes, p. 619.

There were some other topics in favour of prerogative, still more extravagant, advanced in the house this parliament. When the question of the subsidy was before them, Mr. serjeant Heyle said, Mr. Speaker, I marvel much that the house should stand upon granting of a subsidy or the time of payment, when all we have is her majesty's, and she may lawfully at her pleasure take it from us: yea, she hath as much right to all our lands and goods as to any revenue of her crown. At which all the house hemmed, and laughed, and talked. Well, quoth serjeant Heyle, all your hemming shall not put me out of countenance. So Mr. Speaker stood up and said, It is a great disorder, that this house should be so used. So the said serjeant proceeded, and when he had spoken a little while, the house hemmed again; and so he sat down. In his latter speech, he said, he could prove his former position by precedents in the time of Henry the Third, king John, king Stephen, &c., which was the occasion of their hemming. D'Ewes, p. 633. It is observable, that Heyle was an eminent lawyer, a man of character. Winwood, vol. i. p. 290. And though the house in general showed their disapprobation, no one cared to take him down, or oppose these monstrous positions. It was also asserted this session, that in the same manner as the Roman consul was possessed of the power of rejecting or admitting motions in the senate, the speaker might either admit or reject bills in the house. D'Ewes. p. 677. The house declared themselves against this opinion; but the very proposal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a solemn decree, that England was an absolute empire, of which the king was the head. In consequence of this opinion they determined that, even if the act of the first of Elizabeth had never been made, the king was supreme head of the church; and might have erected, by his prerogative, such a court as the ecclesiastical commission; for that he was the head of all his subjects. Now that court was plainly arbitrary: the inference is, that his power was equally absolute over the laity. See Coke's Reports, p. 5. Caudrey's case.

Note 4 U, *p.* 548.

We have remarked before, that Harrison, in book ii. chap. 11, says, that in the reign of Henry VIII. there were hanged seventy-two thousand thieves and rogues; (*besides other malefactors;*) this makes about two thousand a year: but in queen Elizabeth's time, the same author says, there were only between three and four hundred a year hanged for theft and robbery: so much had the times mended. But in our age there are not forty a year hanged for those crimes in all England. Yet Harrison complains of the relaxation of the laws, that there were so few such rogues punished in his time. Our vulgar prepossession in favour of the morals of former and rude ages is very absurd and ill grounded. The same author says, chap. 10, that there were computed to be ten thousand gipsies in England; a species of banditti introduced about the reign of Henry VIII.; and he adds, that there will be no way of extirpating them by the ordinary course of justice: the queen must employ martial law against them. That race has now almost totally disappeared in England, and even in Scotland, where there were some remains of them a few years ago. However arbitrary the exercise of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealousy of it.

Note 4 X, *p.* 551.

Harrison, in his Description of Britain, printed in 1577, has the following passage, chap. 13. "Certes, there is no prince in Europe that hath a more beautiful sort of ships than the queen's majesty of England at this present; and those generally are of such exceeding force, that two of them being well appointed and furnished as they ought, will not let to encounter with three or four of them of other countries, and either bowge them or put them to flight, if they may not bring them home. The queen's highness hath at this present already made and furnished to the number of one and twenty great ships, which lie for the most part in Gillingham road. Besides these, her grace hath other in hand also, of whom hereafter, as their turns do come about, I will not let to leave some further remembrance. She hath likewise three notable galleys, the Speedwell, the Tryeright, and the Black Galley; with the sight whereof, and the rest of the navy royal, it is incredible to say how marvellously her grace is delighted; and not without great cause, sith by their means her coasts are kept in quiet, and sundry foreign enemies put back, which otherwise would invade us." After speaking of the merchant-ships, which, he says, are commonly estimated at seventeen or eighteen hundred, he continues, "I add, therefore, to the end all men should understand somewhat of the *great masses of treasure* daily employed upon our navy, how there are few of those ships of the first and second sort, (that is, of the merchant-ships,) that being apparelled and made ready to sail, are not worth one thousand pounds, or three thousand ducats at the least, if they should presently be sold. What shall we then think of the navy-royal, of which some one vessel is worth two of the other, as the shipwright has often told me? It is possible that some covetous person, hearing this report, will either not credit at all, or suppose money so employed to be nothing profitable to the queen's coffers, as a good husband said once, when he heard that provisions should be made for armour, wishing the queen's money to be rather laid out to some speedier return of gain unto her grace: but if he wist that the good keeping of the sea is the safeguard of our land, he would alter his censure, and soon give over his judgment." Speaking of the forests, this author says, "An infinite deal of wood hath been destroyed within these few years; and I dare affirm, that, if wood do go so fast to decay in the next hundred years of grace, as they have done, or are like to do in this, it is to be feared that sea-coal will be good merchandise even in the city of London." Harrison's prophecy was fulfilled in a very few years; for about 1615, there were two hundred sail employed in carrying coal to London. See Anderson, vol. i. p. 494.

Note 4 Y, *p.* 552.

Life of Burleigh, published by Collins, p. 44. The author hints, that this quantity of plate was considered only as small in a man of Burleigh's rank. His words are, "His plate was not above fourteen or fifteen thousand pounds:" that he means pound weight is evident. For, by Burleigh's will, which is annexed to his life, that nobleman gives away in legacies, to friends and relations, near four thousand pounds weight, which would have been above twelve thousand pounds sterling in value. The remainder he orders to be divided into two equal portions; the half to his eldest son and

heir; the other half to be divided equally among his second son and three daughters. Were we therefore to understand the whole value of his plate to be only fourteen or fifteen thousand pounds sterling, he left not the tenth of it to the heir of his family.

Note 4 Z, *p.* 552.

Harrison says, "The greatest part of our building in the cities and good towns of England consisteth only of timber, cast over with thick clay to keep out the wind. Certes, this rude kind of building made the Spaniards in queen Mary's days to wonder; but chiefly when they saw that large diet was used in many of these so homely cottages, insomuch that one of no small reputation among them said, after this manner; These English, quoth he, have their houses made of sticks and dirt; but they fare commonly so well as the king. Whereby it appeareth that he liked better of our good fare in such coarse cabins, than of their own thin diet in their princely habitations and palaces. The clay with which our houses are commonly impanelled, is either white, red, or blue." Book ii. chap. 12. The author adds, that the new houses of the nobility are commonly of brick or stone, and that glass windows were beginning to be used in England.

Note 5 A, *p.* 553.

The following are the words of Roger Ascham, the queen's preceptor. "It is your shame, (I speak to you all, you young gentlemen of England,) that one maid should go beyond ye all in excellency of learning, and knowledge of divers tongues. Point out six of the best given gentlemen of this court, and all they together show not so much good will, spend not so much time, bestow not so many hours daily, orderly, and constantly, for the increase of learning and knowledge as doth the queen's majesty herself. Yea, I believe that, besides her perfect readiness in Latin, Italian, French, and Spanish, she readeth here now at Windsor more Greek every day, than some prebendary of this church doth Latin in a whole week. Amongst all the benefits which God had blessed me withal, next to the knowledge of Christ's true religion, I count this the greatest, that it pleased God to call me to be one poor minister in setting forward these excellent gifts of learning," &c. Page 242. Truly, says Harrison, it is a rare thing with us now to hear of a courtier which hath but his own language; and to say how many gentlewomen and ladies there are that, besides sound knowledge of the Greek and Latin tongues, are thereto no less skilful in the Spanish, Italian, and French, or in some of them, it resteth not in me, sith I am persuaded, that as the noblemen and gentlemen do surmount in this behalf, so these come little or nothing at all behind them for their parts; which industry God continue. The stranger, that entereth in the court of England upon the sudden, shall rather imagine himself to come into some public school of the university, where many give ear to one that readeth unto them, than into a prince's palace, if you confer thus with those of other nations." Description of Britain, book ii. chap. 15. By this account the court had profited by the example of the queen. The sober way of life practised by the ladies of Elizabeth's court appears from the same author. Reading, spinning, and needlework, occupied the elder; music the younger. Id. Ibid.

Note 5 B, *p.* 557.

Sir Charles Cornwallis, the king's ambassador at Madrid, when pressed by the duke of Lerma to enter into a league with Spain, said to that minister; "Though his majesty was an absolute king, and therefore not bound to give an account to any of his actions; yet that so gracious and regardful a prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do anything of so great consequence without acquainting them with his intentions." Winwood, vol. ii. p. 222. Sir Walter Raleigh has this passage in the preface to his History of the World: "Philip II., by strong hand and main force, attempted to make himself not only an *absolute monarch* over the Netherlands, like unto the kings and monarchs of England and France, but, Turk-like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights." We meet with this passage in sir John Davis's Question concerning Impositions, p. 161. "Thus we see by this comparison, that the king of England doth lay but his little finger upon his subjects, when other princes and states do lay their heavy loins upon their people: what is the reason of this difference? From whence cometh it? Assuredly not from a different power of prerogative: for the king of England is as absolute a monarch as any emperor or king in the world, and hath as many prerogatives incident to his crown." Coke, in Cawdry's case says, "That, by the ancient laws of this realm, England is an *absolute* empire and monarchy; and that the king is furnished with plenary and entire power, prerogative, and jurisdiction, and is supreme governor over all persons within this realm." Spencer, speaking of some grants of the English kings to the Irish corporations, says, "All which, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off, with the superior power of her majesty's prerogative, against which her own grants are not to be pleaded or enforced." State of Ireland, p. 1537, edit. 1706. The same author, in p. 1660 proposes a plan for the civilization of Ireland; that the queen should create a provost-martial in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds; the first time he catches any he may punish them more lightly by the stocks; the second time, by whipping; but the third time he may hang them, without trial or process, on the first bough: and he thinks that this authority may more safely be intrusted to the provost-marshal than to the sheriff; because the latter magistrate having a profit by the escheats of felons, may be tempted to hang innocent persons." Here a real, absolute, or rather despotic power is pointed out; and we may infer from all these passages, either that the word *absolute* bore a different sense from what it does at present, or that men's ideas of the English, as well as Irish government, were then different. This latter inference seems juster. The word being derived from the French, bore always the same sense as in that language. An absolute monarchy, in Charles the First's answer to the nineteen propositions, is opposed to a limited; and the king of England is acknowledged not to be absolute: so much had matters changed even before the civil war. In sir John Fortescue's treatise of absolute and limited monarchy, a book written in the reign of Edward the Fourth, the word *absolute* is taken in the same sense as at present; and the government of England is also said not to be absolute. They were the princes of the house of Tudor chiefly who introduced that administration, which had the appearance of absolute government. The princes before them were restrained by the barons; as those after them by the house of commons. The people had, properly speaking, little liberty in either of these ancient governments, but least in the more ancient.

Note 5 C, *p.* 558.

Even this parliament, which showed so much spirit and good sense in the affair of Goodwin, made a strange concession to the crown, in their fourth session. Toby Mathews, a member, had been banished

by order of the council upon direction from his majesty. The parliament not only acquiesced in this arbitrary proceeding, but issued writs for a new election. Such novices were they as yet in the principles of liberty! See Journ. 14th Feb. 1609. Mathews was banished by the king, on account of his change of religion to popery. The king had an indulgence to those who had been educated catholics; but could not bear the new converts. It was probably the animosity of the commons against the papists, which made them acquiesce in this precedent, without reflecting on the consequences. The jealousy of liberty, though roused, was not yet thoroughly enlightened.

Note 5 D, *p.* 558.

At that time men of genius and enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hales has published a remonstrance against the king's conduct towards the parliament during this session. The remonstrance is drawn with great force of reasoning, and spirit of liberty; and was the production of sir Francis Bacon and sir Edwin Sandys, two men of the greatest parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the journals, we must conclude, either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the house, or that it had been for that reason rejected. The dignity and authority of the commons are strongly insisted upon in this remonstrance; and it is there said, that their submission to the ill treatment which they received during the latter part of Elizabeth's reign, had proceeded from their tenderness towards her age and her sex. But the authors are mistaken in these facts; for the house received and submitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Harry the Eighth and Seventh's. And the further we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the commons were still of less authority.

Note 5 E, *p.* 559.

This parliament passed an act of recognition of the king's title in the most ample terms. They recognised and acknowledged, that immediately upon the dissolution and decease of Elizabeth, late queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted succession, descend and come to his most excellent majesty, as being lineally, justly, and lawfully next and sole heir of the blood royal of this realm. 1 James I. cap. i. The puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of queen Elizabeth, the parliament declares, that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God and by the laws and statutes of this realm, our most lawful and rightful sovereign, liege lady and queen, &c. It appears then, that if king James's *divine right* be not mentioned by parliament, the omission came merely from chance, and because that phrase did not occur to the compiler of the recognition; his title being plainly the same with that of his predecessor, who was allowed to have a *divine* right.

Note 5 F, *p.* 561.

Some historians have imagined, that the king had secret intelligence of the conspiracy, and that the letter to Monteagle was written by his direction, in order to obtain the praise of penetration in discovering the plot. But the known facts refute this supposition. That letter, being commonly talked of, might naturally have given an alarm to the conspirators, and made them contrive their escape. The visit of the lord-chamberlain ought to have had the same effect. In short, it appears that nobody was arrested or inquired after for some days, till Fawkes discovered the names of the conspirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171, that Salisbury's sagacity led the king in his conjectures, and that the minister, like an artful courtier, gave his master the praise of the whole discovery.

Note 5 G, *p.* 565.

We find the king's answer in Winwood's Memorials, vol iii. p. 193, 2d. edit. "To the third and fourth (namely, that it might be lawful to arrest the king's servants without leave, and that no man should be enforced to lend money, nor give any reason why he would not) his majesty sent us an answer, that because we brought precedents of antiquity to strengthen those demands, he allowed not of any precedents drawn from the time of usurping or decaying princes, or people too bold or wanton; that he desired not to govern in that commonwealth, where subjects should be assured of all things, and hope for nothing. It was one thing *submittere principatum legibus;* and another thing *submittere principatum subditis.* That he would not leave to posterity such a mark of weakness upon his reign; and therefore his conclusion was, *non placet petitio, non placet exemplum:* yet with this mitigation, that in matters of loans he would refuse no reasonable excuse, nor should my lord-chamberlain deny the arresting of any of his majesty's servants, if just cause was shown." The parliament, however, acknowledged at this time with thankfulness to the king, that he allowed disputes and inquiries about his prerogative, much beyond what had been indulged by any of his predecessors. Parl. Hist. vol. v. p. 230. This very session, he expressly gave them leave to produce all their grievances without exception.

Note 5 H, *p.* 566.

It may not be unworthy of observation, that James, in a book called "The true laws of free Monarchies," which he published a little before his accession to the crown of England, affirmed, "That a good king, although he be above the law, will subject and frame his actions thereto, for example's sake to his subjects, and of his own free will, but not as subject or bound thereto." In another passage, "According to the fundamental law already alleged, we daily see, that in the parliament (which is nothing else but the head-court of the king and his vassals) the laws are but craved by his subjects, and only made by him at their rogation, and with their advice. For albeit the king *make daily* statutes and ordinances, enjoining such pains thereto as he thinks meet, without any advice of parliament or estates; yet it lies in the power of no parliament to make any kind of law or statute, without his sceptre be to it, for giving it the force of a law." King James's Works, p. 202. It is not to be supposed that, at such a critical juncture, James had so little sense as, directly, in so material a point, to have openly shocked what were the universal established principles of that age; on the contrary, we are told by historians, that nothing tended more to facilitate his accession, than the good opinion entertained of him by the English, on account of his learned and judicious writings. The question, however, with regard to the royal power was, at this time, become a very dangerous point; and without employing ambiguous, insignificant terms, which determined nothing, it was impossible to please both king and parliament. Dr. Cowell, who had magnified the prerogative in

words too intelligible, fell this session under the indignation of the commons. Parliament. Hist. vol. v. p. 221.—The king himself, after all his magnificent boasts, was obliged to make his escape through a distinction which he framed between a king *in abstracto* and a king *in concreto*: an abstract king, he said, had all power; but a concrete king was bound to observe the laws of the country which he governed. King James's Works, p. 533. But how bound? By conscience only? Or might his subjects resist him and defend their privileges? This he thought not fit to explain. And so difficult is it to explain that point, that, to this day, whatever liberties may be used by private inquirers, the laws have, very prudently, thought proper to maintain a total silence with regard to it.

Note 5 I, *p.* 570.

Parl. Hist. vol. v. p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a speech made in the upper house by the bishop of Lincoln; which it belonged only to that house to censure, and which the other could not regularly be supposed to be acquainted with. These at least are the rules established since the parliament became a real seat of power, and scene of business. Neither the king must take notice what passes in either house, nor either house of what passes in the other, till regularly informed of it. The commons, in their famous protestation, 1621, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was yet new, those maxims which guard and regulate it were unknown and unpractised.

Note 5 I*, *p.* 575.

Some of the facts of this narrative, which seem to condemn Raleigh, are taken from the king's declaration, which being published by authority, when the facts were recent, being extracted from examinations before the privy-council, and subscribed by six privy-counsellors, among whom was Abbot, archbishop of Canterbury, a prelate nowise complaisant to the court, must be allowed to have great weight, or rather to be of undoubted credit. Yet the most material facts are confirmed either by the nature and reason of the thing, or by sir Walter's own apology and his letters. The king's declaration is in the Harleyan Miscellany, vol. iii. No. 2.

1. There seems to be an improbability that the Spaniards who knew nothing of Raleigh's pretended mine, should have built a town in so wide a coast, within three miles of it. The chances are extremely against such a supposition; and it is more natural to think, that the view of plundering the town led him thither, than that of working a mine. 2. No such mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he plundered and burnt a Spanish town. Is it not more probable, therefore, that the latter was his intention? How can the secrets of his breast be rendered so visible as to counterpoise certain facts? 4. He confesses, in his letter to lord Carew, that though he knew it, yet he concealed from the king the settlement of the Spaniards on that coast. Does not this fact alone render him sufficiently criminal? 5. His commission empowers him only to settle on a coast possessed by savage and barbarous inhabitants. Was it not the most evident breach of orders to disembark on a coast possessed by Spaniards? 6. His orders to Keymis, when he sent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would resist, and would oppose the English landing and taking possession of the country. His intentions, therefore, were hostile from the beginning. 7. Without provocation, and even when at a distance, he gave Keymis orders to dislodge the Spaniards from their own town. Could any enterprise be more hostile? And considering the Spaniards as allies to the nation, could any enterprise be more criminal? Was he not the aggressor, even though it should be true that the Spaniards fired upon his men at landing? It is said he killed three or four hundred of them. Is that so light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hostilities exercised by the Spaniards against other companies of Englishmen. These are accounted for by the ambiguity of the treaty between the nations. And it is plain, that though these might possibly be reasons for the king's declaring war against that nation, they could never entitle Raleigh to declare war, and without any commission, or contrary to his commission, to invade the Spanish settlements. He pretends indeed that peace was never made with Spain in the Indies: a most absurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hostilities had been still to be continued on these settlements. By secret agreement, the English were still allowed to support the Dutch even after the treaty of peace. If they had also been allowed to invade the Spanish settlements, the treaty had been a full peace to England, while the Spaniards were still exposed to the full effects of war. 9. If the claim to the property of that country, as first discoverers, was good, in opposition to present settlement, as Raleigh pretends, why was it not laid before the king with all its circumstances, and submitted to his judgment? 10. Raleigh's force is acknowledged by himself to have been insufficient to support him in the possession of St. Thomas, against the power of which Spain was master on that coast; yet it was sufficient, as he owns, to take by surprise and plunder twenty towns. It was not therefore his design to settle, but to plunder. By these confessions, which I have here brought together, he plainly betrays himself. 11. Why did he not stay and work his mine, as at first he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this must be the case, if he invaded any part of the Spanish colonies. His intention therefore never was to settle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was some ore there. Would he have ventured all his fortune and credit on so precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have risked everything to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an imposture in the management of this affair? 14. He says to Keymis, in his orders, Bring but a basket-full of ore, and it will satisfy the king that my project was not imaginary. This was easily done from the Spanish mines; and he seems to have been chiefly displeased at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king in his declaration imputes it to Raleigh, that as soon as he was at sea, he immediately fell into such uncertain and doubtful talk of his mine, and said, that it would be sufficient if he brought home a basket-full of ore. From the circumstance last mentioned, it appears that this imputation was not without reason. 16. There are many other circumstances of great weight in the king's declaration; that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention; that he was nowise provided with instruments for working a mine, but had a sufficient stock of warlike stores; that young Raleigh, in attacking the Spaniards, employed the words which, in the narration, I have put in his mouth; that the mine was moveable, and shifted as he saw convenient: not to mention many other public facts which prove him to have been highly criminal against his companions as well as his country. Howel,

in his letters, says, that there lived in London, in 1615, an officer, a man of honour, who asserted, that he heard young Raleigh speak these words, vol. ii. letter 63. That was a time when there was no interest in maintaining such a fact. 17. Raleigh's account of his first voyage to Guiana proves him to have been a man capable of the most extravagant credulity or most impudent imposture. So ridiculous are the stories which he tells of the Inca's chimerical empire in the midst of Guiana; the rich city of El Dorado, or Manoa, two days' journey in length, and shining with gold and silver; the old Peruvian prophecies in favour of the English, who, he says, were expressly named as the deliverers of that country, long before any European had ever touched there; the Amazons, or republic of women; and in general, the vast and incredible riches which he saw on that continent, where nobody has yet found any treasure! This whole narrative is a proof that he was extremely defective either in solid understanding, or morals, or both. No man's character indeed seems ever to have been carried to such extremes as Raleigh's, by the opposite passions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably best known, he was the object of universal hatred and detestation throughout England; and the latter part, when shut up in prison, he became, much more unreasonably, the object of great love and admiration.

As to the circumstances of the narrative, that Raleigh's pardon was refused him, that his former sentence was purposely kept in force against him, and that he went out under these express conditions, they may be supported by the following authorities.—1. The king's word and that of six privy-counsellors, who affirm it for fact. 2. The nature of the thing. If no suspicion had been entertained of his intentions, a pardon would never have been refused to a man to whom authority was intrusted. 3. The words of the commission itself, where he is simply styled sir Walter Raleigh, and not *faithful and well-beloved*, according to the usual and never-failing style on such occasions. 4. In all the letters which he wrote home to sir Ralph Winwood and to his own wife, he always considers himself as a person unpardoned and liable to the law. He seems indeed, immediately upon the failure of his enterprise, to have become desperate, and to have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for destroying a man, whose life had been fourteen years, and still was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's armament. And there was no reason why the king should conceal from them the project of a settlement, which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame seems to have lain in his negligence, in allowing Raleigh to depart without a more exact scrutiny: but for this he apologizes by saying, that sureties were required for the good behaviour of Raleigh and all his associates in the enterprise, but that they gave in bonds for each other—a cheat which was not perceived till they had sailed, and which increased the suspicion of bad intentions.

Perhaps the king ought also to have granted Raleigh a pardon for his old treason, and to have tried him anew for his new offences. His punishment in that case would not only have been just, but conducted in a just and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation, (and it is plainly supposed by sir Walter in his apology,) that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe: and while that notion took place, no jury would have found Raleigh guilty. So that had not the king punished him upon the old sentence, the Spaniards would have had a just cause of complaint against the king, sufficient to have produced a war, at least to have destroyed all cordiality between the nations.

This explication I thought necessary, in order to clear up the story of Raleigh; which, though very obvious, is generally mistaken in so gross a manner, that I scarcely know its parallel in the English history.

Note 5 K, *p.* 577.

This parliament is remarkable for being the epoch, in which were first regularly formed, though without acquiring these denominations, the parties of court and country; parties which have ever since continued, and which, while they oft threaten the total dissolution of the government, are the real causes of its permanent life and vigour. In the ancient feudal constitution, of which the English partook with other European nations, there was a mixture, not of authority and liberty, which we have since enjoyed in this island, and which now subsist uniformly together; but of authority and anarchy, which perpetually shocked with each other, and which took place alternately, according as circumstances were more or less favourable to either of them. A parliament composed of barbarians, summoned from their fields and forests, uninstructed by study, conversation, or travel; ignorant of their own laws and history, and unacquainted with the situation of all foreign nations; a parliament called precariously by the king, and dissolved at his pleasure; sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own castles, where alone they were great, and to the chase, which was their favourite amusement: such a parliament was very little fitted to enter into a discussion of all the questions of government, and to share, in a regular manner, the legal administration. The name, the authority of the king alone appeared in the common course of government; in extraordinary emergencies, he assumed, with still better reason, the sole direction; the imperfect and unformed laws left, in everything, a latitude of interpretation; and when the ends pursued by the monarch were, in general, agreeable to his subjects, little scruple or jealousy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either house, much less of the lower, durst think of entering into a formed party, in opposition to the court; since the dissolution of the parliament must, in a few days, leave him unprotected, to the vengeance of his sovereign, and to those stretches of prerogative, which were then so easily made, in order to punish an obnoxious subject. During an unpopular and weak reign, the current commonly ran so strong against the monarch, that none durst inlist themselves in the court party; or if the prince was able to engage any considerable barons on his side, the question was decided with arms in the field, not by debates or arguments in a senate or assembly. And upon the whole, the chief circumstance, which, during ancient times, retained the prince in any legal form of administration, was, that the sword, by the nature of the feudal tenures, remained still in the hands of his subjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigour of their administration, partly by the concurrence of favourable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism as diminished extremely the authority of the parliament. The senate became, in a great degree, the organ of royal will and pleasure: opposition would have been

regarded as a species of rebellion: and even religion, the most dangerous article in which innovations could be introduced, had admitted, in the course of a few years, four several alterations, from the authority alone of the sovereign. The parliament was not then the road to honour and preferment: the talents of popular intrigue and eloquence were uncultivated and unknown: and though that assembly still preserved authority, and retained the privilege of making laws and bestowing public money, the members acquired not, upon that account, either with prince or people, much more weight and consideration. What powers were necessary for conducting the machine of government, the king was accustomed, of himself, to assume. His own revenues supplied him with money sufficient for his ordinary expenses. And when extraordinary emergencies occurred, the prince needed not to solicit votes in parliament, either for making laws or imposing taxes, both of which were now become requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despotic princes, scarcely even the eastern tyrants, rule entirely without the concurrence of some assemblies, which supply both advice and authority; little but a mercenary force seems then to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favourable to regal authority than the feudal institutions, was much inferior, in this respect, to disciplined armies; and if it did not preserve liberty to the people, it preserved at least the power, if ever the inclination should arise, of recovering it.

But so low, at that time, ran the inclination towards liberty, that Elizabeth, the last of that arbitrary line, herself no less arbitrary, was yet the most renowned and most popular of all the sovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to pursue her measures, which he heard so much applauded; nor did his penetration extend so far as to discover, that neither his circumstances nor his character could support so extensive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary course of administration: their increasing knowledge discovered to them that advantage which they had obtained; and made them sensible of the inestimable value of civil liberty. And as he possessed too little dignity to command respect, and too much goodnature to impress fear, a new spirit discovered itself every day in the parliament; and a party, watchful of a free constitution, was regularly formed in the house of commons.

But notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable the patriots of that age would have despaired of ever resisting it, had they not been stimulated by religious motives, which inspire a courage insurmountable by any human obstacle.

The same alliance which has ever prevailed between kingly power and ecclesiastical authority, was now fully established in England: and while the prince assisted the clergy in suppressing schismatics and innovators, the clergy, in return, inculcated the doctrine of an unreserved submission and obedience to the civil magistrate. The genius of the church of England, so kindly to monarchy, forwarded the confederacy; its submission to episcopal jurisdiction; its attachment to ceremonies, to order, and to a decent pomp and splendour of worship: and, in a word, its affinity to the tame superstition of the catholics, rather than to the wild fanaticism of the puritans.

On the other hand, opposition to the church, and the persecutions under which they laboured, were sufficient to throw the puritans into the country party, and to beget political principles little favourable to the high pretensions of the sovereign. The spirit too of enthusiasm, bold, daring, and uncontrolled, strongly disposed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the same liberty which they assumed in their rapturous flights and ecstasies. Ever since the first origin of that sect, through the whole reign of Elizabeth as well as of James, *puritanica* principles had been understood in a double sense, and expressed the opinions favourable both to political and to ecclesiastical liberty. And as the court, in order to discredit all parliamentary opposition, affixed the denomination of puritans to its antagonists, the religious puritans willingly adopted this idea, which was so advantageous to them, and which confounded their cause with that of the patriots or country party. Thus were the civil and ecclesiastical factions regularly formed; and the humour of the nation during that age running strongly towards fanatical extravagancies, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more advantage than honour, it secretly enlarged its dominion over the greater part of the kingdom.

[This note was in the first editions a part of the text: but the author omitted it, in order to avoid, as much as possible, the style of dissertation in the body of his history. The passage, however, contains views so important, that he thought it might be admitted as a note.]

Note 5 L, *p.* 579.

This protestation is so remarkable, that it may not be improper to give it in its own words. "The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, and privileges of parliament, amongst others here mentioned, do make this protestation following: that the liberties, franchises, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the urgent and arduous affairs concerning the king, state, and defence of the realm, and of the church of England; and the maintenance and making of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of council and debate in parliament; and that in the handling and proceeding of those businesses, every member of the house of parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same; and that the commons in parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest; and that every member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than by censure of the house itself) for or concerning any speaking, reasoning, or declaring of any matter or matters touching the parliament or parliament business. And that if any of the said members be complained of and questioned for anything done or said in parliament, the same is to be shown to the king, by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information." Franklyn, p. 65. Rushworth, vol. i. p. 53. Kennet, p. 747. Coke, p. 77.

Note 5 M, *p.* 585.

The moment the prince embarked at St. Andero's, he said to those about him, that it was folly in the Spaniards to use him so ill, and allow him to depart: a proof that the duke had made him believe they were insincere in the affair of the marriage and the palatinate; for as to his reception, in other respects, it had been altogether unexceptionable. Besides, had not the prince believed the Spaniards to be insincere, he had no reason to quarrel with them, though Buckingham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dis-

pensation, though they arose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

Note 5 N, *p.* 585.

Among other particulars, he mentions a sum of eighty thousand pounds borrowed from the king of Denmark. In a former speech to the parliament, he told them, that he had expended five hundred thousand pounds in the cause of the palatine, besides the voluntary contribution given him by the people. See Franklyn, p. 50. But what is more extraordinary, the treasurer, in order to show his own good services, boasts to the parliament, that, by his contrivance, sixty thousand pounds had been saved in the article of exchange in the sums remitted to the palatine. This seems a great sum; nor is it easy to conceive whence the king could procure such vast sums as would require a sum so considerable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the interests of his daughter and son-in-law, and had even gone far beyond what his narrow revenue could afford.

Note 5 O, *p.* 585.

How little this principle had prevailed, during any former period of the English government, particularly during the last reign, which was certainly not so perfect a model of liberty as most writers would represent it, will easily appear from many passages in the history of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful administration. The commons, though James of himself had recalled all patents of monopolies, were not contented without a law against them, and a declaratory law too; which was gaining a great point, and establishing principles very favourable to liberty: but they were extremely grateful, when Elizabeth, upon petition, (after having once refused their requests,) recalled a few of the most oppressive patents, and employed some soothing expressions towards them.

The parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predecessors. His indulgence in this particular, joined to his easy temper, was probably one cause of the great power assumed by the commons. Monsieur de la Boderie, in his Dispatches, vol. i. p. 449, mentions the liberty of speech in the house of commons as a new practice.

Note 5 P, *p.* 587.

Rymer, tom. xviii. p. 224. It is certain that the young prince of Wales, afterwards Charles II., had protestant governors from his early infancy: first the earl of Newcastle, then the marquis of Hertford. The king, in his memorial to foreign churches, after the commencement of the civil wars, insists on his care in educating his children in the protestant religion, as a proof that he was nowise inclined to the catholic. Rushworth, vol. v. p. 752. It can scarcely, therefore, be questioned, but this article, which had so odd an appearance, was inserted only to amuse the pope, and was never intended by either party to be executed.

Note 5 Q, *p.* 582.

"Monarchies," according to sir Walter Raleigh, "are of two sorts touching their power or authority, viz. 1. Entire, where the whole power of ordering all state matters, both in peace and war, doth by law and custom appertain to the prince, as in the English kingdom; where the prince hath the power to make laws, league, and war; to create magistrates; to pardon life; of appeal, &c. Though to give a contentment to the other degrees, they have a suffrage in making laws, yet ever subject to the prince's pleasure and negative will. 2. Limited or restrained, that hath no full power in all the points and matters of state, as the military king that hath not the sovereignty in time of peace, as the making of laws, &c. But in war only, as the Polonian king." Maxims of State.

And a little after, "In every just state, some part of the government is, or ought to be, imparted to the people, as in a kingdom, a voice and suffrage in making laws; and sometimes also of levying of arms, (if the charge be great, and the prince forced to borrow help of his subjects,) the matter rightly may be propounded to a parliament, that the tax may *seem* to have proceeded from themselves. So consultations and some proceedings in judicial matters may, in part, be referred to them. The reason, lest, seeing themselves to be in no number nor of reckoning, they mislike the state of government." This way of reasoning differs little from that of king James, who considered the privileges of the parliament as matters of grace and indulgence more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party, notwithstanding these positions. But ideas of government change much in different times.

Raleigh's sentiments on this head are still more openly expressed, in his Prerogative of Parliaments, a work not published till after his death. It is a dialogue between a courtier or counsellor and a country justice of peace, who represents the patriot party, and defends the highest notions of liberty, which the principles of that age would bear. Here is a passage of it: "*Counsellor.* That which is done by the king, with the advice of his private or privy-council, is done by the king's absolute power. *Justice.* And by whose power is it done in parliament, but by the king's absolute power? Mistake it not, my lord: the three estates do but advise as the privy-council doth; which advice, if the king embrace, it becomes the king's own act in the one, and the king's law in the other, &c."

The earl of Clare, in a private letter to his son-in-law, sir Thomas Wentworth, afterwards earl of Strafford, thus expresses himself: "We live under a prerogative government, where book-law submits *lex loquens*." He spoke from his own and all his ancestors' experience. There was no single instance of power which a king of England might not, at that time, exert on pretence of necessity or expediency: the continuance alone or frequent repetition of arbitrary administration might prove dangerous, for want of force to support it. It is remarkable that this letter of the earl of Clare was written in the first year of Charles's reign; and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See Strafford's Letters, vol. i. p. 32. From another letter in the same collection, vol. i. p. 10, it appears, that the council sometimes assumed the power of forbidding persons disagreeable to the court, to stand in the elections. This authority they could exert in some instances; but we are not thence to infer, that they could shut the door of that house to every one who was not acceptable to them. The genius of the ancient government reposed more trust in the king, than to entertain any such suspicion, and it allowed scattered instances, of such a kind as would have been totally destructive of the constitution, had they been continued without interruption.

I have not met with any English writer in that age who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges; but whether dependent or independent on the will of the monarch, is a question, that in most governments, it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the parliament, together with that king's love of general speculative principles, brought it from its obscurity, and made it be commonly canvassed. The strongest testimony

that I remember from a writer of James's age, in favour of English liberty, is in cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low-Country provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative: but foreigners, by comparison, could perceive that these stretches were at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines too remarked the English constitution to be more popular in his time than that of France. But in a paper written by a patriot in 1627, it is remarked, that the freedom of speech in parliament had been lost in England since the days of Comines. See Franklyn, p. 238. Here is a stanza of Malherbe's Ode to Mary de Medicis, the queen-regent, written in 1614.

"Entre les rois à qui cet âge
Doit son principal ornement,
Ceux de la Tamise et du Tage
Font louer leur gouvernement:
Mais en de si calmes provinces,
Où le peuple adore les princes,
Et met au gré le plus haut
L'honneur du sceptre légitime,
Scauroit-on excuser le crime
De ne regner pas comme il faut.'

The English, as well as the Spaniards, are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe; though it changes sometimes very suddenly. Machiavel, in his Dissertations on Livy, says repeatedly, that France was the most legal and most popular monarchy then in Europe.

Note 5 R, *p.* 589.

Passive obedience is expressly and zealously inculcated in the homilies, composed and published by authority in the reign of queen Elizabeth. The convocation, which met in the very first year of the king's reign, voted as high monarchical principles as are contained in the decrees of the university of Oxford, during the rule of the tories. These principles so far from being deemed a novelty, introduced by James's influence, passed so smoothly, that no historian has taken notice of them: they were never the subject of controversy, or dispute, or discourse; and it is only by means of bishop Overall's Convocation-book, printed near seventy years after, that we are acquainted with them. Would James, who was so cautious, and even timid, have ventured to begin his reign with a bold stroke, which would have given just ground of jealousy to his subjects? It appears from that monarch's Basilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, esteemed puritanical novelties. The patriarchal scheme, it is remarkable, is inculcated in those votes of the convocation preserved by Overall; nor was Filmer the first inventor of those absurd notions.

Note 5 S, *p.* 593.

That of the honest historian Stowe seems not to have been of this number. "The great blessing of God," says he, "through increase of wealth in the common subjects of this land, especially upon the citizens of London; such within men's memory, and chiefly within these few years of peace, that except there were now due mention of some sort made thereof, it would in time to come be held incredible, &c." In another place, "Amongst the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishing of peace within ourselves, and the full benefit of concord with all Christian nations and others: of all which graces let no man dare to presume he can speak too much; whereof in truth there can never be enough said, neither was there ever any people less considerate and less thankful than at this time, being not willing to endure the memory of their present happiness, as well as in the universal increase of commerce and traffic throughout the kingdom, great building of royal ships and by private merchants, the re-peopling of cities, towns, and villages, besides the discernible and sudden increase of fair and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years, &c.

Note 5 T, *p.* 602.

By a speech of sir Simon D'Ewes, in the first year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly informed concerning the transactions of the Spanish negociation, and still believed the court of Madrid to have been altogether insincere in their professions. What reason, upon that supposition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's speech is in Nalson, vol. ii. p. 368. No author or historian of that age mentions the discovery of Buckingham's impostures as a cause of disgust in the parliament. Whitlocke, p. 1, only says, "that the commons began to suspect, that it had been spleen in Buckingham," not zeal for public good, "which had induced him to break the Spanish match;" a clear proof that his falsehood was not suspected. Wilson, p. 780, says, "that Buckingham lost his popularity after Bristol arrived, not because that nobleman discovered to the world the falsehood of his narrative, but because he proved that Buckingham, while in Spain, had professed himself a papist; which is false, and which was never said by Bristol. In all the debates which remain, not the least hint is ever given that any falsehood was suspected in the narrative. I shall further add, that even if the parliament had discovered the deceit in Buckingham's narrative, this ought not to have altered their political measures, or made them refuse supply to the king. They had supposed it practicable to wrest the palatinate by arms from the house of Austria; they had represented it as prudent to expend the blood and treasure of the nation in such an enterprise; they had believed that the king of Spain never had any sincere intention of restoring that principality. It is certain, that he had not now any such intention: and though there was reason to suspect, that this alteration in his views had proceeded from the ill conduct of Buckinhgam, yet past errors could not be retrieved; and the nation was undoubtedly in the same situation which the parliament had ever supposed, when they so much harassed their sovereign by their impatient, importunate, and even undutiful solicitations. To which we may add, that Charles himself was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his testimony. Party historians are somewhat inconsistent in their representations of these transactions: they represent the Spaniards as totally insincere, that they may reproach James with credulity in being so long deceived by them: they represent them as sincere, that they may reproach the king, the prince, and the duke, with falsehood in their narrative to the parliament. The truth is, they were insincere at first; but the reasons, proceeding from bigotry, were not suspected by James, and were at last overcome. They became sincere; but the prince, deceived by the many unavoidable causes of delay, believed that they were still deceiving him.

Note 5 U, *p.* 609.

This petition is of so great importance, that we shall here give it at length. "Humbly show unto our sovereign lord the king, the lords spiritual and temporal,

and commons, in parliament assembled, That, whereas it is declared and enacted by a statute made in the time of the reign of king Edward I., commonly called *Statutum de tallagio non concedendo*, that no tallage or aid shall be levied by the king or his heirs in this realm, without the goodwill and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm: and, by authority of parliament, holden in the five and twentieth year of the reign of king Edward III., it is declared and enacted, That, from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans were against reason, and the franchise of the land: and, by other laws of the realm, it is provided, that none should be charged by any charge or imposition called a benevolence, or by such like charge: by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

"II. Yet nevertheless, of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued; by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty; and many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy-council, and in other places; and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted: and divers other charges have been laid and levied upon your people, in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy-council, against the laws and free customs of this realm.

"III. And whereas also, by the statute called 'The great charter of the liberties of England,' it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

"IV. And, in the eight and twentieth year of the reign of king Edward III. it was declared and enacted, by authority of parliament, That no man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law.

"V. Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and, when, for their deliverance, they were brought before justice, by your majesty's writs of *Habeas Corpus*, there to undergo, and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy-council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

"VI. And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

"VII. And whereas also, by authority of parliament, in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That no man shall be forejudged of life or limb against the form of the Great Charter and law of the land: and, by the said Great Charter, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament: and whereas no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm: nevertheless, of late divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanour whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

"VIII. By pretext whereof some of your majesty's subjects have been by some of the said commissioners put to death, when and where, if, by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

"IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders according to the same laws, and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid: which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

"X. They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament: and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted, concerning the same, or for refusal thereof: and that no freeman, in any such manner as is before mentioned, be imprisoned or detained: and that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burdened in time to come; and that the aforesaid commissions, for proceeding by martial law, may be revoked and annulled: and that hereafter no commissions of like nature may issue forth, to any person or persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

"XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm: and that your majesty would also vouchsafe to declare, That the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence or example: and that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom." Stat. 17 Car. cap. 14.

Note 5 X, *p.* 613.

The reason assigned by sir Philip Warwick, p. 2, for this unusual measure of the commons, is, that they intended to deprive the crown of the prerogative, which it had assumed, of varying the rates of the impositions, and at the same time were resolved to cut off the new rates fixed by James. These were considerable diminutions both of revenue and prerogative; and whether they would have there stopped, considering their present disposition, may be much doubted. The king, it seems, and the lords, were resolved not to trust them; nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-established on the old footing.

Note 5 Y, *p.* 621.

Here is a passage of sir John Davis's Question, concerning impositions, p. 131. "This power of laying on arbitrarily new impositions, being a prerogative in point of government, as well as in point of profit, it cannot be restrained or bound by act of parliament; it cannot be limited by any certain or fixed rule of law, no more than the course of a pilot upon the sea, who must turn the helm, or bear higher or lower sail, according to the wind or weather: and therefore it may be properly said, that the king's prerogative in this point, is as strong as *Samson;* it cannot be bound; for though an act of parliament be made to restrain it, and the king doth give his consent unto it, as *Samson* was bound with his own consent, yet if the *Philistines* come; that is, if any just or important occasion do arise, it cannot hold or restrain the prerogative; it will be as thread, and broken as easy as the bonds of *Samson*.—The king's prerogatives are the sunbeams of the crown, and as inseparable from it as the sunbeams from the sun: the king's crown must be taken from him; *Samson's* hair must be cut out, before his courage can be any jot abated. Hence it is that neither the king's act, nor any act of parliament, can give away his prerogative."

Note 5 Z, *p.* 633.

We shall here make use of the liberty, allowed in a note, to expatiate a little on the present subject. It must be confessed that the king, in this declaration, touched upon that circumstance in the English constitution, which it is most difficult, or rather altogether impossible, to regulate by laws, and which must be governed by certain delicate ideas of propriety and decency, rather than by any exact rule or prescription. To deny the parliament all right of remonstrating against what they esteem grievances, were to reduce that assembly to a total insignificancy, and to deprive the people of every advantage, which they could reap from popular councils. To complain of the parliament's employing the power of taxation, as the means of extorting concessions from their sovereign, were to expect, that they would entirely disarm themselves, and renounce the sole expedient, provided by the constitution, for insuring to the kingdom a just and legal administration. In different periods of English story, there occur instances of their remonstrating with their princes in the freest manner, and sometimes of their refusing supply, when disgusted with any circumstance of public conduct. It is, however, certain, that this power, though essential to parliaments, may easily be abused, as well by the frequency and minuteness of their remonstrances, as by their intrusion into every part of the king's counsels and determinations. Under colour of advice, they may give disguised orders; and in complaining of grievances, they may draw to themselves every power of government. Whatever measure is embraced, without consulting them, may be pronounced an oppression of the people; and, till corrected, they may refuse the most necessary supplies to their indigent sovereign. From the very nature of this parliamentary liberty, it is evident, that it must be left unbounded by law: for who can foretel how frequently grievances may occur, or what part of administration may be affected by them? From the nature too of the human frame, it may be expected, that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmolested in the hands of the prince. For will the weak limitations of respect and decorum be sufficient to restrain human ambition, which so frequently breaks through all the prescriptions of law and justice?

But here it is observable, that the wisdom of the English constitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of parliament, and thereby maintained, in some tolerable measure, the dignity and authority of the crown.

In the ancient constitution, before the beginning of the seventeenth century, the meetings of parliament were precarious, and were not frequent. The sessions were short; and the members had no leisure, either to get acquainted with each other, or with public business. The ignorance of the age made men more submissive to that authority which governed them. And, above all, the large demesnes of the crown, with the small expense of government during that period, rendered the prince almost independent, and taught the parliament to preserve great submission and duty towards him.

In our present constitution, many accidents, which have rendered governments everywhere, as well as in Great Britain, much more burdensome than formerly, have thrown into the hands of the crown the disposal of a large revenue, and have enabled the king, by the private interest and ambition of the members, to restrain the public interest and ambition of the body. While the opposition (for we must still have an opposition, open or disguised) endeavours to draw every branch of administration under the cognizance of parliament, the courtiers reserve a part to the disposal of the crown; and the royal prerogative, though deprived of its ancient powers, still maintains a due weight in the balance of the constitution.

It was the fate of the house of Stuart to govern England at a period, when the former source of authority was already much diminished, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered; and the prince sat upon it anxiously and precariously. Every expedient used by James and Charles in order to support their dignity, we have seen attended with sensible inconveniences. The majesty of the crown, derived from ancient powers and prerogatives, procured respect, and checked the approaches of insolent intruders: but it begat in the king so high an idea of his own rank and station, as made him incapable of stooping to popular courses, or submitting in any degree to the control of parliament. The alliance with the hierarchy strengthened law by the sanction of religion; but it enraged the puritanical party, and exposed the prince to the attacks of enemies numerous, violent, and implacable. The memory too of these two kings, from like causes, has been attended, in some degree, with the same infelicity which pursued them during the whole course of their lives. Though it must be confessed, that their skill in government was not proportioned to the extreme delicacy of their situation; a sufficient indulgence has not been given them, and all the blame, by several historians, has been unjustly thrown on *their* side. Their violations of law, particularly those of Charles, are, in some few instances, transgressions of a plain limit, which was marked out to royal authority. But the encroachments of the commons, though in the beginning less positive and determinate, are no less discernible by good judges, and were equally capable of destroying the just balance of the constitution. While they exercised the powers transmitted to them, in a

manner more independent, and less compliant, than had ever before been practised; the kings were, perhaps imprudently, but, as they imagined, from necessity, tempted to assume powers, which had scarcely ever been exercised, or had been exercised in a different manner by the crown. And from the shock of these opposite pretensions, together with religious controversy, arose all the factions, convulsions, and disorders which attended that period.

[This note was, in the first editions, a part of the text.]

Note 6 A, *p.* 646.

Mr. Carte, in his life of the duke of Ormond, has given us some evidence to prove, that this letter was entirely a forgery of the popular leaders, in order to induce the king to sacrifice Strafford. He tells us, that Strafford said so to his son, the night before his execution. But there are some reasons why I adhere to the common way of telling this story. 1. The account of the forgery comes through several hands, and from men of characters not fully known to the public. A circumstance which weakens every evidence. It is a hearsay of a hearsay. 2. It seems impossible, but young lord Strafford must inform the king, who would not have failed to trace the forgery, and expose his enemies to their merited infamy. 3. It is not to be conceived but Clarendon and Whitlocke, not to mention others, must have heard of the matter. 4. Sir George Ratcliffe, in his life of Strafford, tells the story the same way that Clarendon and Whitlocke do. Would he also, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable, that this life is dedicated or addressed to young Strafford. Would not he have put sir George right in so material and interesting a fact.

Note 6 B, *p.* 646.

What made this bill appear of less consequence was, that the parliament voted tonnage and poundage for no longer a period than two months; and as that branch was more than half of the revenue, and the government could not possibly subsist without it, it seemed indirectly in the power of the parliament to continue themselves as long as they pleased. This indeed was true in the ordinary administration of government: but on the approaches towards a civil war, which was not then foreseen, it had been of great consequence to the king to have reserved the right of dissolution, and to have endured any extremity, rather than allow the continuance of the parliament.

Note 6 C, *p.* 653.

It is now so universally allowed, notwithstanding some muttering to the contrary, that the king had no hand in the Irish rebellion, that it will be superfluous to insist on a point which seems so clear. I shall only suggest a very few arguments, among an infinite number which occur. 1. Ought the affirmation of perfidious, infamous rebels ever to have passed for any authority? 2. Nobody can tell us what the words of the pretended commission were. That commission which we find in Rushworth, vol. v. p. 400, and in Milton's Works, Toland's edition, is plainly an imposture; because it pretends to be dated in October, 1641, yet mentions facts which happened not till some months after. It appears that the Irish rebels, observing some inconsistence in their first forgery, were obliged to forge this commission anew, yet could not render it coherent or probable. 3. Nothing could be more obviously pernicious to the king's cause than the Irish rebellion; because it increased his necessities, and rendered him still more dependent on the parliament, who had before sufficiently shown on what terms they would assist him. 4. The instant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited some little time to see how they would succeed? Would he presently have adopted a measure which was evidently so hurtful to his authority? 5. What can be imagined to be the king's projects? To raise the Irish to arms, I suppose, and bring them over to England for his assistance. But is it not plain, that the king never intended to raise war in England? Had that been his intention, would he have rendered the parliament perpetual? Does it not appear, by the whole train of events, that the parliament forced him into the war? 6. The king conveyed to the justices intelligence which ought to have prevented the rebellion. 7. The Irish catholics, in all their future transactions with the king, where they endeavour to excuse their insurrection, never had the assurance to plead his commission. Even among themselves they dropped that pretext. It appears that sir Phelim O'Neale, chiefly, and he only at first, promoted that imposture. See Carte's Ormond, vol. iii. No. 100, 111, 112, 114, 115, 121, 132, 137. 8. O'Neale himself confessed the imposture on his trial and at his execution. See Nalson, vol. ii. p. 528. Maguire, at his execution, made a like confession. 9. It is ridiculous to mention the justification which Charles II. gave to the marquis of Antrim, as if he had acted by his father's commission. Antrim had no hand in the first rebellion and the massacre. He joined not the rebels till two years after: it was with the king's consent, and he did important service, in sending over a body of men to Montrose.

Note 6 D, *p.* 662.

The great courage and conduct displayed by many of the popular leaders, have commonly inclined men to do them, in one respect, more honour than they deserve, and to suppose, that, like able politicians, they employed pretences which they secretly despised, in order to serve their selfish purposes. It is however probable, if not certain, that they were, generally speaking, the dupes of their own zeal. Hypocrisy, quite pure and free from fanaticism, is perhaps, except among men fixed in a determined philosophical scepticism, then unknown, as rare as fanaticism entirely purged from all mixture of hypocrisy. So congenial to the human mind are religious sentiments, that it is impossible to counterfeit long these holy fervours, without feeling some share of the assumed warmth: and on the other hand, so precarious and temporary, from the frailty of human nature, is the operation of these spiritual views, that the religious ecstasies, if constantly employed, must often be counterfeit, and must be warped by those more familiar motives of interest and ambition, which insensibly gain upon the mind. This indeed seems the key to most of the celebrated characters of that age. Equally full of fraud and of ardour, these pious patriots talked perpetually of seeking the Lord, yet still pursued their own purposes; and have left a memorable lesson to posterity, how delusive, how destructive, that principle is by which they were animated.

With regard to the people, we can entertain no doubt that the controversy was, on their part, entirely theological. The generality of the nation could never have flown out into such fury in order to obtain new privileges and acquire greater liberty than they and their ancestors had ever been acquainted with. Their fathers had been entirely satisfied with the government of Elizabeth: why should they have been thrown into such extreme rage against Charles, who, from the beginning of his reign, wished only to maintain such a government? And why not, at least, compound matters with him, when by all his laws, it appeared that he had agreed to depart from it? Especially, as he had put

it entirely out of his power to retract that resolution. It is in vain, therefore, to dignify this civil war and the parliamentary authors of it, by supposing it to have any other considerable foundation than theological zeal, that great and noted source of animosity among men. The royalists also were very commonly zealots; but as they were at the same time maintaining the established constitution, in state as well as church, they had an object which was natural, and which might produce the greatest passion, even without any considerable mixture of theological fervour.

[The former part of this note was, in the first editions, a part of the text.]

Note 6 E, *p.* 662.

In some of these declarations, supposed to be penned by lord Falkland, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition; at least, any published by authority. The three species of government, monarchical, aristocratical, and democratical, are there plainly distinguished, and the English government is expressly said to be none of them pure, but all of them mixed and tempered together. This style, though the sense of it was implied in many institutions, no former king of England would have used, and no subject would have been permitted to use. Banks and the crown-lawyers against Hambden, in the case of ship-money, insist plainly and openly on the king's absolute and sovereign power: and the opposite lawyers do not deny it: they only assert, that the subjects have also a fundamental property in their goods, and that no part of them can be taken but by their own consent in parliament. But that the parliament was instituted to check and control the king, and share the supreme power, would, in all former times, have been esteemed very blunt and indiscreet, if not illegal, language. We need not be surprised that governments should long continue, though the boundaries of authority, in their several branches be implicit, confused, and undetermined. This is the case all over the world. Who can draw an exact line between the spiritual and temporal powers in catholic states? What code ascertained the precise authority of the Roman senate, in every occurrence? Perhaps the English is the first mixed government, where the authority of every part has been very accurately defined: and yet there still remain many very important questions between the two houses, that, by common consent, are buried in a discreet silence. The king's power is indeed more exactly limited; but this period, of which we now treat, is the time at which that accuracy commenced. And it appears from Warwick and Hobbes, that many royalists blamed this philosophical precision in the king's penman, and thought that the veil was very imprudently drawn off the mysteries of government. It is certain that liberty reaped mighty advantages from these controversies and inquiries; and the royal authority itself became more secure within those provinces which were assigned to it.

[Since the first publication of this history, the sequel of lord Clarendon has been published; where that nobleman asserts, that he himself was the author of most of these remonstrances and memorials of the king.]

Note 6 F, *p.* 668.

Whitlocke, who was one of the commissioners, says, p. 65, "In this treaty the king manifested his great parts and abilities, strength of reason and quickness of apprehension, with much patience in hearing what was objected against him; wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgment upon them. His unhappiness was, that he had a better opinion of other's judgments than of his own, though they were weaker than his own; and of this the parliament commissioners had experience, to their great trouble. They were often waiting on the king, and debating some points of the treaty with him, until midnight, before they could come to a conclusion. Upon one of the most material points, they pressed his majesty with their reasons and best arguments they could use to grant what they desired. The king said, he was fully satisfied, and promised to give them his answer in writing according to their desire; but because it was then past midnight, and too late to put it into writing, he would have it drawn up next morning, (when he commanded them to wait on him again,) and then he would give them his answer in writing, as it was now agreed upon. But next morning the king told them that he had altered his mind: and some of his friends, of whom the commissioners inquired, told them, that after they were gone, and even his council retired, some of his bedchamber never left pressing and persuading him till they prevailed on him to change his former resolutions." It is difficult, however, to conceive, that any negociation could have succeeded between the king and parliament while the latter insisted, as they did all along, on a total submission to all their demands; and challenged the whole power, which they professedly intended to employ, to the punishment of the king's friends.

Note 6 G, *p.* 670.

The author is sensible that some blame may be thrown upon him, on account of this last clause, in Mr. Hambden's character: as if he were willing to entertain a suspicion of bad intentions, where the actions were praiseworthy. But the author's meaning is directly contrary: he esteems the last actions of Mr. Hambden's life to have been very blameable; though, as they were derived from good motives, only pushed to an extreme, there is room left to believe, that the intentions of that patriot, as well as of many of his party, were laudable. Had the preceding administration of the king, which we are apt to call arbitrary, proceeded from ambition, and an unjust desire of encroaching on the ancient liberties of the people, there would have been less reason for giving him any trust, or leaving in his hands a considerable share of that power which he had so much abused. But if his conduct was derived in a great measure from necessity, and from a natural desire of defending that prerogative which was transmitted to him from his ancestors, and which his parliaments were visibly encroaching on; there is no reason why he may not be esteemed a very virtuous prince, and entirely worthy of trust from his people. The attempt, therefore, of totally annihilating monarchical power, was a very blameable extreme; especially as it was attended with the danger, to say the least, of a civil war, which, besides the numberless ills inseparable from it, exposed liberty to much greater perils than it could have incurred under the now limited authority of the king. But as these points could not be supposed so clear during the time, as they are, or may be at present; there are great reasons of alleviation for men who were heated by the controversy, or engaged in the action. And it is remarkable, that even at present (such is the force of party prejudices) there are few people who have coolness enough to see these matters in a proper light, or are convinced that the parliament could prudently have stopped in their pretensions. They still plead the violations of liberty attempted by the king, after granting the petition of right; without considering the extreme harsh treatment which he met with, after making that great concession, and the impossibility of supporting government by the revenue then settled on the crown. The worst of it is, that there was a great tang of enthusiasm in the conduct of the parliamentary leaders, which, though it might render their conduct sincere, will not much enhance their character

with posterity. And though Hambden was, perhaps, less infected with this spirit than many of his associates, he appears not to have been altogether free from it. His intended migration to America, where he could only propose the advantage of enjoying puritanical prayers and sermons, will be allowed a proof of the prevalence of this spirit in him.

Note 6 II, *p.* 674.

In a letter of the king to the queen, preserved in the British Museum, and published by Mrs. Macauley, vol. iv. p. 420, he says, that unless religion was preserved, the militia (being not as in France a formed powerful strength) would be of little use to the crown; and that if the pulpits had not obedience, which would never be, if presbyterian government was absolutely established, the king would have but small comfort of the militia. This reasoning shows the king's good sense, and proves that his attachment to episcopacy, though partly founded on religious principles, was also, in his situation, derived from the soundest views of civil policy. In reality, it was easy for the king to perceive, by the necessary connexion between trifles and important matters, and by the connexion maintained at that time between religion and politics, that when he was contending for the surplice, he was in effect fighting for his crown, and even for his head. Few of the popular party could perceive this connexion: most of them were carried headlong by fanaticism; as might be expected in the ignorant multitude. Few even of the leaders seem to have had more enlarged views.

Note 6 I, *p.* 685.

That Laud's severity was not extreme appears from this fact, that he caused the acts or records of the high-commission-court to be searched, and found that there had been fewer suspensions, deprivations, and other punishments, by three, during the seven years of his time, than in any seven years of his predecessor Abbot; who was notwithstanding in great esteem with the house of commons. Troubles and trials of Laud, p. 164. But Abbot was little attached to the court, and was also a puritan in doctrine, and bore a mortal hatred to the papists: not to mention, that the mutinous spirit was rising higher in the time of Laud, and would less bear control. The maxims, however, of his administration were the same that had ever prevailed in England, and that had place in every other European nation, except Holland, which studied chiefly the interests of commerce, and France, which was fettered by edicts and treaties. To have changed them for the modern maxims of toleration, how reasonable soever, would have been deemed a very bold and dangerous enterprise. It is a principle advanced by president Montesquieu, that, where the magistrate is satisfied with the established religion, he ought to repress the first attempts towards innovation, and only grant a toleration to sects that are diffused and established. See l'Esprit des Loix, liv. 25. cap. 10.—According to this principle, Laud's indulgence to the catholics, and severity to the puritans, would admit of apology. I own, however, that it is very questionable, whether persecution can in any case be justified: but, at the same time, it would be hard to give that appellation to Laud's conduct, who only enforced the act of uniformity, and expelled the clergymen that accepted of benefices and yet refused to observe the ceremonies, which they previously knew to be enjoined by law. He never refused them separate places of worship; because they themselves would have esteemed it impious to demand them, and no less impious to allow them.

Note 6 K, *p.* 691.

Dr. Birch has written a treatise on this subject. It is not my business to oppose any facts contained in that gentleman's performance. I shall only produce arguments which prove that Glamorgan, when he received his private commission, had injunctions from the king to act altogether in concert with Ormond. (1.) It seems to be implied in the very words of the commission. Glamorgan is empowered and authorized to treat and conclude with the confederate Roman catholics in Ireland. "If upon necessity any (*articles*) be condescended unto, wherein the king's lieutenant cannot so well be seen in, as not fit for us at present publicly to own." Here no articles are mentioned, which are not fit to be communicated to Ormond, but only fit for him and the king publicly to be seen in, and to avow. (2.) The king's protestation to Ormond ought, both on account of that prince's character, and the reasons he assigns, to have the greatest weight. The words are these: "Ormond, I cannot but add to my long letter, that, upon the word of a Christian, I never intended Glamorgan should treat anything without your approbation, much less without your knowledge. For besides the injury to you, I was always diffident of his judgment; (though I could not think him so extremely weak as now to my cost I have found;) which you may easily perceive in a postscript of a letter of mine to you." Carte, vol. ii. App. xxiii. It is impossible that any man of honour, however he might dissemble with his enemies, would assert a falsehood in so solemn a manner to his best friend, especially where that person must have had opportunities of knowing the truth. The letter, whose postscript is mentioned by the king, is to be found in Carte, vol. ii. App. xiii. (3.) As the king had really so low an opinion of Glamorgan's understanding, it is very unlikely that he would trust him with the sole management of so important and delicate a treaty. And if he had intended that Glamorgan's negociation should have been independent of Ormond, he would never have told the latter nobleman of it, nor have put him on his guard against Glamorgan's imprudence. That the king judged aright of this nobleman's character, appears from his Century of Arts, or Scantling of Inventions, which is a ridiculous compound of lies, chimeras, and impossibilities, and shows what might be expected from such a man. (4.) Mr. Carte, has published a whole series of the king's correspondence with Ormond, from the time that Glamorgan came into Ireland; and it is evident that Charles all along considers the lord-lieutenant as the person who was conducting the negociations with the Irish. The 31st of July, 1645, after the battle of Naseby, being reduced to great straits, he writes earnestly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to those granted by Glamorgan; and to come over himself with all the Irish he could engage in his service. Carte, vol. iii. No. 400. This would have been a great absurdity, if he had already fixed a different canal, by which, on very different conditions, he purposed to establish a peace. On the 22nd of October, as his distresses multiply, he somewhat enlarges the conditions, though they still fall short of Glamorgan's—a new absurdity! See Carte, vol. iii. p. 411. (5.) But what is equivalent to a demonstration, that Glamorgan was conscious that he had no powers to conclude a treaty on these terms, or without consulting the lord-lieutenant, and did not even expect that the king would ratify the articles, is the defeazance which he gave to the Irish council at the time of signing the treaty. "The earl of Glamorgan does no way intend hereby to oblige his majesty other than he himself shall please, after he has received these ten thousand men as a pledge and testimony of the said Roman-catholics' loyalty and fidelity to his majesty; yet he promises faithfully, upon his word and honour, not to acquaint his majesty with this defeazance, till he had endeavoured, as far as in him lay, to induce his majesty to the granting of the particulars in the said articles; but that done, the said commissioners discharge the said

earl of Glamorgan, both in honour and conscience, of any further engagement to them therein; though his majesty should not be pleased to grant the said particulars in the articles mentioned, the said earl having given them assurance, upon his word, honour, and voluntary oath, that he would never, to any person whatsoever, discover this defeazance in the interim without their consents." Dr. Birch, p. 96. All Glamorgan's view was to get troops for the king's service without hurting his own honour or his master's. The wonder only is, why the Irish accepted of a treaty, which bound nobody, and which the very person who concludes it, seems to confess he does not expect to be ratified. They probably hoped that the king would, from their services, be more easily induced to ratify a treaty which was concluded, than to consent to its conclusion. (6.) I might add, that the lord-lieutenant's concurrence in the treaty was the more requisite; because without it the treaty could not be carried into execution by Glamorgan, nor the Irish troops be transported into England: and even with Ormond's concurrence, it clearly appears, that a treaty, so ruinous to the protestant religion in Ireland, could not be executed in opposition to the zealous protestants of that kingdom. No one can doubt of this truth, who peruses Ormond's correspondence in Mr. Carte. The king was sufficiently apprised of this difficulty. It appears indeed to be the only reason why Ormond objected to the granting of high terms to the Irish catholics.

Dr. Birch, in p. 360, has published a letter of the king's to Glamorgan, where he says, "Howbeit I know you cannot be but confident of my making good all instructions and promises to you and the nuncio." But it is to be remarked, that this letter is dated April 5, 1646; after there had been a new negociation entered into between Glamorgan and the Irish, and after a provisional treaty had even been concluded between them. See Dr. Birch, p. 179. The king's assurances, therefore, can plainly relate only to this recent transaction. The old treaty had long been disavowed by the king, and supposed by all the parties to be annulled.

Note 6 L, *p.* 699.

Salmonet, Ludlow, Hollis, &c., all these, especially the last, being the declared inveterate enemies of Cromwell, are the more to be credited, when they advance any fact, which may serve to apologize for his violent and criminal conduct. There prevails a story, that Cromwell intercepted a letter written to the queen, where the king said, that he would first raise and then destroy Cromwell. But, besides that this conduct seems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is first told by Roger Coke, a very passionate and foolish historian, who wrote, too, so late as king William's reign; and even he mentions it only as a mere rumour or hearsay, without any known foundation. In the memoirs of lord Broghill, we meet with another story of an intercepted letter which deserves some more attention, and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger, earl of Orrery: "Lord Orrery, in the time of his greatness with Cromwell, just after he had so seasonably relieved him in his great distress at Clonmell, riding out of Youghall, one day with him and Ireton, they fell into discourse about the king's death. Cromwell thereupon said more than once, that if the king had followed his own judgment, and had been attended by none but trusty servants, he had fooled them all; and that once they had a mind to have closed with him; but, upon something that happened, fell off from that design. Orrery finding them in good humour, and being alone with them, asked, if he might presume to desire to know, why they would once have closed with his majesty, and why they did not? Cromwell very freely told him, he would satisfy him in both his queries. 'The reason (says he) why we would have closed with the king was this: we found that the Scotch and presbyterians began to be more powerful than we, and were likely to agree with him and leave us in the lurch. For this reason we thought it best to prevent them, by offering first to come in upon reasonable conditions: but whilst our thoughts were taken up with this subject, there came a letter to us from one of our spies, who was of the king's bedchamber, acquainting us, that our final doom was decreed that very day; that he could not possibly learn what it was, but we might discover it, if we could but intercept a letter sent from the king to the queen, wherein he informed her of his resolution; that this letter was sown up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten of the clock that night, to the Blue Boar in Holborn, where he was to take horse for Dover. The messenger knew nothing of the letter in the saddle, though some in Dover did. We were at Windsor (said Cromwell) when we received this letter, and immediately upon the receipt of it, Ireton and I resolved to take one trusty fellow with us, and to go in troopers' habits to that inn. We did so; and leaving our man at the gate of the inn, (which had a wicket only open to let persons in and out,) to watch and give us notice when any man came in with a saddle, we went into a drinking-stall. We there continued drinking cans of beer till about ten of the clock, when our sentinel at the gate gave us notice that the man with the saddle was come. We rose up presently, and just as the man was leading out his horse saddled, we came up to him with drawn swords, and told him we were to search all that went in and out there; but as he looked like an honest man, we would only search his saddle, and so dismiss him The saddle was ungirt; we carried it into the stall where we had been drinking, and ripping open one of the skirts, we there found the letter we wanted. Having thus got it into our hands, we delivered the man (whom we have left with our centinel) his saddle, told him he was an honest fellow, and bid him go about his business; which he did, pursuing his journey without more ado, and ignorant of the harm he had suffered. We found in the letter, that his majesty acquainted the queen, that he was courted by both factions, the Scotch presbyterians and the army; and that those which bade the fairest for him should have him: but yet he thought he should close with the Scots sooner than with the other. Upon this we returned to Windsor; and finding we were not like to have good terms from the king, we from that time vowed his destruction.'—This relation, suiting well enough with other passages and circumstances at this time, I have inserted to gratify the reader's curiosity." Carte's Ormond, vol. ii. p. 12.

Note 6 M, *p.* 700.

These are the words: "Laneric; I wonder to hear (if that be true) that some of my friends say, that my going to Jersey would have much more furthered my personal treaty, than my coming hither, for which, as I see no colour of reason, so I had not been here, if I had thought that fancy true, or had not been secured of a personal treaty; of which I neither do, nor, I hope, will repent; for I am daily more and more satisfied with the governor, and find these islanders very good, peaceable, and quiet people. This encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to you." Burnet's Memoirs of Hamilton, p. 326. See also Rushworth, part 4. vol. ii. p. 941. All the writers of that age, except Clarendon, represent the king's going to the Isle of Wight as voluntary and intended. Perhaps the king thought it little for his credit to be trepanned into this measure, and was more willing to

take it on himself as entirely voluntary. Perhaps he thought it would encourage his friends, if they thought him in a situation which was not disagreeable to him.

Note 6 N, *p.* 704.

The king composed a letter to the prince, in which he related the whole course of this transaction, and accompanied his narrative with several wise, as well as pathetical, reflections and advices. The words with which he concluded the letter are remarkable. "By what hath been said, you see how long I have laboured in the search of peace; do not you be disheartened to tread in the same steps. Use all worthy means to restore yourself to your rights, but prefer the way of peace; show the greatness of your mind, rather to conquer your enemies by pardoning, than by punishing. If you saw how unmanly and unchristian the implacable disposition is in our ill-wishers, you would avoid that spirit. Censure me not for having parted with so much of our right. The price was great; but the commodity was, security to us, peace to my people. And I am confident, that another parliament would remember, how useful a king's power is to a people's liberty; of how much power I divested myself, that I and they might meet once again in a parliamentary way, in order to agree the bounds of prince and people. Give belief to my experience, never to affect more greatness or prerogative, than what is really and intrinsically for the good of the subjects, not the satisfaction of favourites. If you thus use it, you will never want means to be a father to all, and a bountiful prince to any, whom you incline to be extraordinarily gracious to. You may perceive, that all men intrust their treasure where it returns them interest; and if a prince, like the sea, receive and repay all the fresh streams, which the rivers intrust with him, they will not grudge, but pride themselves, to make him up an ocean. These considerations may make you as great a prince as your father is a low one; and your state may be so much the more established, as mine hath been shaken. For our subjects have learned, I dare say, that victories over their princes are but triumphs over themselves, and so will more unwillingly hearken to changes hereafter. The English nation are a sober people, however at present infatuated. I know not but this may be the last time I may speak to you or the world publicly. I am sensible into what hands I am fallen; and yet, I bless God, I have those inward refreshments, which the malice of my enemies cannot perturb. I have learned to be busy myself, by retiring into myself; and therefore can the better digest whatever befals me, not doubting but God's providence will restrain our enemies' power, and turn their fierceness into his praise. To conclude: if God give you success, use it humbly, and be ever far from revenge. If he restore you to your right on hard conditions, whatever you promise keep. These men, who have violated laws, which they were bound to preserve, will find their triumphs full of trouble. But do not you think anything in the world worth attaining by foul and unjust means."

Note 6 O, *p.* 709.

The imputation of insincerity on Charles I., like most party clamours, is difficult to be removed; though it may not here be improper to say something with regard to it. I shall first remark, that this imputation seems to be of a later growth than his own age; and that even his enemies, though they loaded him with many calumnies, did not insist on this accusation. Ludlow, I think, is almost the only parliamentarian, who imputes that vice to him; and how passionate a writer he is, must be obvious to every one. Neither Clarendon, nor any other of the royalists, ever justify him from insincerity; as not supposing that he had ever been accused of it. In the second place, his deportment and character in common life was free from that vice: he was reserved, distant, stately; bold in his address, plain in his discourse, inflexible in his principles; wide of the caressing, insinuating manners of his son; or the professing, talkative humour of his father. The imputation of insincerity must be grounded on some of his public actions, which we are therefore in the third place to examine. The following are the only instances which I find cited to confirm that accusation. His vouching Buckingham's narrative of the transactions in Spain. But it is evident that Charles himself was deceived; why otherwise did he quarrel with Spain? The following is a passage of a letter from lord Kensington, ambassador in France, to the duke of Buckingham, Cabala, p. 318. "But his highness (the prince) had observed as great a weakness and folly as that, in that after they (the Spaniards) had used him so ill, they would suffer him to depart, which was one of the first speeches he uttered after he came into the ship. But did he say so? said the queen (of France). Yes, madam, I will assure you, quoth I, from the witness of mine own ears. She smiled and replied, indeed I heard he was used ill. So he was, answered I, but not in his entertainment; for that was as splendid as that country could afford it: but in their frivolous delays, and in the unreasonable conditions which they propounded and pressed, upon the advantage they had of his princely person." (2) Bishop Burnet, in his History of the House of Hamilton, p. 154, has preserved a letter of the king's to the Scottish bishops, in which he desires them not to be present at the parliament, where they would be forced to ratify the abolition of their own order. "For," adds the king, "we do hereby assure you, that it shall be still one of our chiefest studies how to rectify and establish the government of that church aright, and to repair your losses, which we desire you to be most confident of," And in another place, "You may rest secure, that though perhaps we may give way for the present to that which will be prejudicial both to the church and our own government; yet we shall not leave thinking in time how to remedy both." But does the king say, that he will arbitrarily revoke his concession? Does not candour require us rather to suppose, that he hoped his authority would so far recover as to enable him to obtain the national consent to re-establish episcopacy, which he believed so material a part of religion as well as of government? It is not easy indeed to think how he could hope to effect this purpose in any other way than his father had taken, that is, by consent of parliament. (3.) There is a passage in lord Clarendon, where it is said, that the king assented the more easily to the bill, which excluded the bishops from the house of peers, because he thought that that law, being enacted by force, could not be valid. But the king certainly reasoned right in that conclusion. Three-fourths of the temporal peers were at that time banished by the violence of the populace: twelve bishops were unjustly thrown into the Tower by the commons: great numbers of the commons themselves were kept away by fear or violence; the king himself was chased from London. If all this be not force, there is no such thing. But this scruple of the king's affects only the bishops' bill, and that against pressing. The other constitutional laws had passed without the least appearance of violence, as did indeed all the bills passed during the first year, except Strafford's attainder, which could not be recalled. The parliament, therefore, even if they had known the king's sentiments in this particular, could not, on that account, have had any just foundation of jealousy. (4) The king's letter, intercepted at Naseby, has been the source of much clamour. We have spoken of it already in chapter lviii. Nothing is more usual in all public transactions than

such distinctions. After the death of Charles II. of Spain, king William's ambassadors gave the duke of Anjou the title of king of Spain: yet at that very time king William was secretly forming alliances to dethrone him: and soon after he refused him that title, and insisted (as he had reason) that he had not acknowledged his right. Yet king William justly passes for a very sincere prince; and this transaction is not regarded as any objection to his character in that particular. In all the negociations at the peace of Ryswic, the French ambassadors always addressed king William as king of England; yet it was made an express article of the treaty, that the French king should acknowledge him as such. Such a palpable difference is there between giving a title to a prince, and positively recognising his right to it. I may add, that Charles, when he inserted that protestation in the council-books before his council, surely thought he had reason to justify his conduct. There were too many men of honour in that company to avow a palpable cheat. To which we may subjoin, that if men were as much disposed to judge of this prince's actions with candour as severity, this precaution of entering a protest in his council-books might rather pass for a proof of scrupulous honour; lest he should afterwards be reproached with breach of his word, when he should think proper again to declare the assembly at Westminster no parliament. (5.) The denying of his commission to Glamorgan is another instance which has been cited. This matter has been already treated in a note to chap. lviii. That transaction was entirely innocent. Even if the king had given a commission to Glamorgan to conclude that treaty, and had ratified it, will any reasonable man in our age think it strange, that, in order to save his own life, his crown, his family, his friends, and his party, he should make a treaty with papists, and grant them very large concessions for their religion? (6.) There is another of the king's intercepted letters to the queen commonly mentioned; where it is pretended, he talked of raising and then destroying Cromwell: but that story stands on no manner of foundation, as we have observed in a preceding note to this chapter. In a word, the parliament, after the commencement of their violences, and still more, after beginning the civil war, had reason for their scruples and jealousies, founded on the very nature of their situation, and on the general propensity of the human mind; not on any fault of the king's character; who was candid, sincere, upright, as much as any man whom we meet with in history. Perhaps, it would be difficult to find another character so unexceptionable in this particular.

As to the other circumstances of Charles's character, chiefly exclaimed against, namely, his arbitrary principles in government, one may venture to assert, that the greatest enemies of this prince will not find, in the long line of his predecessors, from the conquest to his time, any one king, except perhaps his father, whose administration was not more arbitrary and less legal, or whose conduct could have been recommended to him by the popular party themselves, as a model, in this particular, for his government. Nor is it sufficient to say, that example and precedent can never authorize vices: examples and precedents, uniform and ancient, can surely fix the nature of any constitution, and the limits of any form of government. There is indeed no other principle by which those landmarks or boundaries can be settled.

What a paradox in human affairs, that Henry VIII. should have been almost adored in his lifetime, and his memory be respected; while Charles I. should, by the same people, at no greater distance than a century, have been led to a public and ignominious execution, and his name be ever after pursued by falsehood and by obloquy! Even at present, an historian who, prompted by his courageous generosity, should venture, though from the most authentic and undisputed facts, to vindicate the fame of that prince, would be sure to meet with such treatment, as would discourage even the boldest from so dangerous, however splendid, an enterprise.

Note 6 P, *p.* 714.

The following instance of extravagance is given by Walker, in his History of Independency, Part II. p. 152. About this time there came six soldiers into the parish church of Walton-upon-Thames, near twilight: Mr. Faucet, the preacher there, not having till then ended his sermon. One of the soldiers had a lantern in his hand, and a candle burning in it, and in the other hand four candles not lighted. He desired the parishioners to stay a while, saying he had a message from God unto them, and thereupon offered to go into the pulpit. But the people refusing to give him leave so to do, or to stay in the church, he went into the churchyard, and there told them that he had a vision, wherein he had received a command from God to deliver his will unto them, which he was to deliver, and they to receive upon pain of damnation; consisting of five lights. (1.) "That the sabbath was abolished as unnecessary, Jewish, and merely ceremonial. And here (quoth he) I should put out the first light, but the wind is so high I cannot kindle it. (2.) That tithes are abolished as Jewish and ceremonial, a great burden to the saints of God, and a discouragement of industry and tillage. And here I should put out my second light, &c. (3.) That ministers are abolished as antichristian, and of no longer use, now Christ himself descends into the hearts of his saints, and his spirit enlighteneth them with revelations and inspirations. And here I should put out my third light, &c. (4.) Magistrates are abolished as useless, now that Christ himself is in purity amongst us, and hath erected the kingdom of the saints upon earth. Besides, they are tyrants and oppressors of the liberty of the saints, and tie them to laws and ordinances, mere human inventions. And here I should put out my fourth light, &c. (5.) Then putting his hand into his pocket, and pulling out a little Bible, he showed it open to the people, saying, Here is a book you have in great veneration, consisting of two parts, the Old and New Testaments: I must tell you it is abolished; it containeth beggarly rudiments, milk for babes; but now Christ is in glory amongst us, and imparts a further measure of his spirit to his saints than this can afford, I am commanded to burn it before your face. Then putting out the candle he said, And here my fifth light is extinguished." It became a pretty common doctrine at that time, that it was unworthy of a Christian man to pay rent to his fellow-creatures: and landlords were obliged to use all the penalties of law against their tenants, whose conscience was scrupulous.

Note 6 Q, *p.* 723.

When the earl of Derby was alive, he had been summoned by Ireton to surrender the Isle of Man; and he returned this spirited and memorable answer: "I received your letter with indignation, and with scorn return you this answer; that I cannot but wonder whence you should gather any hopes that I should prove, like you, treacherous to my sovereign; since you cannot be ignorant of my former actions in his late majesty's service, from which principles of loyalty I am no whit departed. I scorn your proffers; I disdain your favour; I abhor your treason; and am so far from delivering up this island to your advantage, that I shall keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any further solicitations; for if you trouble me with any more messages of this nature, I will burn the paper and hang up the bearer. This is the immutable resolution, and shall be the undoubted practice of him, who accounts it his chiefest glory to be his majesty's most loyal and obedient subject.

"DERBY."

Note 6 R, *p.* 723.

It had been a usual policy of the presbyterian ecclesiastics to settle a chaplain in the great families, who acted as a spy upon his master, and gave them intelligence of the most private transactions and discourses of the family. A signal instance of priestly tyranny, and the subjection of the nobility! They even obliged the servants to give intelligence against their masters. Whitlocke, p. 502. The same author, p. 412, tells the following story. The synod meeting at Perth, and citing the ministers and people, who had expressed a dislike of *their heavenly government*, the men being out of the way, their wives resolved to answer for them. And, on the day of appearance, a hundred and twenty women, with good clubs in their hands, came and besieged the church, where the reverend ministers sat. They sent one of their number to treat with the females, and he threatening excommunication, they basted him for his labour, kept him prisoner, and sent a party of sixty, who routed the rest of the clergy, bruised their bodies sorely, took all their baggage and twelve horses. One of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees, who knowing nothing of the matter, asked the black-coat what he meant? The female conquerors, having laid hold on the synod clerk, beat him till he forswore his office. Thirteen ministers rallied about four miles from the place, and voted that this village should never more have a synod in it, but be accursed; and that though in the years 1638 and 39, the godly women were cried up for stoning the bishops, yet now the whole sex should be esteemed wicked.

Note 6 S, *p.* 736.

About this time an accident had almost robbed the protector of his life, and saved his enemies the trouble of all their machinations. Having got six fine Friesland coach-horses as a present from the count of Oldenburgh, he undertook for his amusement to drive them about Hyde-park; his secretary, Thurloe, being in the coach. The horses were startled and ran away: he was unable to command them or keep the box. He fell upon the pole, was dragged upon the ground for some time; a pistol which he carried in his pocket went off; and by that singular good fortune which ever attended him, he was taken up without any considerable hurt or bruise.

Note 6 T, *p.* 750.

After Monk's declaration for a free parliament on the 11th of February, he could mean nothing but the king's restoration: yet it was long before he would open himself even to the king. This declaration was within eight days after his arrival in London. Had he ever intended to have set up for himself, he would not surely have so soon abandoned a project so inviting: he would have taken some steps, which would have betrayed it. It could only have been some disappointment, some frustrated attempt, which could have made him renounce the road of private ambition. But there is not the least symptom of such intentions. The story told of sir Anthony Ashley Cooper, by Mr. Locke, has not any appearance of truth. See Lord Lansdowne's Vindication, and Philip's Continuation of Baker. I shall add to what those authors have advanced, that cardinal Mazarine wished for the king's restoration; though he would not have ventured much to have procured it.

Note 6 U, *p.* 774.

The articles were, that he had advised the king to govern by military power without parliaments, that he had affirmed the king to be a papist or popishly affected, that he had received great sums of money for procuring the Canary patent and other illegal patents; that he had advised and procured divers of his majesty's subjects to be imprisoned against law, in remote lands and garrisons, thereby to prevent their having the benefit of the law; that he had procured the customs to be farmed at under-rates; that he had received great sums from the Vintners' Company, for allowing them to enhance the price of wines; that he had in a short time gained a greater estate than could have been supposed to arise from the profits of his office; that he had introduced an arbitrary government into his majesty's plantations; that he had rejected a proposal for the preservation of Nevis and St. Christopher's, which was the occasion of great losses in those parts; that when he was in his majesty's service beyond sea, he held a correspondence with Cromwell and his accomplices; that he advised the sale of Dunkirk; that he had unduly altered letters-patent under the king's seal; that he had unduly decided causes in council, which should have been brought before chancery; that he had issued quo warrantos against corporations with an intention of squeezing money from them; that he had taken money for passing the bill of settlement in Ireland; that he betrayed the nation in all foreign treaties; and that he was the principal adviser of dividing the fleet in June, 1666.

Note 6 X, *p.* 781.

The abstract of the Report of the Brook-house committee (so that committee was called) was first published by Mr. Ralph, vol. i. p. 177, from Lord Halifax's collections, to which I refer. If we peruse their apology, which we find in the subsequent page of the same author, we shall find that they acted with some malignity towards the king. They would take notice of no services performed before the 1st of September, 1664, But all the king's preparations preceded that date, and, as chancellor Clarendon told the parliament, amounted to eight hundred thousand pounds; and the computation is very probable. This sum, therefore, must be added. The committee likewise charged seven hundred thousand pounds to the king on account of the winter and summer guards, saved during two years and ten months that the war lasted. But this seems iniquitous. For though that was an unusual burden on the revenue, which was then saved; would not the diminution of the customs, during the war, be an equivalent to it? Besides, near three hundred and forty thousand pounds are charged for prize-money, which perhaps the king thought he ought not to account for. These sums exceed the million and a half.

Note 6 Y, *p.* 783.

Gourville has said in his Memoirs, vol. ii. p. 14, 67, that Charles was never sincere in the triple alliance; and that having entertained a violent animosity against De Wit, he endeavoured by this artifice to detach him from the French alliance, with a view of afterwards finding an opportunity to satiate his vengeance upon him. This account, though very little honourable to the king's memory, seems probable from the events, as well as from the authority of the author.

END OF VOLUME I.

LIFE OF SMOLLETT.

It is rather a remarkable fact, that although there are few men who have contributed so much to the standard literature of England as the subject of these pages, yet of his life and history so little is generally known, notwithstanding he lived in a comparatively recent period, and has left us such plentiful materials wherewith to compose his biography. Our space will not permit any lengthened memoir, still it shall be as correct and concise as possible.

Tobias Smollett was born in the year 1721, and had the good fortune to open his eyes for the first time in one of the most romantic districts of Scotland, the Vale of Leven, situated between Dumbarton and Balloch, about three miles from Loch Lomond, and in the immediate neighbourhood of the fortresses of Cardross and Dumbarton, which had respectively given shelter to the two heroes of Scottish history, Robert Bruce and Wallace. Of Smollett's boyhood no anecdotes are handed down to us; but we are told that even at school he showed his love of ridicule and satire, by writing squibs against several of his companions. After passing some time at the school of Mr. John Lowe, at Dumbarton, he was removed to the University of Glasgow, and then declared his intention of devoting himself to the study of medicine; and it appears, by the college records, that he did so with more than the average amount of skill and industry; he therefore commenced his apprenticeship under the most favourable circumstances.

He was articled to Mr. John Gordon, a man of eminence in the surgical profession, and of considerable practice. Smollett's opinion of him in *Humphrey Clinker* testifies the high esteem in which he was held: he makes Bramble there say, "I was introduced to Mr. Gordon, a patriot of a truly noble spirit. Had he lived in ancient times, he would have been honoured with a statue at the public expense." During Smollett's apprenticeship to Mr. Gordon, he became celebrated among his friends as a keen satirist; and it was not only in satire that he exercised his talents, for before he was eighteen he had written the tragedy of *The Regicide*, founded upon the facts connected with the assassination of King James the First, in a convent near Perth. Soon after this, however, it was his misfortune to lose his grandfather, Sir James Smollett, who had been a most liberal friend and protector to him after the death of his father, who was Sir James's youngest son, but who had offended his family by marrying a lady without fortune. This loss was rendered doubly severe by Sir James having neglected to provide for him or his mother by any bequest; and thus being left without any means of support, he resolved, immediately the term of his apprenticeship was expired, to set out for London, and endeavour there to gain that independence of which he felt his talents worthy. All the wealth he possessed, on his arrival in London, was a plentiful supply of letters of introduction, and his tragedy of *The Regicide*, on the merits of which he rested his chief hopes of success. But all his efforts to bring it on the stage proved abortive; and he was finally compelled to seek some more substantial means of support than literature appeared then to offer him. Fortunately he had not much difficulty in obtaining the appointment of surgeon's mate on board a man-of-war, one of the fleet destined for the expedition to Carthagena; and we find that in 1741 he proceeded thither. The despotic control to which he was subject on board did not at all suit his temperament; and after a short period, being quite disgusted with his office, he resigned it, and took up his abode in Jamaica, where he resided until 1746, when he returned to England. During his residence there he formed an attachment to a Miss Lascelles, a lady of considerable personal attractions, and the expectant heiress of some thousands of pounds. His unsettled situation prevented their immediate union, and it was to prepare for his marriage that he entered seriously, on his return to England, on his profession as a physician. But in this career he made little progress, owing, in all probability, to his endeavours after success in the literary world. Instead of requesting the aid of his friends to procure him a little practice, he employed all the interest he could claim to forward his measures with the manager of Drury Lane for the bringing out of *The Regicide*; and the poet was far more conspicuous than the physician in the eyes of his friends. This was rendered still further the case, by the publication, almost immediately after his return, of the little satire *Advice*, which was followed in the succeeding year by another, entitled *Reproof*. Previous to the publication of this last, he had produced the opera *Alceste*, which was to have been performed at Covent Garden; but before it could appear he had quarrelled with the manager, and directed against him in the *Reproof* some of the bitterest lines his pen could produce. This very imprudent step not only injured his character as a professional man, but also raised up for him numerous enemies in the very circles which it would have been his best policy to have carefully cultivated.

Notwithstanding all these disappointments, he married Miss Lascelles; and prudent as this step appeared, it turned out the very reverse. Miss Lascelles had the expectation of a fortune of three thousand pounds; and with this money our author had hoped to pursue his career under more favourable auspices; but, to his chagrin, he found that the right was disputed, and the expenses of the legal aid he was obliged to procure only added to his already serious embarrassments. Still his active and lively spirit was by no means subdued; and under the pressure of these difficulties, he set to work in quite a different sphere of literature, and in 1748 produced his first work of fiction, the novel of *Roderic Random*. Although Fielding was then enjoying the utmost popularity, Smollett threatened to divide with him the admiration of the public; and, notwithstanding the styles of the two novelists are so dissimilar, Lady Mary Wortley Montague ascribed *Roderic Random*, on its first appearance without a name, to Fielding; and in a letter to her daughter, the Countess of Bute, after praising it, she adds, "I cannot think *Ferdinand Fathom* wrote by the same hand: it is every way so much below it." Still Lady Mary's mistake was not general, and the author had the pleasure of seeing his work crowned with complete success. It brought him both reputation and money, though far more of the former than the latter; and it gave him a degree of confidence in the patronage of the public.

But here again Smollett's unhappy fondness for his first love, the tragedy of *The Regicide*, interfered with his otherwise rising reputation. He, in place of committing it to the flames, as a boyish effort, condescended to solicit the public for a subscription to enable him to put it in print, and to bring it on the stage. The pains he took about this luckless tragedy forms one of the most amusing chapters in Smollett's life, and adds another to the many instances on record of the inability of an author to judge of the merits of his own productions. At last he was persuaded to reconsider its merits, and to new model the plan, which was imperfect and undigested before, and mould it into a regular tragedy, confined within the unities of the drama. It appears most inconsistent to find Smollett acknowledging this himself, after having for years regularly abused, in unmeasured terms, both managers and

patrons, for their want of taste in not risking the expense of bringing it before the public. Finally, after many disappointments, Smollet gave up the idea of seeing it ever on the stage, and vented his ill-humour in a vituperative address, which was only laughed at, and also by various remarks in *Roderic Random*, under the character of Mr. Melopoyn.

In the summer of the year following the publication of *The Regicide*, he made an excursion to Paris, and there became acquainted with many of the persons whom he afterwards described in *Peregrine Pickle*, which was published in 1751, with triumphant success, in spite of the numerous instances in which he gave way to personal resentment, by caricaturing many of the most estimable men of his day, and by the prostitution of his pen in inserting the *Memoirs of a Lady of Quality*. About this period he formed the idea of raising himself in his profession, and issued a work entitled *An Essay on the External Use of Water, &c.;* but although this added to his reputation as a man of science, it did not at all improve his practice: and he soon after took a house at Chelsea, and resolved on devoting himself entirely to the pursuits of literature, for which he was perhaps better qualified than any man of the age: his versatility of talents, and his experience of the world enabled him at once to seize on almost any subject, and treat it either humorously, sarcastically, or seriously: in addition to this his genius was most inventive, and his imagination vigorous. Still his works are by no means equal. *The Adventures of Ferdinand Count Fathom*, which he wrote at this time, was treated by the public with the contempt it merited; and the only wonder is, that the author of *Roderic Random* could have ever penned anything so disgusting and profligate as many of the scenes he there describes.

In the spring of 1755 Smollett published his translation of *Don Quixote*, which met with a very favourable reception from the public, partly from the fact that previously to commencing it, he had obtained a large subscription from his friends and the patrons of literature in general. After the completion of this work he determined on seeking a temporary relief from his incessant and laborious occupations; and he employed a brief holiday in visiting his mother, whom he had not seen since he left Scotland in 1741. She was then residing with her married daughter, Mrs. Telfer, at Scotston, in Peebleshire; and Smollett, anxious to increase the pleasure of their meeting, contrived a little surprise, by desiring his sister to say that he was a gentleman lately arrived from the West Indies, where he had known her son. For some time he kept an expression of gravity foreign to his nature, and succeeded in imposing upon his mother; but the instant he relaxed, and was unable to refrain from a smile, she flung her arms around him, exclaiming, in a tone of passionate joy and tenderness, "Ah! my son! my son! I have found you at last!" She afterwards told him, that if he had continued to *gloom*, he might longer have escaped detection; but that his "old roguish smile betrayed him at once."

On his return to London he accepted the office of editor of *The Critical Review*, a periodical intended to support the Tories against *The Monthly Review*, which had been commenced some years before, and by this step he was exposed to constant annoyances, arising from his intemperate and unguarded abuse of those he deemed his enemies. No serious consequences, however, arose from any of these attacks, until the year 1759, when he was prosecuted by Admiral Knowles, in consequence of an article in *The Critical Review*, casting aspersions on his character as a naval officer, for which Smollett was condemned to pay a fine of one hundred pounds, and be imprisoned for three months in the King's Bench. A short time previously to this he had published his *History of England*, which he prepared in the short space of fourteen months, and which will ever remain the most popular monument of his fame. Its elegance of style and accuracy of facts recommend it to all as a worthy continuation of Hume's masterly work, with which it is very universally associated. During his imprisonment he commenced *Sir Launcelot Greaves;* and in it detailed the history of his fellow-prisoner, the much to be pitied Theodore, King of Corsica. Unfortunately Smollett originally published it in detached portions for *The British Magazine*, which appeared monthly; and it is owing to this that the novel is so unconnected in style, and that the incidents narrated are of so capricious a character.

But in the year of 1763, while busily employed in his literary avocations, a heavy domestic calamity befell him —the loss of his only daughter, an amiable girl of fifteen, which tended to hasten the termination of his career. To seek relief from the melancholy that now depressed his spirits, added to a complication of rheumatic disorders, he set out on a tour over the continent, and during three years visited different parts of France, Germany, and Italy. On his return he proceeded to Scotland, where he had again the happiness of seeing his mother, who was still alive. His journey having much improved his health, he resumed his old occupations; but after a time, being again attacked, he had no hopes of recovery except in a change of atmosphere. He proceeded to Leghorn with his wife, and in a village named Monte Novo, near that city, took up his abode. For some time he appeared to improve in health, and enjoyed sufficient ease to compose what many deem his best work, *Humphrey Clinker*, which appeared in 1771, and was attacked rather severely by the critics of the day. But in the October of the same year Smollett closed a career, from the celebrity of which their petty criticisms cannot detract any splendour.

His death happened in the fifty-first year of his age; yet from his personal appearance he might have been expected to enjoy a long and vigorous state of health. According to all accounts he was remarkably handsome, and his temper, although at times violent, was open and generous. The occasional coarseness of his style is to be lamented; but these were the faults of the age, and not of the man. Still, in spite of this great drawback, the fact that his works are even in the present day read and admired is in itself a proof of their great merits. In conclusion, it must be admitted that in variety of detail, and liveliness of description, he has never yet been equalled by any writer of his class.

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